

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 be 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 equitable 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 shouting 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 DWIVEDI : 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).