

[Shri Shanti Bhushan]

on the Table an explanatory statement (Hindi and English versions) giving reasons for immediate legislation by the Disputes Elections (Prime Minister and Speaker) Ordinance, 1977.

13.15 hrs.

MOTION OF THANKS ON THE ADDRESS BY THE VICE-PRESIDENT ACTING AS PRESIDENT

MR. DEPUTY-SPEAKER: We shall begin further discussion on the motion of thanks on the Address by the Vice-President acting as President.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): Before we begin discussion on the motion of thanks on the Address by the Vice-President acting as President, I would like to make a statement regarding the sitting of the House. Yesterday, you would recall, it was decided that the debate on the motion would continue for an hour this morning and the Prime Minister would be requested to reply to the debate at 2 P.M. As things have gone on in the House now, we see that one hour after the Question Hour is over and the time for lunch recess has come. I would, therefore, request you to agree to forego the lunch recess and continue with the debate on the President's Address. This will give an opportunity to more hon. Members to speak and participate in the debate. The Prime Minister will then reply to the debate at 3 P.M.

SHRI K. RAGHU RAMAIAH (Guntur): Sir, it has been the customs and the procedure in this House all these years that when changes like this are made, the Opposition is also consulted. While I have no objection to the present proposal, I would like my hon. friend, the Minister of Parliamentary Affairs, to follow the time-honoured customs of consulting the Opposition

about any extension of time or extension of the sitting of the House or any such accommodation. We are willing to cooperate. But we should not be ignored.

SHRI RAVINDRA VARMA: I wish to say that I am extremely sorry that I did not have the occasion to consult the Opposition. I will see that such a lapse does not occur in future.

MR. DEPUTY-SPEAKER: I think the House agrees to the suggestion put forward by the Minister of Parliamentary Affairs.

HON. MEMBERS: Yes.

MR. DEPUTY-SPEAKER: I would also suggest that, if need be, we may sit beyond 6 O'clock today to complete some of the Government business.

श्री शरद यादव (जबलपुर) : उपाध्यक्ष महोदय, मैं थोड़ा सा बिहार वाला मामला जो था उसकी और आपका ध्यान दिलाना चाहता हूँ। आप देखिये कि हिन्दुस्तान में जो भी मामला हुआ है बिहार विधान सभा को भंग करने के बारे में कितने नौजवानों की जानें गईं, कितनी ही हमारे साथ ज्यादतियाँ ई, सब कुछ हुआ और 90 आदिमियों ने इस्तीफा दे रखा है। और उस विधान सभा को जिसने इतने सब पाप किये हैं भंग कराने के प्रश्न पर नौजवान लोग लोक सभा के सामने भूख हड़ताल कर रहे हैं। बिहार में नौजवान तकलीफ में हैं, उनकी भवनाओं को ठेस लग रही है। लाखों लोगों ने दस्तखत करके दिया कि इस लोक सभा के चुनाव में बिहार की जनता ने सारे के सारे कांग्रेस के जो खड़े हुए बिजली के खम्भे थे सब को हरा दिया। मैं भी छात्र संघर्ष समिति के सदस्यों के साथ प्रधान मंत्री से मिला था और उन्होंने 8 दिन का वक्त दिया था कि इस बीच कोई फंसला हो जायगा। लेकिन अभी तक उस बारे में कोई फंसला नहीं हुआ है। बिहार के लोगों की जो भवनायें हैं, जितनी कुरबानियाँ

उन्होंने दी हैं, जितनी हमने यातनायें और कष्ट सहे हैं, उन सब को ध्यान में रखते हुए मेरा सरकार से निवेदन है कि जो नौजवान भूख हड़ताल पर बैठे हुए हैं उनकी तरफ़ देख कर और बिहार के नौजवानों और जनता की भावनाओं को समझ कर के सरकार जल्दी से फ़ैसला दे और उस पापी विधान सभा को भंग करे। जनता ने तो अपना फ़ैसला दे दिया है अब आपको फ़ैसला देना चाहिये।

श्री मधु सिमये (दावा) : आप उन लड़कों से मिल लीजिये।

श्री श्यामनन्दन मिश्र (बेगूसराय) : उपाध्यक्ष महोदय, आप उन छात्रों से मिलने जायें, या कोई मंत्री महोदय मिलने जाय। 4 छात्र यहां पर उपवास कर रहे हैं। सवाल है विधान सभा के चुनाव का। elections to the Assembly का सरकार को इसके सम्बन्ध में भी अपनी स्थिति इसी सेशन में साफ़ कर देनी चाहिये।

MR. DEPUTY-SPEAKER: Now, we proceed with the discussion on the President's Address. As there is hardly 1-1/2 hours time left, it would be appreciated if the hon. Members take only about 5 minutes each.

Shri Chitta Basu.

SHRI CHITTA BASU (Barasat): Mr. Deputy-Speaker, Sir, as you are aware, the Sixth Lok Sabha has been constituted against the background of a series of political events of extraordinary and far-reaching significance. Therefore, in all fairness, the President's Address is to be viewed in the light of the political changes that have taken place in the country.

The result signifies, in short, the unshakable faith of the Indian masses in the parliamentary institutions and the democratic processes, despite strong-arm policies of the erstwhile Government to reverse them. It is nothing short of mass revolt against the tyranny of a thin caucus who

went in the name of the Government and who permitted the operation of extra-constitutional powers at various levels. It was a silent revolt but conspicuous in its eloquence.

This is the inevitability of the process of history. We know that certain policy statements have been made by the Government and those policy statements are really in accordance with the mass movement in the country. Particularly, I refer to the statements made by the Minister of Railways and the Minister of Communications wherein the wishes and aspirations of the working class, the labour leaders and the employees have been properly reflected in the matter of reinstating those employees who were dismissed or suspended because of the participation in legal trade union activity.

13.20 hrs.

[SHRI DHIRENDRANATH BASU in the Chair]

We know that the new Government is riding on the wave of victory. New hopes and expectations have also been raised among the masses. This mass enthusiasm has to be further consolidated and strengthened. It is necessary that the Government of the day should take appropriate measures and specific and concrete decisions in the matter of ensuring popular involvement in policy making and also in administration. I am sorry to note that no mention of this aspect has been made in the President's address. I think this is a lacuna, and this has to be taken note of.

I further appeal to the Government that such measures should immediately be taken whereby the people will feel that there will really be a change for the working classes of this country. The House knows that the agricultural workers of our country constitute an overwhelming majority of the working population. It has been the policy of the erstwhile Government to allow the State Governments to fix up the minimum wages for agri-

[Shri Chitta Basu]

cultural labourers. As you know, in many States, the minimum wages for agricultural labourers have been fixed, but in most of the States these minimum wages are not being given to the agricultural labourers. This Government is committed to give effect to the Gandhian principles. According to Mahatma Gandhi it is in the villages that India lives and the agricultural workers of our country, as I mentioned earlier, constitute an overwhelming bulk of the working population. I think the Government should take immediate measures to see that there is general implementation of the minimum wages for agricultural workers. Labour is a Concurrent subject: I don't know why the Government cannot have laws of a nature which will also include enforcement of the minimum wages in different States in respect of agricultural workers and Scheduled Castes and Scheduled Tribes and Adivasis who have been subject to inhuman atrocities in the past. In the President's address there is no specific mention of measures to safeguard their interests in their economic, social and political life.

The organised working class is happy to know that the Government is willing to amend the Bonus Act. But it has not been specifically mentioned as to whether this amendment will be given effect to with retrospective effect. Government should amend the Bonus Act immediately and restore the right to a minimum bonus of 8.33 per cent with retrospective effect with effect from 1975.

Today during the call-attention on political prisoners, some statement has been made, but the statement is not specific and clear. As far as my knowledge goes, the State Government of West Bengal recently made a statement wherein it has been said that more than 6,264 political prisoners are still behind the prison bars in the State of West Bengal. There

are various charges against them; there are undertrial prisoners. There has not been any specific declaration of amnesty for the release of all political prisoners. That is very necessary in order to avoid the legal complications. I do not have much time to discuss that. But it is well known and it should be known to this Government also, that, while these political prisoners were in jail, many of them have been victims of oppression and torture in jail; many of them have also been killed while in jail, and we have heard of built-up stories of killing on the plea of so-called encounter with the police. There have been many instances of this nature. It is for the Government of India to institute a thorough inquiry into the matter relating to the question of political prisoners and declare immediately an amnesty for the immediate release of all political prisoners.

Certain points have been raised by the Leader of the Opposition as to the justifiability of the Forty-Second Constitution Amendment. I would like to remind him that, although they have the plea that the Forty Second Amendment has been made for the strengthening of the democratic fabric of our country, it is our feeling, it is our considered opinion, that it was perpetrated only to perpetuate the one-party rule and to perpetuate the Emergency. Therefore, in the fitness of things, if they are really for the strengthening of the democratic character of our Constitution, they should not oppose any move from the present Government for scrapping that Forty-Second Constitution Amendment Act.

I would further request you to consider that there is a new situation now in the country. The State Legislatures in different parts of our country, after the poll results, have got no moral or legal claim to wield the authority of the State. There should be immediate elections in the States. Unless that is done, the Governments in the States will not have the confi-

dence of the people to run the Governments.

These are the few points which were lacking in the President's Address. Even in this late hour, the Prime Minister or the other Ministers who take part in the debate can give these specific assurances to the House and to the country, so that the people can feel that there has been a real change in our country and they can also have the feeling of meaningful participation in the governance of the country.

SHRI P. K. DEO (Kalahandi): Mr. Chairman, Sir, it was the biggest ambition in my life to see a non-Congress Government at the Centre and evolution of a two-party system, so that the monopoly of power could be wrested from the ruling Party. If the history of evolution of democracy in this country is to be written, this will find a place that, as early as 1948, after placing all that we had at the feet of Mother India, I and Shri R. N. Singh Deo raised the banner of opposition in the name of Ganatantra Parishad. I am alive today to see this unique spectacle, but he is not here, he is dead and gone.

In 1952, an attempt was made for the first time in the first Lok Sabha for the polarisation of the opposition parties in this House and the National Democratic Party was formed with Shri Shyama Prasad Mukherjee as the leader and Shri R. N. Singh Deo as the Secretary-General.

For this magnificent election results, I salute the people of this great country, who during this emergency in their typical characteristic manner endured all hardship and sufferings, indignation and humiliation and waited for the appropriate time to undo the wrong and have manifested their vitality and maturity in putting a non-Congress Government in the Centre. This unprecedented, bloodless coup will go down in the history of the world as a magnificent achieve-

ment of the people. It had the unique leadership of Loknayak, Shri Jaiprakash Narayan, to whom all my salutations go. Democracy has taken a firm root in this country and will be a permanent feature in our life.

The elections are over and the Government have settled down to business. I would like to remind you that in spite of minority of votes, it is the Congress Party which managed to be in power for thirty years.... If you analyse the voting figures, it used to vary from 37 per cent to 42 per cent in favour of the Congress Party. But it is because of the multiplicity of the opposition parties that they could be in power for all these thirty years.

In all humility, in the name of God, in the name of this ancient land Bharat Versha and in the name of democracy, I plead with our revered Prime Minister, respected Babuji, Sardar Parkash Singh Badal and the various other components of the Janata Party to eschew all their differences and to bury them and try to forge a viable alternative to the Congress Party and to form one Party under one discipline. This is because our experience regarding SVD Governments has been very bitter in the past. In Orissa, we had the opportunity to share power with the Congress Party, the Jan Congress Party and the Utkal Congress three times, but the Government did not run its full term. Taking all these facts into consideration, I again request the various components, the various constituents of the Janata Party, to forge into one party. Only in that case, they can fulfil the aspirations and expectations of the people. The President, in his Address, has rightly pointed out about the evolution of a healthy two-party system and I hope it will materialise in the near future.

In this old land, a new era of freedom has dawned which was eclipsed during the emergency. There is no more the climate of suffocation, suspicion and suspense, which in those days vitiated the premises of Parli-

[Shri P. K. Deo]

ment House, and the Central Hall. The Central Hall which used to be humming with various activities and intellectual discussion had the look of a ghost house. The whole country was converted into a prison. We know that various atrocities and excesses had been committed by the then Government during that period. I take this opportunity to give a few examples which will provide a peep-hole to look into the ghastly panorama of the holocaust that was perpetrated during that period.

One, Shri Parsuram Satpathi, a budding journalist and a youth leader was murdered in broad daylight in Bholangir and he was crushed to death by the jeep of the Youth Congress and uptill now the truth has not been brought to light.

Shri Sarat Chandra Singh Deo, an MLA in my constituency, died in mysterious circumstances in the Inspection Bungalow of Rayaguda while he was on tour with the Estimates Committee and in spite of our request to the Chief Minister, nothing was done.

Shri Satya Prasad Mund, an innocent and respected lawyer of Bhavnipatna was put behind the bars because some RSS pamphlets were found at his place. Some students singing patriotic songs were put behind the bars as MISA prisoners. The crime they committed was that they were singing patriotic songs. Shri Natwar Paihan MLA was detained under MISA had a heart attack in the jail and in spite of my request to the Chief Minister to release him, at least on parole, nothing was done. So, in the shape of an amendment, I have made a request that an inquiry should be made into the excesses committed by the various Chief Ministers during the emergency and appropriate action should be taken against them.

The President has reiterated the pledge of the Government to remove destitution within a time limit of 10 years. To form a socialist and egalitarian society we need not take a leaf from Engel or Marx or Lenin. We need not import the connotation of socialism from Moscow or Peking. India is basically a socialist country. Bharat is not a Bhoga Bhoomi, it is a Thyaga Bhoomi. The Isavasyopani-shad of the Yajur Veda says:

ईश व स्वमिद सर्वं दत्कंचित् ज त्वां ज गत्
तेन त्यक्तेन भुञ्जीथ : ॥ गुधः कस्य सिद्धनम् ।

It is our good fortune that the Prime Minister is the embodiment of all those values for which India is great to-day and I hope our objective would be achieved in the Gandhian way. I wish the Prime Minister all success and I sincerely hope that what has been mentioned in the President's Address will be achieved in the time schedule.

The President has not dilated in his speech regarding the various socio-economic programmes and the steps to be taken to remove disparities between man and man and region and region.

In spite of 25 years of planning, there has been no impact on the western districts of Orissa even though that area has been endowed with vast natural resources. No employment opportunities have been created in spite of 25 years of planning and all the money has flowed to the coastal districts. Even peons, even clerks, motor car drivers and cleaners are being recruited in that area from outside.

Our demand for a second steel plant for which there was a Satyagraha before the Prime Minister's house in which Shri Biju Patnaik also participated, should be implemented as soon as possible. It is our good fortune that the mantle of the Steel Ministry has fallen on his bold shoulders and I hope he will fulfil the genuine demand of Orissa.

Then, Sir, the Indravati project which will irrigate 5 lakhs acres of

chronically drought-affected western districts of Orissa and also generate 600 megawatts of hydel power and which will go a long way to help putting up an aluminium plant due to the availability of high-grade bauxite ore there, should be taken up. I stress all this because the Fifth Five Year Plan is going to be recast and with all humility I submit that this should be given effect to. In the shape of an amendment to the President's Address to the Motion of Thanks to the Acting President, I suggested that it should be made mandatory for all Ministers and Members of Parliament to declare their assets publically every year and to make them available for public scrutiny. I think Government will give thought to it.

Shri Morarji Desai was the Chairman of the Administrative Reforms Commission. Shri V. Shankar was the Secretary and Shri H. V. Kamath was also the Member of the Commission. In the first Report they suggested that an Institution like Ombudsman, Lok Pal or Lok Ayukta should be installed soon to look into the people's grievances and complaints. As Shri Morarji Desai has become the Prime Minister, he should take the first step to have the Lok Pal and the Lok Ayukt Act passed soon as recommended by him.

The previous Government never gave thought to this. This Bill was introduced. It continued for five years and ultimately lapsed. Taking into consideration all these facts, I beg to submit that the Prime Minister should give a serious thought to this matter.

Lastly, I would like to submit that we are going to submit our Election Returns. We all know that Election Returns which we have to submit will be a false statement, because all of us have spent much more than what has been prescribed in law. So, I would request the Law Minister to give a serious thought to this question that

all political parties should be registered under the Society Registration Act of 1860 and their yearly account should be audited and published within the prescribed period of one year from the date of election.

With these words I conclude.

SHRI NARENDRA P. NATHWANI (Junagadh): The speeches on this Motion of Thanks centre round mainly on two points—bread and liberty. Both are essential. In fact they are complementary to each other. I shall deal with the question of liberty.

It is most gratifying that in his Address the Acting President referred to the urgent need of restoring rule of law and freedom of expression. He also assured the nation that a number of measures were contemplated to strengthen democratic functioning. He also referred to the need for restoring proper balance amongst the three organs of the State—Executive, Judiciary and the Legislature. This stress on democratic functioning is a corollary to the issue on which the elections were fought during the last month. What was the issue? It was a clear specific single issue, namely, the people had to choose between democracy and dictatorship, dictatorship of the worst type. There can be dictatorships of an enlightened nature. But here it was of a fascist type. What are the essential characteristics of a fascist type of dictatorship? In a fascist type of dictatorship the cry is for 'one leader, one party and one banner' and the erstwhile ruling party had adopted the slogan 'India is Indira and Indira is India' which represented one of these characteristics of Fascism. We have now known how internal emergency was declared on 25th June, 1975. The promulgation was made. And only after that the Cabinet meeting was held and this step was approved. So, it was a decision taken by one individual, namely, the then Prime Minister of India. It was this issue of Emergency which was raised specifically in a pointed manner without any ambiguity before the electorate

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and they gave their verdict by an overwhelming majority in favour of the Janata Party and with Congress for Democracy. The Leader of the Opposition himself said the other day while participating in this Debate that people had rejected emergency and the attendant amendments of MISA and Pre-censorship.

SHRI A. K. ROY (Dhanbad): I have got a point of order. The House does not have quorum. Both the Treasury benches and the opposition benches are empty. Nobody is there in the House. The debate should be discontinued. They should not neglect the speech of new Members. It should not be the case that only when important members speak everybody will be there and when new members speak, nobody will be there. It will be only discrimination. On this point I raise my point of order. I propose that this debate must discontinue.

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): I respect the feelings of the hon. Member that all members should be present here. But during the lunch hour it has been the practice, of this House not to raise the question of quorum.

So far as Treasury Benches were concerned, Mr. Shantj Bhushan was here and he left only when I had come and resumed my seat here. We are taking note of whatever is being said here. I am sure my learned friend will see that when the debate is replied to on behalf of the Government all important points will be answered. However, I do hope that all the Members will be here. For lunch hour, you do not need the quorum.

MR. CHAIRMAN: Anyway, if the quorum is challenged, the bells may be rung.

SHRI H. N. BAHUGUNA: I said that there was no need for the quorum during lunch hours.

MR. CHAIRMAN: All right. Let the hon. Member continue.

SHRI NARENDRA P. NATHWANI: Sir, I heard the Leader of the Opposition to say that the people had rejected only the emergency. But, Sir, there are members of the erstwhile ruling party and some of them, both inside and outside the House, who still try to pass over, may even dismiss this verdict of the people by saying first that the defeat was due to some excesses committed by overzealous officials and then tried to find some scapegoats and in this connection references made to the high personages namely Sarvashri Bansi Lal, Sanjay Gandhi and V. C. Shukla. How far it is true, has to be examined by the persons concerned. It is not that a few isolated, casual, solitary instances were responsible for their rout in this election. Suppression of the freedoms and the democracy was resorted to systematically and in an organised manner. Not only the Leaders of the Opposition parties were taken in detention but some Members of the erstwhile ruling party in Parliament who were independent were also detained and thus the freedom of expression on the part of the ruling party members was also suppressed. We also know how the press was gagged.

We know that the press was gagged to a great extent. Let alone the members of the opposition who were detained under MISA but even the genuine hardships were not allowed to be published. I can give you instances after instances. Here, I would only quote one to show to what extent the press was gagged. Sir, it was a case of a village in a part of Saurashtra, where people experienced scarcity of water. In 'PHUL CHHAB' published from Rajkot a news item was published that there was scarcity of water and people were experiencing hardship and that the authorities should look into it.

But the censor officer came down upon 'PHUL CHHAB' and told them

to take note that this was emergency and such news item should not be published. When his attention was drawn to the news item being correct, he replied that even if there was hardship such a fact should not be published, even if the trains were not running according to time, people would have to say that there was no delay and hardship because during that emergency there was to be no suggestion of any hardship suffered by people.

Sir, there were also restrictions placed on holding of meetings. That brings me to my personal case. In September, 1975, there was Maharashtra State Lawyers' Conference in Bombay. Lawyers from outside Bombay were brought and given accommodation by the Government. A handful of lawyers from Bombay attended it and they approved of the emergency. I had gone abroad and just returned. I am a retired judge of the High Court and I decided to call a meeting—a closed door meeting—of the lawyers from Greater Bombay to consider in a constructive manner the civil liberties and the rule of law under the Constitution.

Sir, it is interesting to note what happened? There was a notification issued at that time by Government prohibiting the assembly of five or more persons without the permission of the Police Commissioner. This was going to be a closed door meeting of lawyers only interested in the rule of law. That meeting was to be addressed by three persons—Shri M. C. Chagla, former Chief Justice of Bombay High Court, Shri J. C. Shah, former Chief Justice of Supreme Court and myself, former judge of the Bombay High Court. I, for sake of caution, applied for Police Commissioner's permission. The Police Commissioner is a wise person. He saw no objection to this meeting being held but he knew the cabinet might not like it. Therefore, he referred the matter to

the Cabinet—though he was not bound to do it. The Cabinet turned down my application. I took the matter to Bombay High Court. The matter was argued for 30 days before a Division Bench. Shri Jethmalani and Shri Palkhiwala argued the matter on behalf of myself and other petitioners. Ultimately the judgement was given in our favour permitting us to hold the meeting. The Government of Maharashtra preferred an appeal for stay which was granted by the Supreme Court. Technically the matter is still there. Personally, I believe that in view of withdrawal of Emergency and the subsequent events, that have happened, that appeal would not be heard and it would be withdrawn. But what is to be noticed is that it is not a few isolated acts of excesses alleged to have been committed but it was a systematic programme and an organised comprehensive scheme to suppress liberties, to terrorise the people and then to gag the press. The situation that prevailed at that time can be described in an Urdu couplet:

हम आह भी भरतै है तो हो जात हे बदनाम
वे वत्स भी करतै है तो चर्चा नही होती ।

What I mean is this: when democracy was smothered we, the lawyers, could not discuss it in a meeting which was to be addressed among others by Mr. Chagla, the ex-Foreign Minister of India and other judges. We were dubbed as spreading sedition, spreading treason and so on.

So, Sir, these alleged acts of excesses could not be passed over merely as stray examples. If the public has expressed its condemnation, that condemnation is directed against Emergency and the reign of terror that prevailed during those 19 months. This does not mean that we do not believe in discipline. We know that law without liberty is tyranny: Liberty without law and order, without discipline, is chaos. This is well-known. When we ask for restoration of civil

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liberties or rule of law, it does not mean that we want to encourage indiscipline. That must be made very clear.

Sir, yesterday an hon. Member from the opposite side said that progressive measures by way of land reforms and by way of social and economic changes were thwarted by reactionary judicial system. I do not know whether that hon. Member knows about a full bench of 13 Supreme Court judges having been constituted in December 1975 to re-consider the principle laid down in Keshvananda Bharati's case which said that Parliament could not amend the Constitution so as to abrogate the fundamental basic structure of the Constitution. At that time several judges of the Bench asked the Attorney General one relevant question: "Can you give us a single instance where a progressive measure—either economic or social—has been thwarted by the Supreme Court or by any of the High Courts?" No answer was given to that question. So, Sir, what is the use of indulging loosely in a statement like this that the judicial system has come in the way of economic and social progress.

14 hrs.

Lastly, Sir, yesterday another hon. Member from the opposite side tried to compare the respect with which members of the present ruling party listened to the advice given by Shri Jayaprakash ji. Sir, we know the power that was exercised by Shri Sanjay Gandhi. He exercised extra-constitutional power. He had no position as such. His only qualification was that he happened to be the son of the then Prime Minister and the highest authorities, namely, even Chief Ministers are reported to have touched his feet and praised him sky high. How could you compare such a case with that of members of the ruling party—whoever may be the ruling party—listening to the advice or seek-

ing advice from men like Acharya Kripalani or Jayaprakash ji? Such analogy is puerile, Sir, with these words I support the Motion of Thanks to the President's Address moved by Shri Karpoori Thakur.

श्री जगदम्बी प्रसाद यादव (गोड्डा):
माननीय सभापति जी, मैं माननीय कपूरी ठाकुर जी के धन्यवाद ज्ञापन प्रस्ताव का समर्थन करने के लिये खड़ा हुआ हूँ। हमारे प्रतिपक्ष के माननीय सदस्य ने हमारे कार्यकारी राष्ट्रपति जी के इस अभिभाषण को बड़ा/ही हल्का कहा। मैं इतना ही कहना चाहता हूँ कि ~~सदस्यों के दोहरे देखने में छोटे लम्बे पाव करें~~ ~~सम्भरें~~। उसी तरह से यह देखने में तो छोटा है लेकिन जनता सरकार की संपूर्ण कार्यवाहियों का दिशा निर्देश करने के बहुत ही सक्षम है।

मैं कांग्रेसी/सदस्यों को याद दिलाना चाहता हूँ कि जनता सरकार ने आज कम-से-कम इन्हें यह आजादी तो दी है कि वह अपने भावों को सदन में और सदन से बाहर प्रकट कर सकें। आपातकालीन/स्थिति लगने के वक्त इनकी स्थिति यह थी कि मंत्रि-परिषद् के सदस्य भी यह नहीं जान सके कि आपातकालीन स्थिति की घोषणा होने जा रही है। और यह भी नहीं जान सके थे कि ~~कि~~ शिमला कांग्रेस जो पाकिस्तान के साथ हो रही थी, उसमें क्या हो रहा था। वहाँ कि जानकारी मंत्रि-परिषद् के सदस्यों को भी नहीं थी। लेकिन आज सौभाग्य है कि जनता पार्टी के शासन में/इनको सारी बातें कहने की पूरी इजाजत है, छूट है।

आज सचमुच में प्रजातंत्र का बहुत बड़ा उद्घाटन हो रहा है। इनके समय में रेडियो और टेलीविजन का सरकारीकरण हो गया था, सिवाय सरकार के/और कोई दूसरी बात उस पर नहीं होती थी, लेकिन

आज आप देखें कि कल हमारे प्रधानमंत्री का संदेश उस पर प्रसारित हुआ और आज उसके इतिहास में पहली बार प्रतिपक्ष के नेता का भाषण प्रसारित होगा और टेलीविजन पर दर्शाया जायेगा। सचमुच में यह प्रजातंत्र का रूप है जो जनता पार्टी के चलते दिग्दर्शित हो रहा है।

कांग्रेसी सदस्यों ने आपात स्थिति लाने के कारण यहां बताया है, मैं उनसे पूछना चाहता हूं कि जिस समय गुजरात और बिहार में आन्दोलन पूरे जोर पर था, उस समय आपातकालीन स्थिति क्यों नहीं लागाई गई? यह आपातकालीन स्थिति तब लगाई गई जब तत्कालीन प्रधानमंत्री चुनाव में वैधानिक रास्ते से कोर्ट में हार गई। जब कांग्रेसी सरकार के सारे मंत्री चुनाव हार चुके थे, सरकार गिर चुकी थी, तब सरकार जाते-जाते आपातकालीन स्थिति उठा गई। उन्हें ऐसा लगा कि आपातकालीन स्थिति के दौरान जो तत्कालीन विरोधी दलों के लाखों लोगों को जेल में डाला है, उसको लेकर कहीं अपना ही हथियार अपने ऊपर न चल जाये। लेकिन मैं जनता पार्टी की ओर से आश्वासन देना चाहता हूं कि जतना पार्टी ऐसे कारणों को हाथ में लेकर किसी प्रकार से भी जनतंत्र का गला घोटना पसन्द नहीं करेगी।

3

सभापति महोदय, मैं कार्यकारी राष्ट्रपति महोदय के उस भाषण का उल्लेख करना चाहता हूं जो इस सरकार का मार्गदर्शन करके के लिए दिया गया है। सबसे बड़ी समस्या आज देश की अग्र कोई है, जिसके कारण कांग्रेसी सरकार को ध्वस्त होना पड़ा, तो वह बेकारी की समस्या है। भारत के नौजवान बेकारी से परेशान होकर आजादी के आन्दोलन

में कूड़े। सचमुच इस देश के सामने सबसे बड़ी ज्वलन्त समस्या बेकारी की है। हमारे कार्यकारी राष्ट्रपति जो ने इस सरकार का निर्देशन किया है कि 10 वर्ष में बेरोजगारी की समस्या का निदान किया जायेगा। मैं सरकार से निवेदन करूंगा कि बेकारी के इस निदान की भूमिका जल्द से जल्द तैयार हो, जिससे भारत की जनता के सामने यह सरकार की कार्यवाही प्रकट हो सके और नौजवानों को आश्वासन मिल सके कि सचमुच में जिस सरकार को बनाने में उन्होंने अपना खून-पसीना एक किया है, वह सरकार सक्षम है और उसने कदम आगे बढ़ाया है जिससे बेकारी घटेगी।

कार्यकारी राष्ट्रपति जी ने कृषि की नीति के बारे में भी उल्लेख किया है। वास्तव में यह कृषक समाज और ग्रामीण समाज ही था जहां पर कांग्रेस की जड़ थी लेकिन 30 वर्षों के शासन में कांग्रेस ने कृषकों की और ग्रामीणों की उद्देश्य की जिसके कारण उस समुदाय ने कांग्रेसियों को धराशायी किया। हमारे कार्यकारी राष्ट्रपति जो ने कहा है, कि "किसानों को अपने उत्पादन का उचित दाम नहीं मिला है, कृषि तथा सम्बद्ध विकासों के लिए विनियोजन बहुत ही अपर्याप्त है और गांवों की स्थिति मुधारने की आवश्यकता पर बहुत कम ध्यान दिया गया। एक लाख से ज्यादा गांवों में पीने के पानी जैसी प्राथमिक मुविधा भी नहीं है। मेरी सरकार रोजगार उन्मुख नीति अपनाएगी, जिसमें कृषि विकास, कृषि उद्योग, छोटे और कुटीर उद्योगों को विशेष रूप से ग्रामीण इलाकों में प्राथमिकता मिल सके।"

यद्यपि इस अभिभाषण में नीति निर्देश तो दिया गया है, लेकिन सरकार

[श्री जगदम्बो प्रसाद यादव]

की कृषि नीति का अभी भी स्पष्टीकरण नहीं हो पाया है। सरकार अभी यह तय नहीं कर पाई है कि किसानों को उनके उत्पादन का क्या मूल्य दिया जाए। सरकार कृषि उत्पादन का अधिक मूल्य देने में हिचक रही है, मगर यह भी स्मरण रखना चाहिए कि कृषि के इम्प्लीमेंट्स के दाम बहुत बढ़ गए हैं। उदाहरण के लिए जो पावर टिल्लर पहले 4 या 6 हजार रूपए में बिकता था, आज वह 21 हजार रूपए में बिकता है। इसके लिए सरकार की नीति भी उत्तरदायी है। जो चीजें इम्पोर्ट की जाती हैं, उन पर 40 परसेंट कर लिया जाता है। इस के अतिरिक्त 20 परसेंट उत्पादन कर और 3 से 13 परसेंट राज्यों का बिक्री कर है। इस प्रकार सिर्फ एक पावर टिल्लर पर 70, 75 परसेंट सरकारी कर हो जाते हैं। अगर सरकार चाहे, तो वह इसमें कुछ रियायत देकर किसानों द्वारा प्रयुक्त इम्प्लीमेंट्स को कम दाम पर दे सकते हैं। खाद, बीजों और जीवनोपयोगी चीजों के सम्बन्ध में भी यही स्थिति है। सरकार एक तरफ तो किसानों के उत्पादन का दाम अधिक दे और दूसरी तरफ वह कृषि के इम्प्लीमेंट्स तथा जीवनोपयोगी चीजों के दाम कम करे; तभी दामों में कुछ तारतम्य स्थापित हो सकता है।

आज देश भ्रष्टाचार से पीड़ित है यह सर्वविदित है कि भ्रष्टाचार ऊपर से आता है, नीचे से नहीं। मेरा आग्रह है कि इस सम्बन्ध में जांच समितियां बिठाई जाएं, जिस से ऊपर के भ्रष्टाचार का उन्मूलन करने का रास्ता प्रशस्त किया जा सके। केन्द्र के पश्चात् प्रदेशों के स्तर पर भी जांच समितियों की स्थापना की जाए, जिस से भ्रष्टाचारियों को

दंडित किया जा सके और अन्य लोगों को भ्रष्टाचार करने का साहस न हो।

जहां तक छात्रों का सम्बन्ध है, मेरा निवेदन है कि चूंकि उन्होंने इस संघर्ष में दो वर्ष लगाए हैं, इस लिए सर्विस में जाने के समय उनको दो वर्ष कनडोन किए जाएं। देश में, और खसकर बिहार में, जेलों से छूटने के बाद उनके एडमिशन में कठिनाई हो रही है। इन लिए सरकार को उन लोगों के एडमिशन की व्यवस्था करनी चाहिए।

बिहार विधान सभा को भंग करने के लिए हर एक प्रजातांत्रिक तरीके से आन्दोलन किया गया था। लाखों लोगों के प्रदर्शन हुए, करोड़ों लोगों ने हस्ताक्षर किए, हड़ताल और बन्द का मार्ग अपनाया गया। यह तथ्य है कि बिहार की जनता बिहार विधान सभा को भंग करना चाहती है। बिहार की 54 की 54 सीटों पर कांग्रेसी हार गए हैं। यह इस बात का प्रत्यक्ष प्रमाण है कि बिहार की जनता को वहां की सरकार पर भरोसा नहीं रहा है। इस लिए सरकार से मेरा आग्रह है कि बिहार विधान सभा को अविलम्ब भंग किया जाए।

SHRI VASANT SATHE (Akola):
Sir, I have been hearing with rapt attention the speeches made by the hon. members from the government side on the Motion of Thanks to the Vice-President acting as President for his Address. Let me say at the outset that although his speech is brief, the basic sentiment expressed by the Vice-President acting as President about consolidating democracy in this country and hoping that a two-party system will emerge is laudable. On economic policy to evolve a policy of decentralisation of agro-rural industry, of doing justice to the rural class, to the agricultural class, giving them better

price and all that, all this is a laudable statement in his Address. The only thing that hurt me in the speech was a little sense of euphoria. That could be seen when in the very first page there was an attempt to condemn generally the previous Government and say that the verdict of the people of this country has gone against (a) proclamation of emergency by itself and (b) 42nd Constitutional Amendment. I beg to submit for your consideration and that of the House whether this analysis is really borne out by the facts. And immediately it is said that in the entire northern belt an avalanche, a flood, an earth-quake of resentment, discontent, dissatisfaction and anger of our people went against the Congress because of the excesses committed during the emergency. No one can deny that. And the Congress, as our leader has said, has to learn a lesson. If we do not, we will never be able to face the people again. So, I agree that there has to be an introspection of looking within the heart by the Congress organisation. But when we try to analyse and say that this has been a vote against the proclamation of emergency under those circumstances to which I will come presently, then we must remember that proclamation of emergency was for the whole country and not only for north and if the people were against emergency, then people will have reacted in a similar manner throughout the country. Remember the other wave, 1971 wave to which wave some of my friends like my dear friend Shri Bahuguna was a contributory and beneficiary and so our great leader Babuji; then in that wave on the call of garib hatao, on that promise, on that assurance, on that hope the entire country had reacted from Kanyakumari to Kashmir, from Bombay to Bengal, from Goa to Gauhati, the whole country reacted in the same manner except Tamil Nadu where the issue was local and not a national one. That one can say, that the reaction of the whole country was the mandate of the whole country. It does not appear

to be that the resentment throughout the nation was against emergency. Some people say that it is against the 42nd Amendment. If that was so, the people would have rejected the Congress on the 42nd Amendment throughout the country. But that has not happened. I am not going into percentages. What will be the conclusion? Why has North in such an unanimous manner rejected the Congress? The answer is simple, i.e. the excesses committed in the North angered the people so much that it created a disgust in the minds of the people there. That is why it ran through the whole North. Therefore, while analyzing the situation, unless we have a correct diagnosis of the disease throughout the country, we will not be able to provide a proper remedy. So, I will plead with my friends on the government side to consider that the resentment is not against the 42nd Amendment by itself, as our leader has said. If there are any defects in the 42nd Amendment—e.g. to-day there was a proposition debated—and if you want to come forward with any concrete suggestion which does not militate against the fundamental proposition viz. of supremacy of Parliament, we are willing to consider and cooperate. Let us say this very frankly. Our attitude to cooperate with the government is there, because we feel and we sincerely hope that here is an opportunity where a democracy of a two-party system can get consolidated. And that is why we are in earnest to cooperate. But, for this cooperation, the climate must be this: cooperation requires two hands. Cooperation must be on both sides. It is never one-sided. There must be eagerness on the part of the government also to have cooperation. Otherwise when we say, "we will cooperate", if you say, "Who cares for you?", how can we cooperate?

In the very breath of offering cooperation, no one from our side has said: "Forget and forgive." I do not know whom you are quoting. I have not known anyone saying, "Please

[Shri Vasant Sathe]

forget and forgive." Yet I find speaker after speaker on the other side saying: "No. We are not going to forget; we are not going to forgive. What do you talk of forgetting? Can we forget the atrocities, can we forget those who died in jails, can we forget those whom you have shot here in Turkman Gate?" We say: "Please don't forget." Therefore, don't also forget the past. I would like now to quote something about the attitude of no less a person—I am thanakful that the hon. Prime Minister has come just at the right time. I do not want to say something behind his back. When we say, "don't forget", don't forget the attitude of our worthy Prime Minister towards firings, killings and shoot-at-sight. You, Sir, will find this in his autobiography, volume one, page 255—at that time he was the home minister of Bombay State. I quote:

"During this period, a communist labour union had created a disturbance in Amalner city; and the police had resorted to firing while suppressing the disturbance. 8 or 9 persons died during the police firing."

Then in the next paragraph it is stated thus:

"The Maharashtra Provincial Congress Committee and its president demanded a public enquiry into the firing at Amalner. The communists and some others had already made such demand....."

Another quotation:

"If the police, whose work on such occasions was difficult, were not given protection, then those who created disturbances would get encouraged and succeed in their mischievous aims. If the police became demoralised it would be almost impossible to control such disturbances. I, therefore, refused to take any further action in the matter.

The agitation for an enquiry, however, continued and the Pradesh Congress Committee obtained the support of Shri Jawaharlal Nehru and Sardar Saheb. Both of them wrote to Balasaheb in this connection. Sardar Sahib had written to say that, as many people were asking for a judicial enquiry, we should think of getting such an enquiry made and as the police were not at fault at all there was no reason to worry about the results of the enquiry. Balasaheb felt rather worried and asked me what his reply to the leaders should be. I said that there would be only two possible solutions in this matter. He could either write to Delhi that such an enquiry was not proper as it would cause a great deal of damage, or alternatively, I could resign and let him make an enquiry."

Then, at the end of this, he says:

"On receiving this letter, Jawaharlalji and Sardar Saheb informed us that they had no intention of interfering with our right to take decisions in such matters and that they only wanted to tell us what had come to their notice. They, therefore, said that they would leave the decision to us...."

There were many other unpleasant occasions when firing had to be resorted to while quelling anti-government disturbances during my tenure as Home Minister in Bombay State up to 1956. But after this incident, the Central Government did not make any suggestion for an independent judicial enquiry."

Then came the famous occasion of Sanyukta Maharashtra Agitation in Bombay and our worthy Prime Minister was then the Chief Minister. In that firing, according to him, 84 persons were shot and killed, but people say that 105 persons were killed. I will not go into that. But what were the facts? I will quote Shri C. D.

Deshmukh, not known to be biased or partial, progressive or reactionary. I am quoting from page 819 of the debates of 25th July 1956, where Shri C. D. Deshmukh says:

"There is evidence to show that they were instructed by the Chief Minister to shoot at sight and to shoot to kill, that the deliberate use of tear gas before intended firing brought out women and children from their rooms choking for breath, only to be shot down by the indiscriminate firing of the police, using tommy guns, firing several rounds to the second, that there were 2,500 rounds fired, resulting in 80 persons dead and 450 injured, that the police injuries through stones and acid bulbs were insignificant and not contemporaneous with the firing episodes."

I would further like to quote on this very occasion a speech, when an enquiry was asked for, and Shri Morarji persistently refused even to hold a judicial enquiry into those killing, when the matter was raised in this House, when Shri V. N. Gadgil had spoken on this subject. I am quoting from page 468 of the debates of 21st February, 1956.

I quote:

"When I read this morning that the Chief Minister stated that there was a plan to overthrow the Government and to take the city by force, though he has not named by whom, I felt it was a serious statement. If that is true, then in the interest of the public and in the interest of the future of this country, it is necessary, that an enquiry by, or presided over by, the highest judicial authority in this country should be instituted."

Then he further goes on to say:

"Now, was there a real plan? If there was a plan, when did the

great Chief Minister of Bombay discover it? If he discovered it after the incidents took place, then surely it is no testimony to the efficiency of his police."

Further on, he says:

"In his second statement, he has said that there has been no indiscriminate firing. I have here a newspaper, the copies of which have been, so far as I know, taken possession of by the police in Bombay, and in which the names of 69 persons occur and a description is given as to how they received these wounds. Out of these 69, the Lok Sabha will be surprised to know that 23 are non-Maharashtrians. There are Sikhs, Gujaratis, Marwaris and there are people from other communities. The nature of the wounds and the place of the body on which the wounds have been received have also been mentioned. The wounds have been received from the eye to the toe. They have received wounds while on the street, while they were in the room and while they were on the terrace. They range from a boy of 14 to an old lady of 64."

Therefore, when you say "don't forget", we also say to you "don't forget".

If a Chief Minister feels that there is danger of a city being taken over and therefore he can order shooting at sight, indiscriminate shooting by the police, killing people who can never go back to their families as the 14-year old boy, then, if there is danger felt to the whole country, to the Capital... (*Interruptions*). The Prime Minister is going to reply at 3 O'Clock. Have some patience.

The assessment of the previous Prime Minister might have been completely wrong. You can make that allegation. I am not questioning your right. All I am saying is that when allegations of *mala fides* were made

[Shri Vasant Sathe]

against him, he held his ground saying that he thought that there was danger to the city and therefore they resorted to firing. I think he will stand by that action, unless he has changed his mind.

THE PRIME MINISTER (SHRI MORARJI DESAI): I have not.

SHRI VASANT SATHE: I know you will not, you said it at a public meeting also.

Can you, in the same breath, say, when a call is given at a rally of five lakhs at Ram Lila Maidan to people to go and surround the house of the Prime Minister....

SHRI MORARJI DESAI: That is wrong.

SHRI VASANT SATHE:..... and asking the police and the army to disobey what they consider to be unlawful orders..... (Interruptions)

Yesterday, when Mr. George Fernandes was speaking, we kept quite. Now, you should have at least the courage and courtesy to hear me. You may not agree with me. If the police and the army should not obey orders which they at least considered as unlawful, who will decide? (Interruptions) I asked the great leader Morarji Bhai, who was also the Home Minister, who was to decide about it. Can the police decide about the order given by the superiors as illegal? If when he gave his order to the police to shoot at sight in Bombay, were the police to say that they would disobey it, could he have agreed? We must have some standard. Here was a situation in the country in the background of what had happened in Gujarat where the elected legislators were forced out in the name of some samiti. This was followed by burning rails and disturbing meetings by throwing stones. I myself have been a victim of stone throwing in Gujarat. I would have been killed but for the fact that

that stone just missed the mark. (Interruptions) I therefore, submit for your kind consideration that this was the background of the action on 25th. The background of the situation under which action was taken on 25th which was rejected by the people has no bearing for emergency as such. It was for the excesses committed in a particular part. That is a fact and we agree. Now, I come to our great leader Shri George Fernandes. (Interruptions)

In Madras, while speaking on March 29, 1974, Shri George Fernandes, exhorted railway men.

SHRI MORARJI DESAI: May I know what is the time limit? (Interruptions).

SHRI VASANT SATHE: Shri Raj Narain spoke for about two hours. Shri George Fernandes also spoke for some time. You cannot give me 30 minutes? (Interruptions).

I will quote this and then finish. (Interruptions).

SHRI S. KUNDU (Balasore): On a point of order.

SHRI VASANT SATHE: You quote the rule under which you rise to a point of order.

SHRI S. KUNDU: I draw your kind attention to.... (Interruptions).

I am raising a point of order. (Interruptions).

SHRI VASANT SATHE: He must formulate a point of order.

MR. CHAIRMAN: You have already finished your speech. (Interruptions) Therefore, he cannot raise the point of order now.

SHRI S. KUNDU: The Janata Party will give maximum opportunity to the members of the opposition to speak here. The Janta Party is proud that the right to speak is restored to them.

I want to say one thing. What I have been observing from yesterday is that when you are in the Chair, sometimes I find that some people speak for 45 minutes to an hour. Today, the Deputy-Speaker specifically gave the ruling that no Member should speak for more than 5 or 6 minutes so that most of the Members could be covered. I find, the hon. Member, Mr. Sathe, is speaking for quite some time. Sometimes, he is quite irrelevant. You are giving him so much time... (Interruptions).

SHRI VAYALAR RAVI (Chirayinkil): Let them study the rules first and then raise points of order. It is our time; it is not their time. (Interruptions).

SHRI VASANT SATHE: I am concluding.

I was quoting Mr. George Fernandes. He said:

"Realise the strength which you possess, Seven days strike of the Indian Railways will cause every thermal station in the country to close down. A ten days strike of the Indian Railways—every steel mill in India would close down and the industries in the country will come to a halt for the next 12 months. If once the steel mill furnace is switched off, it takes 9 months to re-fire. A 15-day strike in the Indian Railways—the country will starve."

Then, in an interview with "Der Spiegel" published in its issue of 12th April, 1976, Mr. George Fernandes admitted that he had built up an underground organisation and that his supporters were engaged in sabotage and other subversive activities. He said:

"I am totally in favour of violence against things... In November last, in the Union State of Karnataka alone, we had caused derailment of 52 trains. We have created some unrest."

He continued to say:

"All forms of struggle including satyagrahas, strikes, sabotage, guerilla action is legitimate."

This was the belief. They wanted to paralyse the transport, create situation similar to one which was created in Chile and bring about the collapse of the Government. You know what happened in Delhi after this and whose hand was behind. With a situation similar to that of Bangladesh, what democracy would have survived in this country? Therefore, I would say, don't forget and don't forgive; let us not concentrate on the basic reconstruction of this country; don't do all this; all that you have to do now is to keep on harping on one thing—'Atrocities, Atrocities'.

14.45 hrs.

[KUNARI ABHA MAITI in the Chair]

I congratulate you, Madam. At least one lady here could take the Chair. In the light of the attitude of Mr. Morarji Desai who reiterated to the ladies today that he does not consider any woman worthy of holding any high office, I don't know how you are there!

MR. CHAIRMAN: Please come to your point.

SHRI VASANT SATHE: I am coming to it.

I will be very happy when the Janata Party comes into existence. Today there is no Janata Party. Today the Janata Party is an embryo; it is still in conception. A conception of 19 months in jail is a good conception. And now, you have also named the baby which is yet to be born. We don't know whether this baby, the Janata Party, will be a girl or boy, but we are very happy.

MR. CHAIRMAN: You have taken more than half an hour. (Interruptions).

SHRI VASANT SATHE: There is nobody else from my side; I am the only one. The Prime Minister is to reply at 3 O'clock; so there are still fifteen minutes.

MR. CHAIRMAN: But there are others yet to speak.

SHRI VASANT SATHE: I have only one point more.

The Janata Party is yet to be born: I wish it will be a good and healthy baby. Because of the type of people who have come together I am not sure whether the Janata Party is really going to be born at all. Therefore, I offer all my good wishes to the Prime Minister to have this baby and to have this Party. I hope you will concentrate hereafter on the constructive side and not keep on repeating 'nineteen months of atrocities' and forget all your own atrocities of the past. Everyone has skeletons in the cupboard including my friend Mr. Patnaik. Therefore, don't harp on these things; it does not pay. Concentrate now on construction and cooperation. *(Interruptions).*

I thank you very much for giving me this opportunity to speak.

SHRIMATI RENUKA DEVI BARKATAKI (Gauhati): Mr. Chairman, I rise to support the Motion of Thanks that has been so ably moved by my hon. friend, Shri Karpuri Thakur, and also equally ably supported by my hon. friend, Shri Hegde. I am sure that all sections of the House will join with me and support me when I say that the Acting President's Address was delivered after the most momentous election that we had since the independence of our country. The election which we have just had was an election which we should remember. The Opposition as well as the ruling Party feel that the election is free and fair only if both sides get equal op-

portunity for mobilising public opinion, for placing before the people their policies and programmes for public scrutiny. But in this election, the Congress Party had done whatever they could. The abrupt and sudden announcement of the election put the Opposition in trouble; the sudden detention of hundreds and thousands of people as political prisoners put us in trouble. But actually what we have seen is that, in this election, the people have given their massive verdict against the Congress Party.

The other day when Mr. Chavan, Leader of the Opposition, was speaking in the House,—I heard him with great respect and expectation—he was telling us that the Congress had learnt its lessons. But his very speech bore testimony to the fact that the Congress has learnt nothing from the stunning repudiation with which they have been removed from power. He said that this repudiation and failure of the Congress Party was because of Emergency, that the people did not like the Emergency. Mr. Sathe was also telling us that it was because of the excesses of Emergency that Congress had been removed from power in northern India. The Leader of the Opposition, Mr. Chavan, was telling us that it was because of Emergency and that was why the Congress ended the Emergency. It has amused me. I would like to ask my hon. friend whether the Congress ended the Emergency of its own accord or they had no option but to end the Emergency in the face of the massive verdict of the electorate when they were thrown out from power. That is why, they ended the Emergency. They waited till the moment Shrimati Indira Gandhi was defeated in the election; then only, they ended the Emergency. It amused me very much when Mr. Chavan wanted credit for ending the Emergency. He is now Leader of the Opposition. I know him very well. We have worked together for 15 or 16 years; Mr. Morarji Desai, Mr. Chavan and some of us of this side were all in the Unit-

ed Congress. Mr. Chavan said afterwards that Emergency was not a part of the Congress tradition. I did not know that the hon. Leader of the Opposition could use this type of euphemistic phraseology. He was never using such a phraseology earlier; his language used to be very simple, straightforward and truthful. But now he has started using euphemistic phraseology—'Emergency is not a part of the Congress tradition'. Why? Is it because he wanted to cover up the enormous guilt of his party? Is that the reason why he has used this euphemistic phraseology? We all know what Mrs. Indira Gandhi and her Government were doing during the Emergency. Mr. Sathe was telling us today that Emergency was not repudiated all over India because many Members from the South have got elected from Congress tickets; there was no uniformity all over India. Mr. Chavan wanted to tell us that they were not responsible for Emergency; it came as a dark cloud on the sky and went off on its own as if the Congress Party had no responsibility, as if Mr. Chavan, Mr. Sathe, Mr. Brahmananda Reddy and Mr. Hitendra Desai had no responsibility for the declaration of the Emergency...

SHRI VASANT SATHE: Who said?

SHRIMATI RENUKA DEVI BARKATAKI: You have said it.

SHRI VASANT SATHE: I never said that. We accept the responsibility for Emergency. But the verdict of the people is not against Emergency *per se* (Interruptions).

SHRIMATI RENUKA DEVI BARKATAKI: Shri Chavan tried to give an impression as if he and his party had no responsibility in declaring the Emergency, as if he and his party had no responsibility in permitting an individual to cling to power, as if he and his party had no responsibility in removing the right of the highest organs of the judiciary to examine whether the declaration of the Emer-

gency was warranted in public interest, for the preservation and of the security or integrity of our country, as if he and his party were not responsible in snuffing out our fundamental rights, in arresting and detaining hundreds of thousands of citizens from all professions and walks of life, as if he and his party were not responsible for lawless laws that would have put even the worst of dictatorship to shame, as if he and his party were not responsible in snuffing out the freedom of the press and trying to convert all mass media into instruments for the suppression of truth and the propagation of falsehood, for the propagation of the personality cult and the cult of the dynasty, as if he and his party were not responsible for subjecting hundreds of innocent non-violent dissenters including women and children to brutal and inhuman torture, as if he and his party were not responsible in snuffing out the rights of the trade unions, as if he and his party were not responsible for eroding the role of the judiciary to afford protection to the rights of the citizens, for legislating to put a person above the law, and for eroding the Rule of Law. In short, Shri Chavan wanted to give an impression, as if he and his party were not responsible for concentrating all power in the hands of an individual and extra-constitutional coterie of courtiers and heir-apparents. They wanted to give an impression that Congressmen had nothing to do with all these things, but in fact, they are responsible for all these things. Hundreds and thousands of people were put behind the bars and it disturbed the normal lives of many people. Shri Reddy was the Home Minister then. Can he tell us what for those people were arrested and put behind the bars? Tell us why I was arrested. What was the crime that I had committed.

The Congress Party was in power for thirty years. The people have given a massive verdict now in favour of Janata Party. We have now come

[Shrimati Renuka Devi Barkataki]

to power with a massive mandate of the people. The people have asked us to form a Government and they want a clean administration. It is through a silent revolution that they have sent us to power. We hope that the Government formed by our Party will be loyal to the objectives for which we have been returned to this House.

THE PRIME MINISTER (SHRI MORARJI DESAI): Madam Chairman, while replying to the debate on the President's Address, I would like to take care to see that I am not provoked into using a language which was used by my hon. friend, Shri Sathe, or even by the hon. the Leader of the Opposition. I do not want to set a wrong example from this side of the House. But, if members of the Opposition make provocative speeches and if replies are given to those speeches by members on this side, I do not think that there can be any legitimate cause for complaint. It would only be proper if neither this side nor that side uses any derogatory language against anybody or nobody makes incharitable remarks which are not consistent with anybody's self-respect. That is what I would beg of all the members of this House to do. I hope I will not fail in setting an example in this matter.

I was, therefore, pained to hear the Leader of the Opposition comparing Janata Party to a strange animal. I wish he had not used those words. I do not want to retaliate. We are all strange animals in one sense. Ultimately we belong to the animal species. But man is different from an animal in the sense that man has more discretion and intelligence which animals do not have. But if we forget that, then we relapse into animal terminology. I hope that will not be done in the future. That is all I beg of him to do.

I was also surprised because even in spite of his experience of many years as a member of the government that he should have used such language. The new experience he is now having of sitting on the Opposition Benches for the first time in his life is rich experience which I had some time ago and by which I benefited and I am sure he will also benefit but it will take some time for him and his colleagues because they are not very easily corrigible. They do not follow the system of self-inspection. That is where the difficulty comes in. I hope they will do so now. Then the improvement will be quick. But who am I to improve them? It is not for me to do that. It is for them to think about it.

But I was surprised when he said that nothing was said in the President's Address about the economic programme. I do not know whether he cared to hear it or to read it afterwards. We have very clearly stated what the policy of government will be in regard to economic programmes. Does he realise that we hardly got even 2 days to prepare the Address after assumption of office and in that did he expect that we formulate detailed programmes? I do not know if he has the capacity. At least I do not have it. But we have mentioned what requires to be done and what we are going to do. We will be judged only by what we do in future and we will certainly welcome all criticism in this matter if we fail in our undertaking and we will not try to retaliate as they are trying to do. And yet, it is said that we are retaliating. Where are we retaliating? At least I have not done so. I was surprised when my hon. friend, Shri Sathe or rather, I should not be surprised because I know him very well.

I have never heard anything else from him in this House during the years he was here and I was on the other side. What he referred to had

happened 21 years ago. He is not bothered about what happened 21 months ago but he does not mind mentioning and repeating *ad nauseam* what happened 21 years ago. I have replied to him in this very House from the Opposition Benches and let him refresh his memory from the records of this debate. I will not, therefore, reply him here. I have said what I have to say not on one occasion but on several occasions and still he goes on repeating these matters after 21 years in the knowledge that he is not distorting facts

He quotes from my autobiography. I am very happy that he did 'o me the honour of reading it at any rate. But I am sorry that he has only looked at some controversial points which have little relevance here and he did not have the courtesy to read the whole thing together. Apart from that it would be wrong for me to say that he mis-appropriated the time of the House. He went on speaking even though the Chair asked him to cut short his speech. But then he objected to other people interjecting whereas some Member on this side spoke, he began to interject. Is that the way how he will set a good example? May I request him to have more patience now as he is in the Opposition. I could not restrain him before nor do I wish to restrain him now. It is difficult for anybody to restrain him. Even it was not possible for Mrs. Gandhi to restrain him when he spoke from this side. I know that. He spoke anything that he liked. Let him do so. It will hurt him. It does not hurt me. But in this House if I do like-wise, will not somebody be justified in paying me back in the same coin. How would I complain about that? But he goes on complaining about us.

SHRI VASANT SATHE: I quoted facts. I quoted from the debate.

SHRI MORARJI DESAI: I do not know whether my hon. friend has any regard for facts. Does he ever bother about facts, I do not know?

SHRI VASANT SATHE: You said, "Do not forget? Let memories be sharp."

SHRI MORARJI DESAI: Now he is getting excited like that. He complains about people having been shot in Bombay. I had said he does not bother about facts. That is all right. Why restrain him if he does not wish to restrain himself.

Does he realise that in Bombay, all the Members of my party, the majority of whom were Maharashtrians, never raised a protest before me about what had happened in all those years. Was that not a sufficient support for what had happened. He was nowhere at that time. Twenty years ago, I do not know what he was and what he was doing. Let him learn a lesson from that as also from the leader of the Opposition. Let him ask him whether he had told me that I had done wrong. Then he will be justified in saying what he is saying. Therefore, what I did at that time was not done without pain. But I was forced to do that. That is, the police were forced to do it. It was not that I went and gave orders. Of course, it is true, that if I had said that, no police man would have fired. Then no one should have fired. That is true.

I do not deny that responsibility. But what had happened then? The whole of the Bombay city would have been finished. Nothing else would have remained in Bombay city if it had not been done. Who did it?—It was done by the Maharashtrian officers. It was not done by anybody else.

See what happened in Delhi. Who burnt it, who bulldozed it? It was the Administration of the past Government which did it. I do not want to say that the former Prime Minister did it. I do not know who did it. But it was done in her regime. Therefore, that regime has to be blamed. The buildings were bull-dozed without any

[Shri Morarji Desai]

proper notice. Notice of a few hours! Is that the way to deal with the people? Have I ever dealt with like that? I am sorry my hon. friend tries to compare those happenings with the happenings of emergency. Delhi was burning. How did it happen?

I am glad he recognised it, that there was a meeting attended by five lakhs of people. Of course the police report at that time was that it was attended by only 50,000. I am glad that that knowledge has dawned on him today, that they were 5 lakhs. But what does that show? That shows the feelings of the people, and the feelings of those who attended; otherwise they would not have attended it. We were not in Government. We were non-officials. How would people have come there? We had no money to bring them in trucks. They came on their own and they heard us patiently. And it is objected to on the ground that we declared Satyagraha there. Does he understand what Satyagraha means? I don't know whether he has ever practised Satyagraha. I don't know whether he is capable of practising Satyagraha. Satyagraha does not mean that any force can be used by anybody. I would be the last person to do it. If anybody were to do it I would certainly protest about it. He referred to Gujarat happenings. Who were responsible for those happenings? It is these Congress people, not the opposition, who have encouraged them, and gave money to the young people. Who protested about it? I protested and said that they should never do any wrong thing and if they persisted then I will have to sacrifice my life. And it was therefore that I undertook a fast to stop violence and to stop other things also.

15.11 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Therefore, it is not for my learned friend to advise me. I only hope he

takes a lesson from this. That is all that I hope. I do not know whether my hope is too much. At any rate one could hope for the best and be prepared for the worst!

Let us not, in our anxiety to defend the indefensible, say things which unnecessarily cause repercussions. When he said that people were fired upon like that, does he realise that Pandit Jawaharlal Nehru phoned to me that very evening when the riot started in Bombay and asked me to call the military; to call the tanks but asked me to finish it as quickly as I can. I told him, I am very sorry. I won't call the military. If I had called the military the casualties would have been five times of what they were, and the police would have lost their morale. I did not want to use maximum force. I wanted to have minimum force. I told him that if I was not able to control it in two days I would resign and get out of Government but I will not call the military. This is what I had told him. Therefore please be careful about what you say.

After all, I would not find fault with any Government if they meet violence with force. I would not find fault with any Government for that matter. I would not find fault with the post Government. Government has to use force to suppress violence. I have always said that. I will say it even now. But when there is no violence why should force be used? I cannot understand this. These are the standing instructions. They were the standing instructions when I was there and even now when I am here.

There was a strike going in Madras the other day soon after we took charge. The Governor phoned to me. They said, they are doing dharnas, not allowing people to do their work. I told him, if they do it and there is no violence, don't use any force, no tear-gas, no lathi-charge. You can arrest them and prosecute them. These are the instructions which I gave. These

are the instructions of this Government.

But, if some State Governments which are not under our control do something, I will not be responsible for it. But we will certainly take action to see that that does not happen. That I can certainly assure you.

Then, the hon. the leader of the Opposition said—that we had not mentioned any programme. I would refer him only to page 3 from the second paragraph onwards. The programme has been given. But, does he expect that we can spell it out immediately? Did they spell it out their Twentypoint programme? They only said twenty-points and, like mantras, they went on repeating all the while and nothing was spelt out. I have not objected to any of them. (*Interruptions*) They said twentyfive and then it became twelve in their manifesto. That is the tragedy of it. What is the use of saying all these? I have gone into it very deeply. I do not neglect whatever comes from you, I want to benefit from it if I can. That is all I would like to add.

Therefore, Mr. Deputy-Speaker, Sir, I would only beg my friends to have more patience in this matter and not to compare the janta party to a strange animal. I hope more restraint will be observed in future. That is all I expect. If it does not, I shall go on using restraint from my side. That I can assure him. We have started implementing our professions and the Leader of the Opposition will be broadcasting to the nation to-day. He did not ask for it. We have requested him to do it. Is that not true?

This is what we are going to do. Indeed I had mentioned and I can assure my hon. friend, Shri Sathe also that if he has any complaint about any administrative actions resulting in any oppression, I would request him to tell me. I can assure him that all grievances capable of redress would be looked into. That is the attitude of this Government in the matter of law and

order, in the matter of economic order, in the matter of social order and in the matter of administration. We have mentioned all these things. But we cannot put details into that address. That is what ought to be appreciated. They wish that the janta party will break up—this is what the Leader of the Opposition said that the janta party will break-up in no time and that it cannot last. If wishes were horses, then everybody will ride on them. It is not possible. As a matter of fact, it is the wrong desire that leads to the down-fall of the people. That has happened. That is the tragedy of it.

Let us take a lesson from it and not have wrong desires. After all, how will it benefit the Opposition? If he thinks that the two party system should function and if it is good for democracy, should we not wish that this should last? If you defeat this party legitimately when the occasion comes I will not resist. Even if they so desire the Janta party will not break up. I do not know what will happen in the future. But I only hope and trust that this wish will not be fulfilled. This will not benefit him at all. He said that they have been defeated. It is true that the people declared themselves against the emergency and therefore they had been defeated. If we had not won, then how are we here? I do not know if the people did not prefer us to them, how would we have got the votes? I cannot understand this which is such a simple matter. I never thought that he was not using his commonsense in this matter. I am afraid if his desire is to see that the Janta party goes out he will be in possession of office, this is an indiscreet statement. That is all I can say.

Sir, as long as the Janta Party is in Government, we will see to it that we will establish democratic traditions by our behaviour not by asking other people to do it if our performance falls short of the expectations. I shall be thankful to the leader of the opposi-

[Shri Morarji Desai]

tion to point it out to me or for that matter any member of the opposition can point that out to me so that we can improve upon it. No man is wise enough not to learn from others. And that was the fault committed by the previous government. That was the fault committed, and I may be pardoned if I say, by the then Prime Minister. If that had not happened, then all that happened would not have happened. But whatever happened is for the best in my view. If sufferings come, they come to chasten us. And it is then that we can improve. Even three years ago I told my friend that what is happening is for the good of the country. This country would not have learnt a lesson until it suffered. We got freedom very easily because of Mahatma Gandhi. I have always felt that we did not pay sufficient price and therefore, this country did not realise the value of freedom. We had to pay a price. We have paid that price during the last twenty months and I hope we will not have to pay a further price now. At any rate we will see to it that we will not extract any price from the Opposition. Let me assure the Opposition. That is not our intention to do so. If any price is to be paid, we will pay it, but we will not make others pay it. That will be our attitude in his matter. What do we want? I am quite sure our aims are common. I do not doubt that they also want to see that this country becomes great, happy, strong and to help the human society to be happy. That is our aim. I am quite sure the aims are common. But aims may be anything. Unless the means are pure, nothing can be free from blemish. That is what the Father of the Nation taught us. It is possible that we will make mistakes. After all, we are not angels nor can we say that we have no faults. All have faults. But let us not try to take advantage of faults of each other but try to help each other in removing them. If we do that, I am quite sure the future of the country is very good. I have no doubt that it has been my faith for years that

this country cannot go down, it is bound to go up and become happy and in the terms of Mahatma Gandhi, it would establish "Ram Raj". If that happens in this country, then we will be able to be of some service to the world in creating those conditions by our example. We do not have to advise other people or to give sermons to other people. It is enough if we serve ourselves by promoting peace and goodwill in the world. Well, that will be our foreign policy. Of course, there is difference in the foreign policy of non-alignment. Non-alignment must be there. It is not a policy which is in doubt, but sometimes aberrations enter in that policy. We will try to see that aberrations will not come. That is all that we can say. I don't say that formerly aberrations had come deliberately or by mischief. That is not my contention at all. But I would say that in human efforts, sometimes weaknesses do come. We have got to guard against them and that is what we are trying to learn by experience.

Non-alignment can be practised only if there is freedom from fear and fortunately this country passed through such fears in the last twenty months that I can never compare this condition to any other conditions in the history of this country. But we have got to live it down. We have got now to see that such fear does not recur again in this country. We must have freedom from fear in this country. Otherwise, we will not grow at all. If anything has plagued us in this country, it is this fear which has plagued us and it is that which comes in the way of development on all sides. Unless we are able to restore this freedom from fear in this country, all our efforts at development are not going to succeed and in that common endeavour of removing that fear I would appeal to my friends in the Opposition to help us in seeing that fear is removed from the minds of the people at large. But that can happen only when we ourselves shed fear. We are not afraid if we have to get out of this Government. That was the

fear from which the past government suffered. It was, therefore, that emergency came; otherwise emergency would not have come. And my friend, the Leader of the Opposition has said that this was a vote against emergency. Can there be a greater criticism of it than that? And who had supported the Emergency very strongly? He himself. But I suppose he was not free to do otherwise. It is that freedom which we want to restore to everybody not only here but to all of you. This is what we would like to do. There will be no democracy unless there is freedom from fear and it is this which we have got to restore and everything that we have will be directed towards that end.

Therefore, I want my hon. friend, Shri Sathe, to be free from fear. But I also want him to be free from bravado; Bravado does not give fearlessness. It brings for him more fear. Therefore, may I suggest to him to see this. If he does not wish to see it, I shall have no quarrel with him. I have not considered him as anything but a friend. I know that when I was in the Opposition benches he was talking to me very freely. But when it came to speaking here he spoke in a different language. Now, this is what we ought to avoid. I know he will want to say one thing and then say another thing. Even now in his speech here I saw that. He respects me and also condemns me. Both things are done.

SHRI VASANT SATHE: Is it not freedom from fear?

SHRI MORARJI DESAI: This is not freedom from fear. This is freedom from truth. Therefore, let us be more careful about it. We ought to be more careful about it that there should be fearlessness in practising truth. If that is not realised, I am afraid we will never acquire freedom from fear.

I do not want, Sir, to take up time of this honourable House because I do not see there was much criticism of what is done because there is not much done yet. Things are being done. Therefore, how can there be much criticism? The criticism is only in the air and I have nothing to reply about it. I have only to appeal to my hon. friends to see that we work together in cooperation. That does not mean that they should not criticise us. We welcome every criticism that you make. But let us make in such a manner that we don't hurt each other. That is all my request, Sir. Thank you.

MR. DEPUTY SPEAKER: Now, no question will be replied.

SHRI O. V. ALAGESAN (Arkonam): I am on my legs Sir.

MR. DEPUTY-SPEAKER: You may be on your legs, but on what? If it is a point of order, you could have said 'point of order'.

SHRI O. V. ALAGESAN: I am going to ask the Government to give a categorical assurance that they will continue the work of the Sarkaria Commission. Will the Prime Minister be pleased to say something on it? That is what I want.

SHRI MORARJI DESAI: May I say, Sir, that the Sarkaria Commission's work is going on? It is not complete and I cannot take any definite action unless that is complete and I have requested Mr. Sarkaria to complete his work as soon as it is possible and he has said that he will do it in four months.

MR. DEPUTY SPEAKER: Now some amendments have been moved to the Motion of Thanks. I will put all these amendments to vote together unless any hon. Member wants that any of the particular amendments should be put separately.

[Mr. Deputy Speaker]

I shall now put all the amendments together to the vote of the House.

All the amendments were put and negatived.*

MR. DEPUTY-SPEAKER: The question is:

"That an Address be presented to the Vice-President acting as President in the following terms:—

"That the Members of Lok Sabha assembled in this Session are deeply grateful to the Vice-President acting as President for the Address which he has been pleased to deliver to both Houses of Parliament assembled together on the 28th March, 1977."

The motion was adopted

15.31 hrs.

STATUTORY RESOLUTION RE
CONTINUANCE IN FORCE OF THE
PROCLAMATION IN RESPECT OF
TAMIL NADU

THE MINISTER OF HOME AFFAIRS
(CHAUDHURI CHARAN SINGH):

SIR, I beg to move:

"That this House approves the continuance in force of the Proclamation, dated the 31st January, 1976, in respect of Tamil Nadu, issued under Article 356 of the Constitution by the President, for a further period of one year with effect from the 10th March, 1977".

As Hon'ble Members may be aware the Proclamation under Article 356 of the Constitution in respect of Tamil Nadu was issued by the President on

31st January, 1976. This was done in pursuance of a report received from the Governor of Tamil Nadu in which grave allegations of corruption and mal-administration were also made against the Government headed by Shri Karunanidhi. The President's Rule was again extended for a period of six months in September, 1976 by another Resolution of the Parliament. Before the expiry of the last extension, the previous Government moved a Resolution in the Rajya Sabha on 1-3-1977, for the continuance of President's Rule in that State for a further period of one year with effect from 10th March 1977 which also was accorded approval. The legal position is that as the resolution for extension of Proclamation has been passed by Rajya Sabha for the continuance of President's Rule, a resolution by Lok Sabha to the same effect is necessary within 30 days of its 1st sitting after re-constitution.

According to the amended provisions of article 356(4) of the Constitution of India, the period of extension of President's Rule now stands raised to one year. This is, however, only an enabling provision, because the Proclamation in this regard can be revoked at any earlier time. I do not wish to go into the merits of imposing President's Rule in Tamil Nadu nor into the justification for extending it indefinitely. Our Government is committed to restoring normalcy and early popular rule in the States under President's Rule.

Hon'ble Members would bear with me that it is not possible to revoke the Proclamation without holding Elections in the State, since that would mean an administrative vacuum. It will be the endeavour of Government to have elections in Tamil Nadu in the course of next few months. I would, therefore, request the House to pass the Resolution for continuance

*Amendment negatived: Nos. 1 to 5, 26 to 91, 102, 103, and 160 to 162.