the proceedings will be delayed. He raised the same point; you have also raised it. It is not a question of my giving a ruling. A gentleman who was occupying the Chair had given a ruling. Am I an appellate authority on this matter ? The question is not whether it is unparliamentary or not. I am not going into the merits of it. Some body used a certain expression against the Prime Minister two or three days back. The question was not whether it was unparliamentary. I said that it was not proper and fair; it was not a decent language and I got it expunged on that day, My friends there ought to have been angry. When we use strong words, we must be careful. While the Deputy-Speaker was in the Chair he has done the same thing. Let us forget about it now. It is 4.0' clock. Mr. Siddayya may continue his speech afterwards.

16 hrs.

DISCUSSIONS Re: DEFENCE MINISTER'S STATEMENT ON FIRING ON GUN AND SHELL FACTORY EMPLOYEES AND HOME MINISTER'S STATEMENT ON STRIKE IN WEST BENGAL

AN HON. MEMBER: On a point of order. When Mr. Kachwai tried...

MR. SPEAKER: I have gone to the next item. It is now 4 o' clock. Before we begin the discussion about West Bengal, may I appeal to all hon. Members on both sides of the House to kindly listen to me.

There is rather a reason for excitement. but I would request the Members to be calm. Let us hear the speeches on both sides, on both the issues. Let us not get excited and begin shouting at each other. After all, Parliament is a forum where you will have to hear whear whether you like it or not.

The time is also limited. But the beginners—both of them—will have 20 minutes each. After that, each party will gets its due time. One party gets eight minutes; Swatantra, six minutes; Communist (Marxist), four minutes; SSP, four minutes; Unattached 10 minutes. The Congress gets about 37 minutes. This is the time. The Minister also must get some time. The 37 minutes exclude the Ministers time. One or two minutes or even five minutes may be excee-

ded; I can understand that. But if hon. Members go on exceeding the time, that may not be correct, and I do not like to ring the bell. It is not good.

SHRI S. M. BANFRJEE (Kanpur): The Home Minister is not here.

AN HON, MEMBER: He is coming.

MR. SPEAKER: So, do not put me to an embarrassing position of ringing the bell. I am sure senior Members are going to participate in the debate today. Do not put me in an embarrassing position of ringing the bell. We should go ahead While an hon. Member makes a speech or an hon. Minister makes a speech, please do not go on interrupting and shouting. It would not help us to have a decent debate here. Mr Banerjee, you are not speaking, I think.

SHRI S. M. BANERJEE: I just want to make a statement. Unless I move—

MR. SPEAKER: There is no motion or anything here. If you are surrendering your time and your chance of speaking on this—

SHRI S. M. BANERJEE: I have given you in writing also. Since I have already expressed the resentment of the people against the firing at Cossipore and have expressed myself on the rather mischievous statement of the Home Minister, I would request you to give my time to my leader, Shri Dange.

MR. SPEAKER: Yes, Mr. Dange.

SHRI S. A. DANGE (Bombay Central-South): Sir, I do not want to take too much time of the House on this subject. But it is a very serious happening that Home Minister should make a statement on a subject whose importance at that time was not so magnified in the people's minds. So, first, I would request you and the House to consider what the position was.

There is a factory under the Central Government. Certain people are not reinstated in spite of the Home Ministry's directive that the victimised people of the 19th September strike should be reinstated on certain conditions. There was an agitation outside the gate of the factory. A little

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delay might have taken place; we do not know. And when the people wanted to enter, there was a whole posse of armed people, those soldiers who are in civilian employment, who prevented the people from coming in under the orders of the person in charge. This gentleman, Mr. Chakravarti, gets agitated, because the workers demand an entry and immediately orders firing. This is the simple matter that any body could have dealt with in a very calm and proper manner.

But the firing was of a kind in which five people were killed on the spot. Now, do you expect the people to feel strongly about it or not in Bengal? Do you expect the workers and the people in general to feel strongly about it or not? They were bound to feel about it and therefore in order to let expression to their strong feeling, the trade union organisations called for a bandh.

AN HON, MEMBER: Wonderful.

SHRI S. A. DANGE: Yes; Wonderful. They called for a bandh in order to protest against the firing and the killing of five workers in that firing. Now, this bandh is resented by the Home Minister. As such I think he had not much ground to protest against the bandh, because his words, most probably written by his most intelligent Home Secretary, Mr. L. P. Singh are these: "Such disproportionate and harmful methods of protest have to be eschewed." Will you please define for us how much proportion of protest should be there in relation to the corpses, in relation to the men killed?

If one man is killed, one hour's strike: if two men are killed, two hours' strike: if five men are killed, five hours' strike; if 24 people are killed, complete bandh. If that is the ratio, let us have it. Let all the parties sit down and decide about the proportion of protest. When 59 workers were killed in Bombay city, unfortunately no bandh was called by the people concerned. Did Mr. Chavan make this statement really in honesty, to find a way out for the deadlock developing in Centre-State relations? Is he really faithful to his own principles as Home Minister of the Central Government, who should deal with all the States equitably? Would he deal with the Telengana problem in the same way where property belonging to the Centre and State were damaged and trains were

burnt? Did he deal with the problem in the same way when Rs. 24 crores worth property was damaged and trains were burnt in Bombay due to the Shiv Sena activities ? At that time Mr. Chavan was not found making a statement that the Chief Minister and Home Minister of Maharashtra had made a mistake and therefore, they should be pulled up? Why did he not lecture to the Chief Minister in Bombay.? Because, he belongs to the Congress party.

My statement here is that the statement of the Home Minister was made, not because there was any interruption in the economic life, "as he says but because he is out to destroy the UF Ministry, in which communists certainly have a majority. fighting a political battle. The quotations of articles of the Constitution like 256 and 257 are merely a screen to hide his real ambitions of displacing this ministry which he does not like. If that is so, it means he is declaring a political war against the UF Ministry. If that is the viewpoint of the whole Government and of the Congress Party, we should like to know it, so that we can behave accordingly.

He says the economic life was stopped. For whom? Why did he not state in his statement, in fairness to the Bengal Government, that they had ordered the hospitals and such essential services shall not be closed? It does not find mention in his statement anywhere that the Bengal Government had ordered that the Air India International traffic through Calcutta will be carried through and there will be no interruption in it. If Air India overflew Calcutta, that is not the fault of Mr. Jyoti Basu. They might have done it for their own convenience. In fairness to the UF Government, Mr. Chavan should have mentioned that it was specifically ordered that essential services like hospitals, water supply etc. will be maintained.

Now come the railways with which he is so much worried. Railways were stopped in Andhra. Railways were stopped in Bombay. They were stopped when there was trouble in Assam. The trains were stopped when Dr. B. C. Roy was the Chief Minister of West Bengal. Mr. Chavan was not here fortunately as Home Minister at that time.

Trains have been stopped on so many occasions, but no Home Minister took such an attitude. Why did he take such an attitude now? The answer is plain, that he does not want the UF Ministry to continue and he wants to create a deadlock. He advises the Defence Minister to order a judicial enquiry. Mr. Chavan generally resists any demand for a judicial enquiry. But this time, within 24 hours, it has been announced that there will be a judical enquiry. I am not sorry that he announced it. I only wish he is quick enough in other cases also, where he is not. If he had consulted the State Government and said, "We are appointing a committee. We two together shall conduct it", nothing wrong would have happened. Now, we have a judicial enquiry and there are the court cases. Then the officers and police are being prosecuted. Which survives which? Or, do they run parallel?

Whose law cuts against whom-the judicial inquiry or the court proceedings? In fact, the court proceeding should have precedence, because they are established courts whereas the other is merely an inquiry. In that conflict what is the solution ? Another statement in the House Says that the Ministry be dismissed? What are they driving at? They want to have a conflict with the whole State which is solidly behind the United Front Ministry, What do you want-an undeclared civil war or what? We should like to know that. You have arms; they do not have arms. Therefore, I should like to know whether he is running the Home Ministry in accordance with the Constitution.

If he wants to make a case that Shri Jyoti Basu, as Home Minister, being a Communist, is essentially interested in creating disorder and especially stopping trains, I will tell you that Shri Jyoti Basu has no such ambitions; nor is he of that type (laughter). You are laughing too early. Because, on the same railway line one MP here, who is a railway leader, was going to demonstration because the carry out a victimised people were not reinstated and there, was going to be a gherao there and all that Now, if Shri Jotri Basu were interested only in stopping trains because they belong to the Central Government and because, as Home Minister, he is concerned

with it, then he would have allowed the whole thing to proceed in the way it was proceeding. But he did not do that, the other hand, there was flash message from the Joint Secretary, Home Department, to the police wherein he says "the matter is being discussed; interference with the running of the trains will, therefore, be unwarranted and should be prevented; necessary police arrangements may kindly be made for this purpose". This is the flash message from the State Home Ministry to the Deputy Commissioner of Purulea when a grievance demonstration was going to take place. So, you cannot say that inherently Shri Jyoti Basu, by his own character, is so made that he would not deploy police for protection of railways, he will not prevent any obstruction or anything of the kind and, therefore, ipso facto the nature of the man and his party is such that everything will be done to stop the railways. Here is the order passed on Shri J. M. Biswas, the Leader of the Union. by the Home Minister who next day said that if the bandh is called for then "I cannot give protection to the railways".

One day prior to that he was prepared to give police protection. You will ask: why this contradiction, why next day he is not prepared to give police protection. The position is that he does not refuse police protection. But when the bandh takes place on all-Bengal scale, then simply sending ten policemen is not going to help. It may be in the tradition of the Central Home Minister that whenever the people call for a bandh the police must be sent, force must be used and firing must be ordered. But Shri Jyoti Basu does not believe in such a policy. So, on the 9th he tells them: I will send the police; do not have the demonstration; I will look into the matter; let the demonstration be stopped. On the next day he says: there is a bandh; please stop the railway trains from entering the State because no protection is possible. These are two sides of Jyoti Basu and you cannot make a general proposition that the West Bengal Government was determined to stop communications going through, the State. It was done because they did not want more firing, more damage and they wanted a peaceful bandh. Shri Chavan will have to admit that the bandh was a peaceful one.

AN HON, MEMBER: What Kanchrapara?

SHRI S. A. DANGE: About Kanchrapara you do not know anything. Now, why is this being done? The key is here. Shri Chavan, assisted by his most eminent Shri L. P. Singh, is a lobby of the Birlas... (Interruptions) Wait; let me complete it. The Birlas had given the signal on the 16th March, 1969. At the annual meeting of the Federation of Indian Chambers of Commerce and Industry held in Delhi, which was addressed by the Prime Minister, Shri G. M. Modi the President laid down the line when he said:

"I would be failing in my duty if I do not express the anxiety which industry and trade feel in West Bengal. The memory of the days of the Left United Front are still fresh in our mind. They made a mockery of our democratic institutions and traditions".

Shri Chavan is quoting from Shri Modi's speech which was written by the Birla lobby and delivered on 16th March, and he only trotted out articles 256 and 257 which perhaps Shri Modi did not know of.

So, the line was liad down on 16th March. Then, what happened? It is very interesting. Shri Chavan has not noted it; may be, Shri L. P. Singh is ignorant about it. Then the industrialists from Bengal, of a smaller order, protested. They said, "You made this speech; we will be in trouble; we are discussing things; the United Front Ministry is not so bad as you think; therefore, this speech will harm our discussions and peaceful settlement." Then the FICCI Chairman repented a bit which, of course, is not in line with Shri Chavan who never suffers from any repentance, whether it be in Maharashtra in the Samiti, here or inside the Working Committee-I do not know. Then next day Shri Modi made a correction. report says :-

> "Mr. Modi has modified his reference in his presidential address yesterday to the apprehension entertained by industrialists from that State".

Therefore a correction was issued which is exactly contrary to what he said before. It says:—

"I am happy to know"-

Suddenly next day he was very happy; maybe, you will also be happy tomorrow, following Shri Modi:—

"I am happy to know that the United Front Government and representatives of Chamber of Commerce and associations in West Bengal are engaged in a hopeful dialogue and I am sure this will help in solving the many problems facing the State.

Shri Chavan, will you please learn from Shri Modi, amend this statement and say, "I am happy to know that the bundh was a very peaceful one, that I was misguided by my informants", by that gentleman officer who is rotten, I know, though a son of a very worthy father, "and, therefore, I am very happy now to amend my statement and say that amicable relations will prevail between West Bengal and the Central Government"?

SHRI JYOTIRMOY BASU (Diamond Harbour): They gave him Padma Bhushan last year.

SHRI S. A. DANGE: Take the leadership properly. You are taking half the leadership from the Birlas, but the Birlas themselves are wise men about their investments; they have amended it and Shri Modi fell in line with them.

THE MINISTER OF HOME AFFAIRS (SHRI Y. B. CHAVAN): Now you are happy to have compliments from the Birlas. I am very glad to know that.

SHRI S. A. DANGE: He will, I hope, take the advice and stop his war against the West Bengal Government. This is the point really which I wanted to make.

He says here that he is very much worried that the whole administrative structure envisaged in the Constitution would be seriously undermined if the State Government did not take action under the law to prevent any obstruction in the functioning of the Central Government agencies and so on and so forth. If he is worried about the Constitution, may I know why he is not worried about the simple problem, that he, his Government and his party for the last

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20 years have succeeded in violating the Directive Principles of State Policy in the Constitution, that is article 39 (a), (b) and (c)? Why is he not worried about that? They embrace the life of the people. Adequate living (39 (a) and no concentration of property and power (39 (b) and (c)) are violated by 100 or 102 houses, who were speaking through Shri Modi. He is not worried about that part of the Constitution being completely violated, demolished and finished to the detriment of millions of people in this country. When a dastardly officer orders a firing because the people want reinstatement and when there is a peaceful bundh, he wants to come to the House and say that everything is collapsing, the whole democracy is collapsing and he must act. Such a home minister should be dismissed by the Prime Minister. A Home Minister, who cows down to the dictates of the financial houses, who takes delight in violating the Directive Principles of the Constitution which deal with the life of the people, who wants to bring about clashes between the United Front ministry and the Central Government, who shuts his eyes when there is burning of the railway trains in Bombay because his friend is the Chief Minister there-such a home minister who is partial, who is a casteist and who is linguistic-minded only when it comes to Maharashtra and also who is politically inspired in a partisan way, should not hold a portfolio in this Government. Therefore if the Prime Minister is at all interested in regulating life in this country in the way that democracy should regulate, she should take steps on the basis of this single happening to dismiss the Home Minister, Shri Chavan.

Perhaps, if he not corrected now, he might develop ambitions of becoming Chavan Khan like Ayub Khan. That is the danger and development that we want to stop. One Khan has got his reward and I do not want him to go the same way. Therefore, for the salvation of this country, I would request him to resign or next, I will request the Prime Minister to dismiss him so that the Constitution be properly observed in true spirit.

SHRI S. M. BANERJEE: Whichever is earlier.

MR. SPEAKER: Before I call Mr. Hem Barua to raise his discussion I would like to request him to tell me whether he himself is going to speak or asking some of his party Members to speak. If he himself is going to speak there is no time left for other Member of his party. Kindly excuse me. I got a chit that somebody else will also be speaking on the motion. It will not be right. That will be a bad precedent.

SHRI HEM BARUA (Mangaldai): Sir, I raise a discussin on the statement made by the Minister of Home Affairs on the 11th April, 1969 regarding the strike in West Bengal on the 10th April, 1969.

The hartal on the 10th April was a momentous one and it paralysed the life completely in West Bengal. There is no doubt about it. Although, I know, Mr. Chavan from Delhi is a most unpopular man in West Bengal today, I should say that the statement he has made was not a personal document but it was on behalf of Indian Government. We have to look at the statement from that standpoint instead of directing our wrath, ire and fire, against the single individual.

There is one thing that I do not like personally. The Home Minister has said in his statement that there was a deliberate effort to bring the functioning of economic system to a standstill. How can there be a deliberate effort to bring the functioning of economic system to a standstill within 24 hours? Therefore, it is a slight exaggeration that he has indulged in and this particular thing I have not liked. Although, I know, crores of rupees have been spent and have been lost to the Central and State Exchequer, yet, I would say that what the Home Minister has said is a slight exaggeration because within 24 hours economic life of a State cannot be paralysed. Yet, I must say that the strike was a momentous one because of the fact that it drew inspiration from the U. F. Government. That is why it was a momentous one and an historical one,

What was the basic reason behind the hartal on 10th April? The basic reason was the firing at the Cossipore Gun and Shell Factory. There is no doubt about it. We all condemned the firing because, you know,

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the triggerhappy gunmen released all his ire and fire against unarmed workmen and the feelings of the workmen were pent-up for a long time and this was an occasion when they found an opportunity to give vent to their feelings. These trigger-happy gunmen fired on these unarmed workmen. I do not want to dilate upon the details of this firing because they are very gruesome. This was an instance of a murderous assault by gunmen-on whom ?-on unarmed workmen. And this needs to be condemned by all.

I must congratulate the Central Government for one thing, for ordering an inquiry immediately into the happenings of the Cossipore Gun and Shell Factory by Justice Das who is eminent in his own field and well-known in the country. We are happy because of this. There is another thing that there were contradictory reports about the firing coming from Calcutta.

For instance, according to the Director-General of Ordnance Factories, the firing had to be resorted to because of provocation coming from the workmen whereas, according to the State Government, there was no provocation whatsoever coming from the workmen and that the firing was resorted to in a spirit of gamble. Whatever that might be, there are contradictory reports, no doubt, and the Government has done a right thing in ordering a judicial inquiry into this incident in order to find out the truth and that inquiry is going to be held under an eminent person, Mr. Das. This is the first time that Government has done a very good thing, a laudable thing, with great speed, and I must congratulate the Government on that. Is must say one thing also. When the inquiry is conducted and when the inquiry is over, the judge or the commission will present a report to the Government. If the findings in the report go against the Government, I would ask the Government not to put the report in the cold storage as they have done in the case of the 26th January incident in Gauhati; I would like the Government to bring the fact to the light, of the people, to the knowledge of the people, and at the same time take drastic action against those gunmen who were responsible for that blood bath.

Now there is another anomaly also. The State Government wants to hold a parallel inquiry. As far as I know, this Gun and Shell Factory is under the dispensation of the Central Government, and the Government has done a right thing in ordering a judicial inquiry into it. But why should there be a parallel inquiry? The thing is this. If you are so enthusiastic about helding inquiries, why don't you hold an inquiry into the incident that happened in Rabindra Sarobar Stadium where women were made naked, women had to return home in a state of nakedness? Then what happened, Sir? After this discovery, a large quantity of torn sarees and torn brassiers were found there on the spot. The incident at the Rabindra Sarobar Stadium was a ghastly incident and I want to say that, instead of holding a parallel inquiry into the Cossipore firing incident, the State Government, if it is so enthusiastic about holding an inquiry, can hold an inquiry into the incident at the Rabindra Sarobar Stadium where women were humiliated and insulted. Even today I hear-this is my report: I do not know how far this is correct-that 30 women are missing because of this incident. Whatever that my be, that was a ghastly scene or a ghastly spectacle and I say that an inquiry should be held into it.

I am very happy that, under your dispensation, Parliament has come to assert itself. When the life of a citizen is in danger, the time has come when Parliament should assert itself. I am very happy that, under your dispensation, this thing has been allowed to be discussed in this House.

I always think that example is much better than precept, what is the use of going on preaching that which you do not yourself follow? I do not understand this. Try to follow the things and then preach to others to follow the same example. 10th April hartal about which the hon. Home Minister-who is the most unpopular man, as I have said, possibly from Delhi or whatever that might be-has made a statement, pinpoints certain basic questions. is who is responsible for giving security and protection to the Central Government's property in a State. According to directive that was issued by the Central Government in Novemeber, 1967, it is the responsibility of the State Government to give protection. I think this a very good Cossipore firing

arrangement in the sense that, if the Central Government rushes into a State Government in order to give protection to its installations and property, that would mean introduction of a sort of diarchy into the administration of the State, and the State Government has a right to resent to that. As far as I know. the West Bengal State Government has never refused to give protection to the Central Government's installations within the State. Therefore, this is an over-enthusiasm on the part of the Government. I must say one The Constitution guarantees certain authority to the Central Government. The authority of the Central Government must not be eroded. But, at the same time, the autonomy of the State must be assured. At the same time, the authority of the Central Government must not be eroded. But these things are happening. This strike of 10th April brings into a tragic focus certain other things also. What are they? They are the basic relations that a State should have with the Centre. What are the basic relations that the Centre should have with the State? When our Constitution was formulated, it was formulated for the whole of India when there was a similar pattern of administration all over the country and I know there were Congress State Governments which were confronting with the Central Government. But that confrontation was all silent because of the fear of being described as indisciplined. One must not forget that if one encourages indiscipline, indiscipline tends to recoil on the man who encourages indiscipline. That is what is happening in the country to-day. India is a vast country. There is no doubt about it. The diversity of India is both her destiny and beauty also. In the socioeconomic diversity of the country, a new diversity has been projected. That is the political diversity. And if necessary the Constitution should be amended so that our approach and attitude might be fitted into the new realities of the time because of these altered political conditions. We must not forget that.

We have a federal structure of Government in this country but that federal structure is getting weakened every time. It is bound to weaken further unless some steps are taken to see that if necessary, the Constitution is amended in order to strengthen the federal idea and at the same time give more autonomy to the States. There have been

Confrontation has a tenconfrontations. dency to weaken the person against whom the confrontation is directed. Mr. Chandra Shekhar's confrontation against Mr. Morarji Desai has weakened Mr. Morarji Desai by throwing him into a defence Posture. It has a tendency to weaken a man against whom confrontation is directed.

10th April Strike is a symbol of a resentment, a symbol of confrontation. That confrontation has become a challenge. Chief Minister of Kerala was talking about a confrontation that he proposed to take against the Central Government. But before he could do it, the West Bengal Government has already done it. There is no doubt about it. That is a confrontation. should see and we should modulate our aspirations and constitutional provisions in such a way as to fit them into the new pattern.

The Home Minister has spoken about Art. 256 and 257 of the Constitution. I do not find in Art. 256 there is a pointed reference to the fact that any attempt to impede the functioning of the Central Government must be resisted. I do not find any attempt on the part of the West Bengal Government. State Government has attempted in this strike of 10th April to impede the function of the Central Government in the State. But some how or other that confrontation has become a challenge and only recently the Deputy Chief Minister of West Bengal said 'If you do not give us money, we are going to agitate'. If every State Government goes on agitating like that, should there be an end to agitation? I do not understand this. If you do not give me milk, I will die. I do not know whether the Central Government is the mother of the State Governments. Whatever that be, there is a feeling that there is an attempt to overthrow the authority of the Central Government in West Bengal. There is no doubt about it. All that should be resisted. We must have a strong Central Government in order to see that India lives as one and India progresses as one.

I request for some time for my friend Mr. Samar Guha.

SHRIMATI SUCHETA KRIPALANI (Gonda): Mr. Speaker, we are all very unhappy over this tragic incident which has taken place at Cossipore. It is true that when this unfortunate firing took place, 5 people died. It is very natural that the death of 5 workmen would arouse the feelings of the workers and the local people and they would declare a strike. There is nothing unnatural in this.

As far as the cause of the strike is concerned, as far as the cause of the incident is concerned, my hon, friend, Shri Dange has over-simplified it. We do not know much. A probe is going into that. After that we will have full information. As far as we know, one thing is clear. We knew that some trouble was brewing for a long time. Certain unions dominated by certain political parties were very anxious to bring about some trouble and they were certainly creating conditions to bring about a situation for some time. I had some information about it about a year back and we had asked some Questions in this House and some Answers were given on the floor of the House in this regard. However, the firing was an unhappy incident. The call to strike is not at all unjustified; but what is unjustified is this. This is a call to strike given virtually by the Covernment of the West Ben-The call to strike was given by various trade unions; the HMS, the INTUC and other unions were also there. But the important organisation was Rashtriya Sangram Samiti. The convenor of the Samiti is no other than Mr. Jatin Chakravarti. Minister for Parliamentary Affairs in the United Front Government. We find this gentleman moving about between the Unions and the Ministry. He is both the Minister in the United Front Government, as well as connected with the labour union. He calls for the strike as well as tries to check it.

Now, Sir, as soon as this incident took place, as soon as the call of strike was given, how did the Central Government act?

The speech of hon. Home Minister was very sober. He weighed every word. He tried to see that he did not tread on the toes of anybody in Bengal. He did not try to accuse anybody. He said, we will institute an enquiry; and we will keep an open mind. But what was the reaction of the State Government there? The State Government immediately started a ding-dong fight against the Central Government as if it was a call for war. This Bandh, as I said, was no strike but...(Interruption). I hope, after yesterday's experience the Communists have learnt a lesson and they will allow people to speak in the house in an atmosphere of peace and calm.

This strike, to my mind, is a full dress rehearsal for the dismemberment of the country. This is a dress rehearsal in order to have similar strikes in the rest of the country.

The people of the country have now come to realise that the Government in Bengal have no faith in our constitution and no desire to work the constitution. They want to wreck the constitution. They want to break the constitution. (Interruption)

A tragic, an unfortunate incident like this has been callously exploited by this diabolical political party to serve their 'long-term' objectives. And, what are their long-term objectives, Sir? It is, to weaken the Centre and to bring about the collapse of the Centre.

I would like to mention certain views expressed in this regard. The CPI, in a Resolution, said various things, congratulated their comrades on the success of the strike, etc. At the end, they said:

> "This mighty action is not only a massive protest against the murders in Cossipore; it is at the same time a warning to the Central Government to halt its authoritative drive for concentration of powers in its own hands to suppress popular movements and to curtail the powers of the State Governments in a situation when people of many States are no more prepared to tolerate their undemocratic and despotic rule."

And then, what did Mr. Jatin Chakravarty, the Minister in the United Front Government say?

He said this:

"We hope the Centre will take lessons from this spontaneous demonstration of people's indignation and refrain from further conspiracy to embarrass the United Front Government in future and give a fair deal to our State by acceding to the demands of the West Bengal Government."

Then he further said:

"Wherever we had gone, we have found the strike not only a complete success but witnessed a firm determination of the people to rise against the Centre, whenever such occasion will demand."

It is from their own mouth that I am quoting to show what their intention was. It was no bandh, it was a dress rehearsal...

AN HON. MEMBER : Which is the paper ?

SHRIMATI SUCHETA KRIPALANI: This is from Amrit Bazar Patrika which is toeing your line very much...(Interruptions) I would like to remind you what Shri Namboodiripad said some time back if they come to power, they would use the Government as a platform in their struggle against the Central Government. Now today the Executive Committee of the CPM has just said as reported in the paper, that Bengal is to spearhead the struggle against the Central Government. This is very political. They less feeling so arrogant and so flushed at their victory. Not only did they bring about a strike in Bengal, not only did they order the Calcutta Secretariat to close down, but they ordered that the Railways should be closed down, that the airways should not work, and that post offices should not work, and all the Central Government offices should not work. I think our Home Minister was very sober: I would say his statement was a little too mild. He should have taken a stronger line. He said that protection was denied to these officers and therefore these Government servants could not function and that it was their responsibility of the state government to give them protection under Articles 256 and 257 of the Constitution. The state government has felt very annoyed at this statement. Therefore, two State Ministers came to Delhi and gave an explanation at a press conference. What was the explanation? Shri Mukherjee said: They were very kind and considerate and gave them "protection". Here is what they say. I will quote. What kind of protection did they give? "We gave them protection by advising the Railways not to take the risk of running the trains". Suppose the government cannot give the protection to the householder. Then they tell all the people: "Please, throw all your belongings into the river so that there is no fear of theft." This is just like that. Also he said that if "we had allowed the trains to run, there would have been blood-bath", I would like to say that the whole Bundh was so well organised that they have exempted certain services from the strike. I quote these are, "as usual, hospitals, medical services, ambulance milk supply services and services etc. These will conservancy be outside the purview of the strike". Well, they could have also said that these services such as railways would also be outside the purview and to avoid blood-bath, they could have given some genuine, positive protection to the Central services, which they are bound to do under Articles 256 and 257 of the Constitution.

Then, what did our Home Minister say? Why has he become so unpopular in Bengal ? He said that the state denied protection. Well, the facts proved it. Then he said that normal life in Bengal was paralysed and the State suffered economically on that account. It is true that Bengal has suffered economically because of these systematic strikes. These strikes are not economic strikes. They are political strikes sponsored by political Parties to serve their political purposes.....(Interruptions) economic progress of the State is at a standstill...(Interruptions) What was the comment by the Bengal Ministers on the Chavan's Statement ? Shri Viswanath Mukherjee and the other gentleman whose good name we are hearing for the first time-Shri Ghosh-said: "Mr. Chavan's statement was highly indecent and improper and his statement might be taken as an unnecessary intervention in the affairs of the State" I think Shri Ghosh needs to look up in dictionary the meanings of the 'indecent' and 'improper'. What would be the result of such strikes? Even international

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[Shrimati Sucheta Kripalani] airways had to divert their services. You will realise what would be the impression of the foreigners?

One would think that there was a complete revolution in Bengal; the planes could not land-such was the condition in They wanted deliberatly to create such an impression-it was of political move I want to say something about the statement of Shri Jyoti Basu. He has said that the appointment of the judicial enquiry commission was an "undeclared war" on the State. Therefore, they would oppose it. Why? Whenever a firing takes place a demand for judicial enquiry is invariably made. Now, here, when a judicial enquiry commission is appointed, immediately they turn against it. Why? Because I suspect that there is something very shady. Perhaps they are afraid that things would come to light and that would reveal that some conspiracy was behind this incident. is why perhaps they are against the enquiry. To-day Shri Jyoti Basu has made their political intention absolutely clear. When the teachers met Shri Jyoti Basu, he said that let us demand money from the Central Government. If the Central Government does not give, we shall have to agitate. He is trying to build up an atmosphere to fight against the Central Government. If they were keen to give their cooperation, I am sure the Central Government too would give them cooperation. If they want Centre's co-operation, the Prime Minister had already called a meeting of the Chief Ministers. She has already indicated her desire to talk to them so as to find out what are the points of conflict between the State and the Centre. She is anxious to resolve them. Why should they not have come forward to discuss these matters? That is only because they are not here to work the Constitution but to.

SHRI S.A. DANGE: Rose. (Interruptions)

MR. SPEAKER: Order, order. May I request the hon. Members to hear him? He is not making a speech again.

SHRI S. A. DANGE: Sir, I want you to enlighten us as to whether in our Constitution, there is such a term as 'weakening or strengthening the Centre' and whether it is defined at all?

SHRI RANGA (Srikakulam): Mr. Speaker, Sir, I think practically definition has already been given when a question was put as to whether the Centre could weakened. It has been weakened by the Centre itself. That is the gravamen of the charge. My hon, friends have been saying that Shri Chavan is very unpopular West Bengal. I do not know what is meant by 'unpopular'. Shri Chavan ought to be very popular even now. He was the softest-worse than the softest. My hon. Shrimati Sucheta Kripalani has friend. already said that he is a little too soft, slow and even sober. What was his statement, Sir? On every occasion when he made a statement, it was a longer statement-stronger statement. It went to such an extent that he could only tell this in his statement. I had been the Home Minister, I would not have waited for this statement but I would have dismissed that Government through the President. I would never have gone on referring to something that he had said in November, (Interruptions), We have been knowing you and you have been knowing Let us listen to each other (Interruptions). It is not that these friends who have not got to be educated. They do condemn our democracy as has been made crystal clear-not now but some decades ago when my hon. friend, Shri Masani wrote history on Communist Party, We have made it very clear; we have come into that heritage of knowledge and scholarship and discovery of the machinations of the capacity of these people for perverting and destroying the democracy not only in this country but all over the world. It is by these people-I am very glad indeed that my hon, friend Shrimati Suchetaji has made that speech.

That is an evidence of good educa-It is slowly seeping into the friends, my erstwhile of my colleagues in the Congress. I would like to know for whom she was speaking. I know it was for a very large section of the Congress Members there, but, I am afraid, not for the Treasury Benches. What are the Treasury Bhnches, Sir? One is right, the other is left and in between there is no fulcrum; they are going round and round. It is this Government which ought to be dismissed. My hon. friend, Shri Dange, was asking for the head of Shri Chavan.

(Dis.)

Shri Chavan comes from Sahyadri. But, I am afraid, Sahyadri has become a new moon, so soft, so moony, so curdly, so milky. Here is our Prime Minister. When will our Prime Minister get herself educated in regard to the viles and ways of the gentlemen of the Communist Party?

My hon. friend, Shri Dange, said that Mr. Jyoti Basu has two faces. But I say he his trimurti. That is what we find here in this side of the House. Shri Jyoti Basu is so much in this House. As you were anxious to see that this House would behave in a reasonable way, you asked me not to press my Motion.

What are these gentlemen out for ? What is this one day's bandh? There were so many bandhs, but this is a good bandh. It has done a good service to our country. I am glad that in this they committed the capital mistake of disclosing their games to the enlightenment of oridinary public in our country.

Sir, just think for yourself. Supposing by any chance the other day they had the courage, the strength and also the assurances of the East as well as the West and the others, right up to the level of United Nations, and on that day, on that fateful day, which my hon, friend called a historical day, they had declared independence, what would have been the fate of this Union Government? Mr. hon. friend, Shri Karan Singh, would not have been able to go there or send his planes. Our Railway Minister would not have been able to send his Railway trains. The postal people were completely helpless. All of us were completely helpless. They had only not sent Shri Jyoti Basu to that particular station of All India Radio to declare to the rest of India that they had become independent. They would have done it and they would do it tomorrow or day after. Let us not be foolish to think they are not going to do it or that they are not capable of doing it. They have done it in so many countries of the world, not once by many times. Unfortunately, my hon, friends there have not been realising this. That is one reason why I wanted an all-party Government Supposing there had been a Congress Party Minister in the Cabinet, do you think that these people would have held this bandh?

They say that it was held by Rashtriya Sangram Samiti and all that. It was the Government which was behind it. In every country, wherever they got the control over the internal affairs, the Home Ministry, they have played the same kind of game. Where is democratic element among our friends? Is it not a fact that in this House a statement was made that violence is the midwife of revolution? They quote Marx also and they believe in it. Do they believe in democracy? They want to exploit demoeracy in order to establish their proletariat dictatorship. They want to utilise the democratic institutions to the uttermost possible extent, to exploit our softness, for this purpose. They often quote the various principles-the Directive Principles, Fundamental Principles, etc. My hon friend says: "you have violated the Directive Principles; you have not implemented them." Directive principles are not fundamental principles. Our friends are interested in destroying the fundamental rights of the people themselves. What to talk of directive principles. Directive principles are to be achieved only when we achieve a welfare society here with plenty of production, much more than what we can possibly consume in any one year after clothing, feeding and housing our people. Have we reached that stage? We have not.

Directive principles have been incorporated there advisedly, as what can be aimed at, not what ought to be observed here and now. Fundamental rights have got to be observed here and now, have to be protected here and now. Did they protect them?

My hon friend asked, why did they not appoint another inquiry in regard to the violation of the sanctity of our womanhood in Rabindra Sarovar? Why did they not do it? Are our women not entitled to fundamental rights? Where was their respect for fundamental rights in Czechoslovakia, in Rumania, Hungry and various other countries? They have not respected any of these things. Their only purpose in talking about fundamental rights is to benefit by them themselves and hold us to ransom—by quotting these things and keeping our hands tied completely and then to cheat us

[Shri Ranga]

all of our fundamental rights. They want to destroy the fundamental rights of our Constitution under our very nose. They take the oath here, breach it the very next day; they take oath there from the Governor, then defy him and make him eat his own words, if he would be willing. Because he was not willing, they want to dismiss him. If they cannot dismiss him, they insult him.

Cossipore firing

Unfortunately, quite a number of them are as well educated as myself and yourself. But then they have unlearnt what all they had learnt in all the sanetum sanctora of all the great universities of the world. They have only retained what is being taught to them either by Moscow or by Peking.

SHRI JYOTIRMOY BASU: Or by Washington!

SHRI RANGA: I am talking not to them, but to my friends opposite. If they are patriotic—I take them to be so—if they swear allegiance by Mahatma Gandhi—I hope that they do—if they are really keen on this Constitution, in protecting it and enforcing it, what they ought to do is to dismiss the Ministry in West Bengal; dismiss the other Ministry also, and then ban all these communist parties (Interruptions)—I make no bones about it—and allow only those parties to function which would swear allegiance not only to this country but would work to protect and defend democracy.

AN HON. MEMBER; Now the cat is out of the bag!

SHRI RANGA: We are all wedded to humanism. There is no humanism in Soviet Russia or in China or in any of those countries by which my friends are prepared to swear. True, they are human beings like you and I. But have they accepted human rights as adumbrated by the UN? No. (Interruptions).

In spite of the fact that quite a large number of us never cared for any loaves and sishes in this victory of our friends, we had gone out of our way long ago to offer our co-operation in a decent, self-respecting, powerful, democratic-minded national government run by a national leadership not only at the Centre but at the State level too.

What did we do in Bihar? Did we seek any position? Were not positions offered us? Did we accept them? Have we not offered our co-operation to this Congress Government though we dislike it very much? Why? Because we fear these people; we consider the communist party to be a greater enemy that the inefficient Congress.

Thank you.

17 hrs.

SHRI'A. K. SEN (Calcutta-North): While I rise to speak, I must express our strong feelings of regret and pain over the incident which has taken place and the shooting at the Cossipore Ordnance factory where even when we had the last general strike called by the Central Government employees, in deference to their duty to keep alive defence production at its proper level about ninety per cent of the employees turned up for work. the kill I happen to know one boy personally. He belonged to that group of Congress people which did not see eye to eye with those who where in power in the Congress. When I visited the hospital yesterday only, I saw some of these boys lying in their bed. I do not want to go into the causes which led to their being wounded. I felt a great sense of pain and grief and I wished that instead of entering into a debate about the causes of the strike or opposing the strike we rushed immediately whatever help we could muster to those families which had suffered by the death of their earning members. I should strongly appeal to the Prime Minister, Home Minister and the Defence Minister who are all here. I gave this promise; because that happens to be a part of my constituency, that reasonable help would be given immediately for the families of those who had died and for those who were still lying wounded. I am very glad to say that in the hospital the doctors and the nurses worked day and night and it is a great thing that no one has died after he had been brought to the hospital; they have all passed the stage of danger to their lives.

While I say this, I also say that true to our faith in the Constitution those who want to show their disagreement with what had happened or want to protest against what had happened were within their rights to call

a strike so long as it was peaceful and did not end in violence. Nothing unconstitutional can be claimed to be involved in calling a strike. But what has been of great significance and which I think is responsible for raising this controversy is the impression created as if the Government of the State was a party to the strike. The State Government and the Central Government are almost as equal important limbs of the Constitution as anybody else. In a written Constitution like ours, the respective roles of the State Government and the Central Government are properly delineated and wherever there are frictions about the respective fields within which they ought to work, there are ways of resolving them. While working under the Constitution the State and the Central Government are to co-operate with each to increase the well-being of the people of the whole of this country because after all India lives in the States and the States live within India. Therefore, it is wrong constitutionally, nationally and from the purely narrow interest of the State people concerned, if I may say so, to think of this problem in terms of perpetual conflict between the Central Government and the State Government. It will be suicidal for the proper working of our Constitution and for the maximisation of the welfare of our people within the shortest possible time if we allow this conflict to grow any further.

I presume that the responsibility lies both with the centre and with the States as also with all the parties who are represented here in Parliament and in the States to see that no possible cause of friction is allowed to crop up in the future.

I may give one instance which I think would have been avoided. For instance, I do not think there is any reasonable objection to the setting up of an inquiry commission which has been so promptly and properly set up with a very well-known judge of the Supreme Court of the calibre of Justice S.K. Das who has conducted similar enquiries in the past, but what I think I must point out, the mistake which lies with the Central Government, is not to inform or to consult the State Government about this. If it is true that the State Government was not consulted, may I, as an individual concerned with the proper working of the Constitution,

not as a partyman-give this advice to the Home Minister and to the Prime Minister, that in future, when they set up an inquiry commission in a State, whether the subject is entirely within the central sphere or not, as a matter of comity of the States and the Centre, as a matter of convention, let the State Government be consulted. I think it will harm nobody if they are consulted, and I do not think if any objection was raised to the setting up of a Commission headed by a judge like Justice S. K. Das anybody would have supported any State Government which might have objected to the setting up of this Commission. I may still tender my humble advice to the Home Minister that in the drafting of the terms of the inquiry, may he consult the State Government concerned. I have no doubt that the State Government, if they are cross in this respect, will not command the confidence of the people if they are trying to be difficult about the matter. If we are really anxious to find out the truth about the unfortunate incident, to find out those who are guilty if they had been guilty, and to punish them after the guilt has been ascertained, then I think it is the duty of all of us to see that a proper enquiry is conducted and the guilty are punished and if they are not guilty, the innocents are publicly proclaimed.

After all, under our Constitution, we do not condemn people unheard or without The Constitution guaranproper enquiry. Therefore, even tees against inquisitions. if the guilt of people against whom a whole mass of passion has been roused is to be proved, it will be the duty of the State to point out to all those who are arraigned before the public at least the minimum of rights, a fair enquiry, and that is the minimum that the State owes, whether it is the State or the Centre, to any person against whom any accupation is made. Therefore, I congratulate the Central Government, the Home Minister and the Prime Minister, and the Defence Minister in their decision to set up this Commission to find out the truth or otherwise, about the justification or the lack of justification, of this most regrettable incident which has taken

I hope that in this inquiry, every party irrespective of their mutual differences,

[Shri A.K. Sen]

would offer their co-operation in the true spirit in which we should really allow the I was a little Commission to function. concerned when I read in the papers that the State Government in West Bengal will not offer co-operation to Mr. Justice S. K. Das. I have no doubt that under such circumstances a man like him would not enter into such an enquiry and it will deprive us of the services of a very eminent judge whose judgment in the past had evoked universal approbation in such matters. I remember the police enquiry at Patna where the Opposition I think was much more loud in their approbation of his report than even the party which was in power in Bihar at that time. And, therefore, may I appeal to my learned friends who are in a majority in the State Legislature in West Bengal to see that at least in the matter of a judicial enquiry, we do not bring our party strife into the open and allow such enquiries to be stifled in the very beginning itself. I hope the State Government at least will set the pace for the future which will seal the final guarantee against the repetition of such unfortunate incidents.

Shootings have become very frequent. And whether they are justified or not, those who either provoke them or those who resort to them ought to be told under what circumstances provocation will meet the extreme answer. Those who try to give the extreme answer ought to be told clearly and in absolute terms when those extreme answers are to be put into action, so that people may not provoke people unnecessarily, particularly in defence establishment. Those who are in charge of protecting the property of defence establishments ought to be told that if lathis are a guarantee or if smaller weapons are a substitute, the extreme penalty should not be resorted to, without proper justification.

Sir, it has happened almost simultaneously and as a representative of one of the constituencies of West Bengal, I feel very concerned about it. Take this Rabindra Sarobar incident, about which Prof. has mentioned. I was in Calcutta then and numerous people who had gone there and seen it have given the most graphic descriptions-rather ugly descriptions-of incidents which had happened which, in our younger days, we never thought would happen in India, like women being molested and stripped of their clothes. I do not think any decent party could have possibly a word of support for such vandalism. If this country can be proud of one thing, it is the respect it has given to our women. I remember one of the commands of Shivaji to his army men was, "Never dishonour the Koran. Never defile the mosque. Never touch a woman". These are codes conduct which were not born in one day. but which underlined and ennobled our civilisation for thousands of years. One evil hand touching a woman's honour has sullied that whole current which has enlivened our culture and civilisation for thousands of years. If there have been more evil hands. it is a regrettable thing. Whichever party be in power, it is its sacred duty to put a stop to such things with a firm hand. I have appealed to those who are in power in Bengal immediately to institute a proper enquiry, just as what has been done in the case of the Cossipore incident and with the help of the police and every decent citizen to find out the people who were responsible for it and punish them with a firm hand. No country can progress if law and orderbreaks down. This is the concern of the State Government under our Constitution. Our friends in the Communist Party (Marxist) have voluntarily taken over this very onerous burden of law and order in a problem State like West Bengal. It is, therefore, all the more necessary for them to see that law and order is maintained in such a way that our production develops and our economy prospers. It is necessary even to bring about the much-talked of socialism, which means more equitable distribution of wealth and of fruits of production. We need production, because there can be no distribution of poverty. If there is nothing to distribute and everything ends in smoke, socialism will never arrive on this soil. Even to make socialism a living thing, we must plant the tree of production and allow it to grow.

and West Bengal Strike

(Dis.)

श्री कंबर लाल गुप्त (दिल्ली सदर): अध्यक्ष महोदय, यदि युनाइटेड फंट या संग्राम समिति बंद को आर्गेनाइज करती तो हमें इस में कोई एतराज न होता। लेकिन हआ यह कि स्टेट गवर्नमैंट ने प्रेस नोट इशु किया कि हम

हवाई जहाजों को, रेलवे को, पोस्ट श्राफिसिस को प्रोटैक्शन नहीं दे सकते, उसने स्टेट सैकेटेरिएट की छुट्टी कर दी और लोगों को कहा कि अपनी बसें वापिस कर लें, लोगों को कहा कि अपनी दुकानें बन्द कर दें।

17.15 hrs.

[उपाध्यक्ष महोदय पीठासीन हुए]

यह सब उसने आफिशल प्रेस नोट इशू करके किया। इतना ही नहीं कि उसने इस बंद में मदद की लेकिन इस बंद को उसने एक्टिबली आर्गेनाइज भी किया। यही कारण है कि हम इसकी उखालिफत करना चाहते हैं।

उपाध्यक्ष महोदय, 22 साल में किसी भी स्टेट गवर्नमेंट ने इस तरह का काम नहीं किया। यह हिन्दुस्तान के इतिहास में अनप्रसीडेंटिड है। डांगे साहब कहें कि यह स्टेट सेंटर रिलेशंज में टैंशन की वजह से है या गन फैक्ट्री में फायरिंग की वजह से है, तो मैं इसको नहीं मान सकता हं। जो लोग फ़ायरिंग में मरे हैं उनके साथ हमारी पूरी हमदर्दी है। जो कुछ गन फैक्ट्री में हआ है उसको हम कंडैम करते हैं। कोई उसका समर्थन नहीं कर सकता है। लेकिन यह नहीं कहा जा सकता है कि गन फैक्ट्री में जो कुछ हुआ है, उसको सैंट्ल गवर्नमैंट ने कराया है। कोई यह एलीगेशन नहीं लगा सकता है। सैंट्रल गवर्नमैंट के कुछ लोगों ने यह हो सकता है कि सिचएशन को मिसहैडल किया हो । लेकिन सैंट्ल गवर्नमैंट ने यह सब कराया, यह नहीं हो सकता है। जब सैंट्ल गवर्नमैंट ने ज्युडिशल इन-क्वायरी कराने की घोषणा कर दी तो मामला खत्म हो जाना चाहियेथा।

लेकिन जो कुछ हुआ है वह सैटर-स्टेट रिलेशंज की वजह से नहीं हुआ है, गन फैक्ट्री में जो फायरिंग हुआ है, उसकी वजह से नहीं हुआ है। यह एक रिहर्सल है जो इस देश में केऔस और एनार्की पैदा करने के लिए कम्युनिस्ट पार्टी जान बूक्त कर रही है।

यहां पर रवीन्द्र स्टेडियम में जो घटनायें घटीं, उनका जिक किया गया है। सैंकड़ों महि-लाओं को नंगां कर दिया गया था। उन्होंने अपनी इज्जत बचाने के लिए कुर्सियों के पीछे आड़ ली। इतना ही नहीं बल्कि बराबर के मकान की बत्ती भी गुल कर दी गई। उस वक्त पूलिस कहां थी। जब लोग इस सारी घटना की ज्यूडिशल इनक्वायरी कराने की मांग करते हैं तो बंगाल गवर्नमैंट कहती है कि वह नहीं हो सकती है। मैं पूछना चाहता हं कि क्यों नहीं हो सकती है ? क्या कोई भी हिन्दस्तान का रहने वाला जिस को थोड़ी सी भी शर्म है, जब सैंकडों महिलाओं की इज्जत सरे बाजार लुटी जाए और सरकार से उसकी ज्युडिशल इनक्वायरी कराने की मांग की जाए, तो उससे इन्कार कर सकता है ? नहीं कर सकता है। लेकिन इनके जो आंसू हैं, वे दिखाने के और हैं। ये मगरमच्छ के आंसु हैं।

उपाध्यक्ष महोदय, आप देखें कि इन्होंने पहले पहल क्या कहा था ? इन्होंने कहा था कि हमें होम मिनिस्ट्री चाहिए, होम पोर्टफोलियो चाहिये। इसके पीछे भी एक भेद था । इसको लेकर इन्होंने आई जी को अपने पद से हटा दिया। इनकी पहली कोशिश यह है कि पुलिस को न्यूट्रलाइज किया जाए, डिमारेलाइज किया जाए । इन्होंने सी आर पी के बारे में कहा है, ज्योति बसु साहब ने कहा है कि ये फारेन परसनल हैं। जो देश की फोर्स है उसको वह विदेशी बताते हैं। कल को ये इंदिरा गांधी जी के लिए भी कह सकते हैं कि वह फारेन प्राइम मिनिस्टर हैं। मैं कहा चाहता हूं कि इनको समक लेना चाहिये कि बंगाल हिन्दुस्तान का एक हिस्सा रहेगा।

इनकी जो कोशिश है वह एक सिस्टैमैटिक और प्रीप्लांड है, वह एक साजिश है। जो लोग भी इनके रास्ते में रोडा अटकाते हैं, उनको वहां से ये हटाना चाहते हैं। यह चीज जो है इसको सब लोगों को आँख खोल कर देखना होगा।

[श्री कंवर लाल गुप्त]

इनका इरादा क्या है ? वह हमदर्दी करने का नहीं है। एक मंत्री ने जैसा कहा है कि हम केन्द्र को सबक सिखाना चाहते हैं। उनका इरादा यह है कि केन्द्र को कमजोर किया जाए। आपको याद होगा कि मुगलिया हकूमत श्राखिरी दिनों में कमजोर हो गई थी, हर एक जागीरदार आजाद हो गया था। उसी तरह से इनकी इच्छा भी यह है कि दिल्ली उसी तरह से कमजोर हो जाए और इसीलिए ये इस तरह की कोशिशों कर रहे हैं।

हम चाहते हैं कि सैंटर मजबूत हो । हम नहीं चाहते कि गवर्नर इलैंबिटड हो । मेरे दोस्त ने कहा कि बंगाल के लोगों ने हमारे हक में वर्डिकट दिया है ।

मैं मानता हूं कि लोगों ने विडिक्ट आपके हक में दिया, मैं उसके आगे सिर भुकाता हूँ, लेकिन उपाध्यक्ष महोदय, विडिक्ट किस बात के लिये दिया? विडिक्ट इस बात का दिया कि आप बंगाल के अन्दर विधान के अनुसार हुकूमत करें। अगर आप विधान को तोड़ेंगे, विधान को फेंकेंगे, तो बंगाल के लोग आपको भी कुर्सी से उठा कर फेक देंगे। आप विधान की इज्जत कीजिये। अगर विधान केन्द्रीय सरकार तोड़ती है तो हम आपके साथ हैं और हमने आपका साथ दिया है, लेकिन अगर आपकी सरकार विधान के साथ खिलवाड़ करेगी, देश की एकता के साथ खिलवाड़ करेगी, हमारी सारी ताकत आपका डट कर मुकाबला करेगी।

उपाध्यक्ष महोदय, मेरा एक सवाल है — 10 ता॰ को चव्हाण साहब कहां थे, 10 ता॰ को इनकी हुकूमत कहां थी— देश की जनता इनसे पूछना चाहती है। बंगाल की सरकार ने केवल बंगाल का ही कम्यूनिकेशन डिस्लोकेट नहीं किया, आसाम, त्रिपुरा, नागालंड, मणिपुर — देश का एक बहुत बड़ा हिस्सा कम्यूनिकेशन से डिस्लोकेट हो गया। देश के अन्दर कम्यूनिकेशन की रक्षा करने की जिम्मेदारी विधान के अनुसार केन्द्रीय सरकार की है, यह एक डेली-

गेटरी फंक्शन है, जिसे आपको पूरा करना चाहिए था। आज देश के लोग आपसे सवाल पूछते हैं कि 10 ता० को आपकी सरकार कहां थी, इसके लिए आपने क्या किया ? आर्टिकल 352 के अनुसार अगर इंटरनल डिस्टरवेन्सेज हों तो उसका मूँकाबला करने की जिम्मेदारी आपकी है, क्या आपने सेन्टर की अथोरिटी को एव्डीकेट कर दिया था, क्या किया आपने इस लिए हमारी मांग है-एक बहुत बड़ा लैप्स भ्रापने किया है-यह सरकार ग्रपना त्यागपत्र दे। उपाध्यक्ष महोदय, इतना ही नहीं, यह सरकार टालना चाहती है-किसी प्रकार से समय निकल जाय, टाइम-वेस्ट हीलर है, लेकिन मैं गृह मंत्री जी को बताना चाहता हं -अगर आपने कल सिच-एशन को फेस करना है तो अच्छा है कि आज ही इसको फेस कीजिये और इसका मुकाबला कीजिए।

उपाध्यक्ष महोदय यह देश गृह मंत्री से विश्वास चाहता है कि आइन्दा देश का कम्यूनि-केशन इस तरह से डिस्लोकेट नहीं होगा, आइन्दा इस तरह से बंगाल में या देश के किसी भी हिस्से में लोगों की इज्जत को नहीं लूटा जायगा। जो लोग हड़ताल करना चाहते हैं, वे करें, लेकिन जो नहीं करना चाहते हैं, उन पर दबाव न डाला जाय, इस तरह का इन्तजाम इस सरकार को करना पड़ेगा। इस बात की गारन्टी सरकार को देनी पड़ेगी (व्यव-

उपाध्यक्ष महोदय, यह काम ऐसे ही नहीं हो जायगा, इसके लिए आपको पब्लिक ओपी-नियन बनाना होगा । केवल डंडे से काम नहीं चलेगा । इन लोगों को डेमोकेसी में विश्वास नहीं है, इसलिए जनता को आपको विश्वास में लेना पड़ेगा । मेरा कहना यह है कि जितनी डेमोकेटिक पार्टीज हैं, जो विघान में विश्वास करती हैं, उनको इकट्ठा हो कर जनता को मोविलाइज करना चाहिए और मैं चाहता हूं, मेरी पार्टी जनसंघ चाहती है, कि सब लोग इकट्ठे बैठें, इस पर विचार करें और विचार

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करके इसका रास्ता निकालें। उपाध्यक्ष महोदय. एस० एस० पी०, अजय मुखर्जी, बंगला कांग्रेस ने भी उतने ही देशभक्त हैं, जितने दूसरे हैं, इस लिये आज देश उनसे भी मांग करता है-आज श्री अजय मूलर्जी ने रेडियो से अपील की है कि हम शान्ति चाहते हैं, हम बंगाल की उन्नति चाहते हैं, हम डेमोकेंटिक गवर्नमेन्ट बनाना चाहते हैं -जिस तरह की डेमोक्रेटिक गवर्नमेंट इस समय बंगाल में बनी है, वह केवल एक खिलौना है, श्री अजय मुखर्जी उनके हाथ में खिलौना हैं... (व्यवधान) .. मेरा कहना यह है कि वह आज उनके हाथ में खिलौना बन रहे हैं। हम उनकी देशभिक्त को ललकार कर कहते हैं कि वे इन लोगों के, जिनकी इस देश में श्रद्धा नहीं है, जो प्रजातन्त्र में विश्वास नहीं करते, देश की एकता की नहीं मानते, हाथ का खिलौना न बने, उन्हें कूर्सी मिले या न मिले, वे कुर्सी छोड़कर बाहर आ जायं, हम उनका स्वागत करेंगे ... (व्यवधान)...

श्री योगेन्द्र शर्मा (बेगूसराय): उपाध्यक्ष महोदय, मेरा प्वाइन्ट आफ़ आर्डर है । अभी-अभी माननीय सदस्य ने हम लोगों को इंगित करते हए कहा --जिसका मतलब है--हमको देश से प्रेम नहीं है, जिसका मतलब है कि हम को डेमोक सी में विश्वास नहीं है, जिसका मतलव है कि हमको देश की एकता में विश्वास नहीं है। यह हमारी पार्टी और बंगाल गवर्नमेन्ट के प्रति लांछना है। यदि आप इस तरह से हमको लांछना देंगे, तो हम भी उसी तरह से लांछना करेंगे और फिर इस सदन में हो-हल्ला होगा, जबकि उपाध्यक्ष महोदय, आपने कहा या कि ऐसे शब्दों का इस्तेमाल नहीं होना चाहिए।

MR. DEPUTY-SPEAKER: There is no point of order.

श्री कंवर लाल गुप्त: अगर आपकी श्रद्धा है और डेमोक्रेसी में विश्वास है, तो कहिये।

श्री योगेन्द्र शर्मा : डेमोक्रेसी में विश्वास है और इसका सुबृत वहां की गवर्नमेंट है।

श्री कंदर लाल गुप्त : मैं, उपाध्यक्ष महोदय, गृह मंत्री महोदय से कहना चाहता हं कि यह पार्टी ईशू नहीं है, यह देश पर काइसेज है और इस काइसेज को सौत्व करने के लिए डेमोऋेटिक फोर्सेज बैठें इस तरह की जो गन्दगी है, उसको साफ़ करने की जरूरत है। इस पर री-थीं किंग की जरूरत है कि इन पर बैन होना चाहिये या नहीं होना चाहिए, क्योंकि इनके जो किरदार हैं वे हमें इस चीज के लिए मजबूर कर रहे हैं कि हम इन के बारे में री-थिंकिंग करें।

SHRI J. B. KRIPALANI (Guna): Mr. Deputy-Speaker, Sir, I have not much to say and I have no intention to talk to the Communist party. They are doing what they consider their dharma. Are the Congressmen performing their dharma? have got this Government. Unfortunately, their writ does not run. Why does it not run? It is because their house is divided against itself.

Mr. Ranga wants them to cooperate with all the democratic parties and, he says, that his party is willing to cooperate with the Congress. But does the Congress cooperate with itself? They are not strong because they are divided. And a house that is divided is built upon sand and the winds might blow and the flood might come and it will be no more. The sand of time is running out. If they do not, at this last moment even, take care to organise their party properly, I say, they have no right to rule. They must either govern this country or get out. Why are they so mealymouthed? Why are they so soft spoken to those who break the law, whether they be individuals or corporations or even the State Governments? They talk in these terms because, amongst themselves, they are divided. They have, amongst them, those who sympathise with what is being done by those who want to destroy the Constitution that we have made. We have made purposely and deliberately, we have made the Centre strong enough to take action when it

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[Shri J.B. Kripalani]

likes to take action. No authority can oppose it. If the States want to have more authority, the door is open to them to bring Constitutional amendments. They cannot simply say that times have changed. If the times have changed and they feel that they have changed, let them bring Constitutional amendments and let them demand that the provinces should get more power. I think, it would be a disastrous day when the States are allowed to do what they like. We knew the condition of our country, we knew how it was divided, we knew that the tendencies to division were great. Therefore, we purposely and deliberately kept the Centre strong. But are those who are in charge of the Centre strong enough? Why are they not strong enough? It is because they are divided among themselves into rightists and leftists. They all swear by socialism. Then where is the question of left and right? They respect each other. They work against each other. I am sorry to say this. They have high traditions. This organisation was made by a unique personality that is respected all over the world today whatever might have happened in the past. You have high traditions. You had leadership. Your organisation fought the freedom battle. It may be that many of those who are in the Congress today were nowhere in that light, they were too young to be in the freedom struggle but they have inherited these high traditions. We knew the risk the Congress was taking fighting against the British. This Congress that could stand against the British cannot stand against the divisive forces in the country. Against these monkeys, who play with our Constitution, you cannot fight because you are divided. I would beg of you at this last hour to be careful in the next elections you may not be here; I know if you are not there, the communists are not coming. There will be something more disastrous; there will be confusion in the country, But, for God's sake, either govern or get out. As Gandhiji told the English people, leave the country to chaos or to God. You have no right to rule if your writ does not run, if you are not able to put down the divisive forces in the country, if you are not able to put down even the governments that go against you. We have given you the power but you have not got the guts to use that power. In that mealy-mouthed statement of the Home Minister, what does he say? He only relates the facts and nothing at all about what he is going to do about it. He does not even give a warning to this Government in Bengal, it goes on like this the Centre will take action. Is this the way to rule? This is not the way to rule. They (the Government) are allowing people to do what they like and to break the law.

I will tell you what is happening in Bengal. What is happening in Bengal is that they want to cover their own faults: they want to have a conflict with the Central Government, so that their faults may not be seen. What has happened in Rabindra Sarobar Stadium? I was there. happened in Rabindra Sarobar Stdium is a sin, of which we all ought to be ashamed. What did the Government do? They were sleeping; they were not doing anything. I was there. (Interruptions) I am talking to Congressmen. I want them to be united because there is nobody else, there is no other party, which can come to power. Why does Mr. Ranga say that there should be a coalition? That is because he knows that his party cannot come in power. Communists also know that they cannot come to power, but they are determined to create confusion in this country. This confusion you can avoid, only if you are united. If you are not united, for God's sake, get out, as long as there is time for you to respectably get out and leave the country, as Gandhiji told the British, to ruin or to God. You have no right to rule if you cannot rule.

SHRIMATI SHARDA MUKERJEE (Ratnagiri): I express my grief for the four young workers who were shot in the firing incident in the Cossipore Gun and Shell-Factory on the 8th.

I also express my sympathies and condolences to the bereaved families. Sir, the immediate cause is given to be that there was a demand that those people who had been dismissed after the 19th September strike should be reinstated. This might have been a last minute cause. What is important is what went before. Shri Dange who spoke before me said the very thing that I would have said, only he put it the other way round. He said about the Home Minister that "He is speaking of a political battle."

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I say, Sir, these four young men who died have become the innocent victims of a political struggle. This is what it is. not mix up the issues. It is a political struggle, not even a question of an ideological struggle, not even a question of constitutional issues. I do not want to dwell too much on what has happened or what I have got to know because I have some association with the civil and defence workers. As an inquiry has already been instituted, I think the House should wait for the findings of the inquiry Commission.

But I would say something on happened at the Rabindra Sarovar stadium. I ask you: Can any government justify the ignominy, shame and dishoner to which young girls and women were submitted that day or can any Government, whatever shade of political opinion say that it is their constitutional right to govern when after week we hear of some disturbance, some violation of law and order? After all, however different the Communists group may be from our way of thinking, in other countries Communist Parties have learnt to live, and function within the precincts of Parlia-We have adopted mentary democracy. Parliamentary democracy in this country. I wish them well. But I would appeal to them that they also respect Parliamentary democracy and conduct their affairs, their governmental affairs in West Bengal with the same respect for the Constitution of India which we have all accepted. (Interruptions)

AN HON. MEMBER: What about Shiva Sena?

SHRIMATI SHARDA MUKHERJEE: The Shiva Sena is also a violent movement but did not dishonour young worker.

SHRI INDRAJIT GUPTA (Alipore) : Two years ago what did happen at the Connaught Place?

SHRIMATI SHARDA MUKHERJEE: I want to say this that when Shri Jyoti Basu made a statement, what did he say about the Rabindra Sarovar stadium incident? He has said that the only way to stop this is to see that the guardians do not allow their wards to go to such functions. He says he will consider whether any inquiry is necessary.

It is all right. These things do happen sometimes but can expect the Government to be willing to have an enquiry. When the Deafence Minister has instituted a judicial inquiry into what happened at Cossipore, there was an immediate reaction. In fact you remember the Eden Garden affair when the tickets were oversold. Was there not a commission appointed? It is not on admission of our failure.

Sir, it is the duty and it is the right of every Government to find out what is happening so that these things do not happen in the future. But all this has created a certain amount of uncertainty, a certain amount of fear, in the minds of the people.

Let us now see the chronology of events as they occured.

On the 6th evening this incident took place. On the 8th, the firing took place. Then there is the funeral. On the 9th, we have the announcement of the Commission to which there is an immediate reaction and on the 10th, there is this 'Bengal Bandha'. And then we are told, the incident went of peacefully and all that. What else do you expect? In the background of all these things, do you think that people will happily and readily come out in the streets, knowing what happened to their women four days ago, knowing what happended to those people at Cossipore?

There is one more thing which I would like to mention. The Civilian defence workers have a special responsibility. They have got a special national responsibility, which other workers in other units do not have. They are well aware that when there is a breach of discipline, when there is disrespect for authorty, extreme action will be taken. Therefore, to instigate them, to reach that point. (where they can commit a breach of discipline), this thing has been done. This, I think, is a grave thing for them to do.

You know, in Calcutta and other places there are cantonments. You have got the Barrackpore cantonment, the Air-force station. In Calcatta, the civilian workers work side by side with the military personnel. If you are not going to enforce the same

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standard of discipline for civilian defence workers as you do for the men in uniform, then what sort of discipline are you going to have? I do not understand this kind of approach of the West Bengal Government when they say that this is a law and order question and that this is a thing which falls within the purview of the States, and therefore it is the Central Government which has intervened and interfered.

Now, Sir, this is a basic question. When these civilian defence workers work in defence units, they all work side by side with the military personnel.

I wish to mention one other point in this connection. This has come out in the papers. They say that the Army Act applies only to those people in active service. Those who are not in active service do not come within the purview of the Army or Military Act and therefore they wanted that those three DSC persons responsible for firing should be handed over to the State Goverment. It is well-known—It is a well-known fact that all the service personnel fall within the purview of the Army Act so long as they are on duty. If a man were to go out of the precincts of the military station and he were to commit....... (Interruption)

AN HON. MEMBER: It is not so in the Army Act.

MR. DEPUTY-SPEAKER: I would request the hon. Member to address the Chair. One cannot have dialogue with anyother Member.

SHRIMATI SHARDA MUKERJEE: I was saying that such a man would come within the purview of the Army Act, if he was on duty. That is the point. He need not be on active service. Active service means those people who go to the front. He need not go to the front. These are quibbles which they have found out.....

MR. DEPUTY-SPEAKER: I would request the hon. Member to conclude her speech.

SHRIMATI SHARDA MUKERJEE: This Morning also we have read in the papers about the call of Shri Jyoti Basu for agitation in case the Central Government does not

give enough funds. We have heard these words: 'Revolution' and 'Agitation' quite often. These have been used so often by the United Front Government that one does not know whether such words are used casually in passing, or wheter they are really prepared to get them implemented. If it is so, it is a very serious thing. It is not a thing which one can exteat lightly. I do not think that the Central Government should treat it lightly.

17.45 hrs.

This is my submission that if a Government has preference and has declared its preference to the path of revolution and agitation, then instead of providing people with internal peace and security to conduct their lives and to conduct their occupations in a peaceful manner which they are entitled to in a democracy, they are committed to creating chaos which is a very dangerous thing in our country.

Finally I want to know what the United Front Government means when they say that the Central Government did not consult them. On other matters, I would have been in full agreement with them. But did they consult the Central Government when they declared the bandh? Of course, a bandh is not an uncommon thing in Bengal. There was a bandh when Dr. B. C. Roy was there over the Assam-Bengali question. But it was not sponsored by the Government. Here openly this bandh was sponsored by the Government. This is the main difference.

SHRI S. M. BANERJEE: Now there should be a speech bandh.

MR. DEPUTY SPEAKER: Order, order.

SHRIMATI SHARDA MUKERJEE: Shri Banerjee does not like to listen to these things.

Lastly I would only urge the Ceneral Government that both the Constitution and the country have given them enough authority to see that they safeguard the interest of the people wherever they may be—whether in Bengal or Telengana or any other part of the country. In the final analysis, just Consti-

tutional provisions are insufficient, if they are not exercised fully. While the Central Government must exercise all their authority, the State Governments would also have to understand that there is an overriding authority of the Central Government which they cannot defy. Lastly, they must learn to live within the precincts of the Constitution which, this case, is the Constitution of a Parliamentary Democracy.

SHRI P. RAMAMURTI (Madurai): Mr. Deputy-Speaker, sir, I do not know why the sponsors of this move wanted a discussion on this subject unless it means that they wanted to have their usual Communist baiting, 'I can very well understand the outpourings of Shri Ranga and the Jan Sangh because they found that they could not go to the people of West Bengal. When they went to the people of West Bengal, the entire people rejected them outright. Not being able to go to the people of West Bengal, out of sheer frustration, they thought that the Parliamentary forum can be used for the purpose of ejecting a Government which has been elected by the overwhelming majority of the people of West Bengal.

I will now come to some of the arguments that have been raised. Since mostly my Party has been attacked, you will bear with me if I will answer some of the points that have been raised.

17.49 hrs.

[MR. SPEAKER in the Chair]

Firstly, it is stated why this Government did not have an inquiry over the Ravindra Sarovar incident'? Well, I was present was sitting on that day, I in my house in the Central Committee Office which is a few yards from there. The next day we discussed the whole question. I said there is nothing to inquire into and what is needed is action against goondas because what a shameful thing was it that happened there? There are no two versions about that. Nobody says that women were not molested. There are no two versions about it-about the malevolent thing that has happened there. On this I gave the same advice which I gave to the Madras Chief Minister on the Kilmani incident when some

people demanded a public inquiry. I advised him: "No need of an inquiry. Proceed against the people for murder charges and prosecute them. If there is a public inquiry, those people will escape".

It will only procastinate them. Similarly, West Bengal Government also thought that in this case there was no need of a public enquiry to find out facts. But, it is necessary to hunt the culprits and give them the punishment that is due to them. Therefore, the police were ordered immediatley to hunt them. Even an order was given to them to search any place without a warrant in order to arrest these people. Already three hundred people have been arrested and the cases are going on and they are going to be prosecuted. Therefore to talk of an enquiry into the...........(Interruptions).

SHRI SHIVAJI RAO S. DESHMUKH (Parbhani): Did you arrest the Minister? (Interruptions)

SHRI INDRAJIT GUPTA: What have you done with regard to Maharashtra Government?

SHRI P. RAMAMURTI: We all deplore that what happened in the Rabindra Sagar is something shameful and nobody expected that. That was someting that took place unexpectedly. In a cultural show a thing of this type was going to happen was not expected by any body. There some thing happened suddenly where some goondas mixed up with common people unfortunately. It is a place which can accommodate only 5,000 whereas 10,000 tickets had been issued by the organizers. And a lot of poeple were remaining outside. The police itself had to resort to teargas continuously for every hour over these people. I myself had to suffer by the use of that tear-gas by the police. It all happened there. And afterwards, they had started hunting the culprits and prosecuting them vigorously, that is all I would say.

SHRI N.K. SOMANI (Nagaur): Do you know that 26 women are still missing?

SHRI P. RAMAMURTI : We shall find it out.

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The next point that I would like to say is this. After the speech of Shri Asoke Sen-I did not expect such a speech from Shri Senbut I was expecting from him that he would use that opportunity to attack us coming from the constituency in which this happenedeverpbody knows what the feelings of the people of West Bengal are. He had been away but only recently he came. He knows what the feelings of West Bengal people are. In fact he expressed his sympathy for the people. I do not want to go into the whole of the incident. What happened in Cossipore was something ghastly. That news spread throughout West Bengal. About fifty thousand people had gathered there including those of the trade union organisation as also the INTUC. of the Congress Party. When they found that feeling among the people, they have got to givent to their feelings. And so they asked them to arrange an orderly protest. That is all that has happened there.

Now a question that is raised here is this. 'What is the attitude of the West Bengal Government in this regard?' Here I want to make it absolutely clear that the moment we become Ministers we do not divest ourselves from the masses of the people. That may be the philosophy of the Congress Party. But, as far as our Party is concernedas far as we, in the United Front, are conceaned, we do not get ourselves divest-from the people-we understood their feelings. Therefore, the next day, the West Bengal Government, after the call for a Bandh was given by the Rashtriya Sangram Samiti, asked them to observe the hartal peacefully. That is all I can say. We have full sympathy for these people. If, in their anger, the people were perfectly at liberty to express their anger by doing a certain thing, something is made about it. The Centre-State relation is made out of that and throughout West Bengal. When the firing took place, immediately the Police Commissioner sent his Deputy Cammissioner with a number of police men-police officers-they all went there after about an hour when the people were not admitted and the army officers -refused to admit the people inside the factory. But, ultimately, the police officers were allowed to come in after Shri Basu had gone there and asked them to let them in. And after investigation by

the police officers, they came to the conclusion that it was a case of a downright coldblooded murder. And after the investigation under the law of the land under the Criminal Procedure and the Penal Codes-they have decided to charge these people for the murder. Now the question arises.

Why is it that the Government of India within two days rush to appoint a Commission of Inquiry? They were not anxious to appoint a Commission of Inquiry in Indraprastha Bhavan; they were not anxious to appoint a Commtssion of Inquiry when shooting took place in Pathankot, But, here, when they knew that the Government of West Bengal had charged the persons concerned there with murdes, it is precisely at that time the Government of India are over-anxious to appoint a Commission of Inquiry. We considered the whole question in 1967 when we were there, when our party was there along with others, and when there was a similar case. In that case the High Court of Calcutta said: "When you have charged the people with cases and the cases are going on in the High Court, and simultaneously if you appoint a Commission of Inquiry and if that Commission of Inquiry proceeds with it, then we will hold it as contempt of the Court." This is the decision of the Calcutta High Court and therefore we considered the question whether to stop the cases or to go ahead with it. was felt that these gruesome murder could not go without such an action.

Shri Asoke Sen said that no man should be hanged without being heard. There is no question of hanging here. They are given every opportunity and it is not that they are not heard. Afterwards, if it becomes necessary, we can appoint a commission of Inquiry. Only with that understanding the Government of West Bengal proceeded. Why is it that the Government of India, immediately after that, took this decision of appointing a Commission of Inquiry and announced it here, and then told the Government of West Bengal to cooperate? It is more or less an order. In fact, both the Governments have the right to appoint a Commission of Inquiry under the Commission of Inquiries Act. Had Mr. Chavan or the Government of India consulted the West Bengal Government, they would have pointed out the difficulties. Both the Governments could have had a discussion and all the

(Dis.) not. On the other hand, in Andhra

fact could have been gone into. Even if a Commission of Inquiry has got to be appointed, there could be an understanding. Even this elementary courtesy of consulting the West Bengal Government is not there and that too, after the protest by Mr. Joyti Basu. Immediately after the speech here, Mr. Jyoti Basu said that the law and order is a State subject though he might not have understood everything stated here. The elementary courtesy demanded that the Government of India should consult the West Bengal Government in this matter. No consultation was there. It has been done this way: "we have appointed a Commission of Inquiry; we have got the right to do it and you have got to obey."

Is this the kind of cooperation that you expect? I can give instances after instances. You talk of cooperation, but actually you ask the people to accept whatever you do. Take, for instance, Durgapur. Why is it that in one factory there is trouble, whereas in the other factory, the Durgapur Steel Alloy factory where also the same Union is holding the majority position you don't have any trouble for the last two years? Since the Commissioning of the factory, the production schedules have been kept up there and everything there is going smoothly. This is a matter which has to be enquired into. Mr. Jyoti Basu had told the Home Minister: "this I.P. S. Officer who is on the West Bengal Cadre is not able to enforce discipline among the security people; we will take him back and you appoint anyone who will be able to enforce discipline there." Not even a reply was sent to that letter. What happens there? This man is called here and is told to go back and resume charge of his work. The courtesy of replying to a letter was not there. What has happened today? Is that man able to enforce the discipline? After this man has gone, Mr. Wadhera, the manager, has asked the West Bengal Government to send the police enforce discipline there in order to and the West Bengal Government has sent the police Force there. It is not that the West Bengal Government refuse to cooperate.

Then, the question is raised that the West Bengal Government did not give protection to the Railways. I would like to know: was there any attack by anybody on a single ounce of Government's property. Absolutely

Pradesh, at the time of Steel Plant agitation, which everybody knows was sponsored by the Government itself, how many crores of rupees of Central Government's property were destroyed? During the recent Shiv Sena agitation crores worth of Central Government's property were destroyed.

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In the Telengana agitation, it is not a fact that railway stations have been burnt down? Did you charge them with having failed to give adequate protection to central property? Here was a Government which, after all, had not refused to give protection. When the postal authorities wrote to the West Bengal Government, the latter said 'We are prepared to give protection, but unfortunately on that day since there is a West Bengal Bandh, we want to prevent trouble anywhere and our forces will be deployed throughout the State; therefore, we will not be able to give enough protection if trouble comes. So you decide on that'. The postal authorities then decided that it is better to close down.

Similarly, as far as the railways were concerned, there was no written correspondence. The General Manager phoned up Shri Jyoti Basu and he replied, 'I am prepared to give some protection, but it may notbe adequate because the people's anger is terrific (Interruptions) How can you understand the people's anger? Here was Shri A. K. Sen who understood the people's anger and had to make that apologetic speech (Interruptions). How can you understand the people when you are divorced from the people? (Interruptions).

All that the Government said as 'This is our position. Do you want to run the railway trains'? Afterwards, the railway authorities themselves informed Shri Jyoti Basu that they were not going to take out the trains and the trains would stop outside the Bengal border... This is what has happened.

Therefore, it is not a question of refusal, as some people wanted to make out. It is a question of the possibility of giving adequate protection in the face of the people's anger

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if they insisted on the railway train services operating.

Therefore, there was nothing wrong in that. When you are not prepared to take action against the Government of Andhra for all the destruction of property that has taken place, when you were not prepared to take action in Assam in connection with what happened there in 1960, or even in Wess Bengal when there was an agitation there in 1960 with the blessings of Dr. B. C. Roy and no trains could run, why talk differently in this case? After, all you have to understand the particular circumstances in which a thing has happened.

Therefore, all this talk of Centre-State co-operation when the Central Government has refused even to treat the State Government as a partner in running a State, when it wants to impose its dictate on that Government, will not be possible to achieve.

One hon, member was talking about the Army Act. I have it before me. These people have been charged with murder. What does sec. 70 of the Act say?

"A person subject to this Act who commits an offence of murder against a person not subject to military, naval or air force law, or of culpable homicide not amounting to murder against such a person or of rape in relation to such a person, shall not be deemed to be guilty of an offence against this Act"—

he shall be deemed to have committed an offence under the ordinary Penal Code—

- ".....and shall not be tried by a courtmartial, unless he commits any of the said offences—
 - (a) while on active service, or
 - (b) at any place outside India, or
 - (c) at a frontier post specified by the Central Government by notification in this behalf."

SHRIMATI SHARDA MUKERJEE: It was in pursuance of duty.

SHRI P. RAMAMURTI: There is no question of in pursuance of duty. He has to prove it.

What is 'active service' ?

Only when he is in active service and he commits murder or some of these things, will he be tried by court-martial; otherwise, he will be tried by the ordinary law of the land.

Section 3 defines 'active service'. It says:

"active service" as applied to a person subject to this Act, means the time during which such person—

- "(a) is attached to, or forms part of, a force which is engaged in operations against an enemy;
- (b) is engaged in military operations in, or is on the line of march to a country or place wholly or partly occupied by an enemy, or
- (c) is attached to or forms part of a force which is in military occupation of a foreign country....."

I would like to know on what active service were they. Were the people the enemy against whom they were on active service? Do you consider the workers to be your enemies against whom these people were on active service?

When the West Bengal Government requested the Government of India to hand over those people to the police to be dealt with according to law, this Government has not even got the courtesy of replying to it. And still it wants, and talks of, co-operation. When this Government talks of, co-operation but refuses to hand over the rifles for being sent for examination by ballistic experts in furtherance of the case against them, this Government is actually obstructing the due process of law. Yet it is the same Government which says that it wants the co-operation of the States.

I understand this. There is a conflict of class policies. In the Indraprastha Bhavan people were being butchered and beaten up unlawfully. What is the action taken against those persons? Nothing, But here is another type of Government which says: whether he is an officer or an ordinary person, if he commits murder, he will be equal before the law and he will be dealt with according to law. It is the Government which wants to respect the life of the common people and wants to take action against the offenders who are accused of murder, whatever be their status. Therefore, it is a different policy. It is a conflict of two different policies-one policy of protecting the officials and the big business interests in this country so that they could go scotfree whatever be the crimes committed by them and the other policy of using even the present Constitution and law and indict those persons when they transgress the law of the land. That is where the conflict comes. I ask the Government of India even now to think a hundred times. I can understand the array of forces here: Jan Sangh, Swatantra and the Congress. This is the shape of things to come but my point now is different. If you attempt to do this kind of thing, you will be challenging the entire people of West Bengal ...(Interruptions.)

MR. SPEAKER: Order, Order. This is not a bazar.

SHRI P. RAMAMURTI: When Mr. Jyoti Basu had made the charge against the highest officials, he has the blessings not only of the people of West Bengal but of the entire working class and the common people of India. Therefore, beware of what you are doing.

If you want co-operation, talk to them; do not adopt this high and mighty attitude. So long as you adopt this attitude, co-operation will not be forthcoming.

SHRIMATI SHARDA MUKERJEE: On a matter of personal explanation.

MR. SPEAKER: Not just now. Every body will want that right. (Interruptions.) I heard her speech. She wants to reply. Let the Home Minister do it.

SHARDA MUKERJEE: SHRIMATI When the Home Minister replies, he should clarify the point about the duty of the security guards. If they are asked to fire and if they do so they cannot be accused of murder.

SHRI S. M. BANERJEE: She was never in active service...(Interruptions.)

MR. SPEAKER: Let us not lose time. The debate has gone on well; let us conclude it the same way.

श्री प्रकाश बीर शास्त्री (हापुड) : अध्यक्ष महोदय, जिन गम्भीर परिस्थितियों में आज हम इस महत्वपूर्ण प्रश्न पर विचार कर रहे हैं वह परिस्थितियां वह हैं जब चीनी कम्युनिस्ट पार्टी के सम्मेलन में एक दस्तावेज में और देशों के के अतिरिक्त यह कहा गया है कि भारत में सशस्त्र कान्ति धीरे-धीरे अपने पैर फैला रही है। हमें आशा है कि यह धीरे-धीरे बढती चली जायगी। इन परिस्थितियों में आज इस पष्ठभूमि में हम इस गम्भीर विषय पर विचार कर रहे हैं।

आज तो यह प्रश्न बंशील का है। लेकिन बंगाल के प्रक्त पर अगर यह सरकार मौन रहती है तो कल को यह स्थिति पंजाब में भी आ सकती है, केरल में भी आ सकती है, मद्रास में आ सकती है तथा देश के कई सीमावर्ती राज्यों में भी आ सकती है इसलिए मेरा कहना यह है कि एक तो केन्द्रीय सरकार इसको केवल बंगाल तक ही सीमित न रक्खे। बंगाल पूर्वी भारत का सिंह द्वार है। बंगाल में यदि ऐसी घटनाएं घटती हैं तो उसका प्रभाव असम पर भी पड़ने वाला है, नेफ़ा, नागालैंड, मणिपुर और त्रिपरा आदि उन सारे क्षेत्रों पर ही वह प्रभाव पड़ने बाला है। इसलिए इन सारी समस्याओं को बंगाल तक ही सीमित न रक्खा जाय। बल्कि बंगाल के साथ समस्त राष्ट को सामने रख कर इस समस्या की गम्भीरता और विषमता को घ्यान में रखते हुए इस पर विचार किया जाय।

[श्री प्रकाश वीर शास्त्री]

Cossipore firing

दूसरी बात जिसको देखकर मुक्के कष्ट होता है वह यह कि मेरी जानकारी में कुछ इस प्रकार के तत्व आये हैं कि पश्चिमी बंगाल के अन्दर समाचारों को दबाने के लिए कुछ समाचार-पत्रों से सम्बन्धित व्यक्तियों को धमकियां दी जा रही हैं कि अगर इस प्रकार के समाचार बाहर जाते हैं तो यह उनके हित में अच्छा नहीं होगा। अगर वहाँ इस प्रकार की प्रवृत्तियां चल पड़ीं तो इसका आगे चलकर दृष्परिणाम क्या होगा ?

10 तारीख को जब बंगाल बन्द हुआ उसके बारे में मैं गृह मंत्री से पूछना चाहता हूं, कि वह हमें बतलायें हमारी सीमा सुरक्षा व्यवस्था पर इनका क्या प्रभाव पडने वाला है ? अगर संचार व्यवस्था को इस तरह से ठप्प कर दिया जाये ? हवाई अडडों पर हवाई जहाजों का उतरना बन्द कर दिया जाये तो इसका कल हमारी सीमा सुरक्षा व्यवस्था पर पर क्या प्रभाव पडने वाला है ? मैं जानना चाहता हं कि जब 10 तारीख को हड़ताल हुई तो उस दिन सूरक्षा सेनाओं सम्बन्धी कोई विमान हवाई अडडे पर उतरे या नहीं ? वर्ना कल हमारी सीमा सुरक्षा व्यवस्था पर जो स्थिति होने वाली है उसके लिए सरकार क्या तैयारी कर रही है ?

आज दुर्गापूर कारखाने के सम्बन्ध में सेंट्रल रिजर्व पुलिस का सवाल उठा है, उसके बाद सवाल आयेगा कि बंगाल में सेनाओं के अबाध आवागमन से बाधायें आती हैं इसके लिए सेनायें सीमाओं पर ही रहे प्रान्त के अन्य हिस्सों में सेनाओं के जाने की आवश्यकता नहीं। परसों इस प्रकार की स्थिति भी आ सकती है कि प्रान्तीय स्वायत्तता का नारा भी बुलन्द किया जाये। ऐसी स्थिति में हमको सोचना चाहिए कि यह समस्या केवल बंगालबन्द तक ही सीमित नहीं है, इस समस्या के पीछे एक गहरी पृष्ठभूमि है। उस पृष्ठभूमि को हमें अपने आंखों से औभल नहीं करना चाहिए।

बंगाल के उप-मूरूय मंत्री के उस वक्तव्य

को भी हम आंखों से ओभल नहीं कर सकते जो उन्होंने सेंट्रल गवर्नमेंट के अनुभवों के सम्बन्ध में कहा है। कुछ दिन पहले बंगाल सरकार के दो तीन मंत्री अपने विभागों की मांगों को लेकर यहां आये ये। जब कुछ समाचार-पत्रों के संवाददाताओं नै उनसे पूछा कि आपकी मांगे कहांतक पूरी हुई ? उन्होंने उत्तर में कहा कि हम अपनी जितनी मांगे लेकर आये थे वह सारी की सारी पूरी हो गई। लेकिन उसके बाद उन्होंने बंगाल जाकर वक्तव्य दिया कि हम जो कुछ चाहते थे, बंगाल की जनता के लिए जो कुछ हमने मांगा वह हमें केन्द्र ने नहीं दिया। अब वहां ऐसी स्थिति आ गई है कि कल सेंट्रल गवर्नमेंट की ग्रान्ट्स को लेकर बंगाल में कोई आन्दोलन हो सकता है। कारण यह है कि किसी न किसी आन्दोलन का आसरा उन्हें तो चाहिए, जिसको लेकर वह वहां पर टिके रहना चाहते हैं।

अगर गृह-मंत्री महोदय यह सोचते हैं कि बंगाल में तीन साम्यवादी पार्टियां हैं। एक नक्सलवादी पार्टी है, दूसरी मार्विसस्ट पार्टी है, एक राइटिस्ट पार्टी है, तो मैं मन्त्री महोदय से बड़ी नम्रता से निवेदन करना चाहता हं कि साम्यवादी पार्टी की अपनी नीति ही यह है। फांस में जब उन्होंने देखा कि साम्यवादी पार्टी के ऊपर सरकार की कोप दृष्टि होने वाली है, तो उन्होंने इसी तरह से अपनी पार्टी को दो शास्त्राओं में विभक्त कर दिया। अगर आज उनकी तीन चार पार्टियां हैं तो उनका यह नीति सम्बन्धी मतभेद नहीं है। केवल इस भेद को देखकर हम साम्यवादी दल के सम्बन्ध में किसी प्रकार का कोई निर्णय न लें।

इसके बाद जो बात मैं विशेष रूप से कहना चाहता है वह यह कि क्या किसी देश में या किसी राज्य में आज तक हड़ताल के दिनों में सरकार ने कोई इस प्रकार की घोषणा की है कि अगर कोई व्यक्ति हडताल में भाग नहीं लेगातो सरकारी पूलिस उसकी सुरक्षा की कोई जिम्मेदारी नहीं ले सकती ? अगर इस देश में राज्य-सरकारों की ओर से इस प्रकार की घोषणा होने लगी और राज्य सरकारें हड़ताल के सम्बन्ध में इस प्रकार के प्रस्ताव पारित करने लगीं तो किस प्रकार काम चलेगा? मेरी जानकारी में तो स्थिति यहां तक आ गई है कि पश्चिमी बंगाल की सरकार ने अपनी मंत्री-परिषद् में हड़ताल के सम्बन्ध में प्रस्ताव पारित किया था। उसकी प्रतिलिपि भी केन्द्रीय सरकार के पास हड़ताल अथवा बंगालबन्द के पहले ही आ चुकी थी। इस प्रकार की पहले ही सारी घोषणायें हुई लेकिन यह सरकार चुप बैठी रही।

आज मेरी जानकारी में एक और घटना आई है। एक ओर तो बंगाल सरकार कहती है कि वहां किसी प्रकार की कोई जोर जबर्दस्ती नहीं होती है। लेकिन कल मिदनापुर में एक घटना घटी है। पूर्वी क्षेत्र में पंजाब नेशनल बैंक के जनरल मैनेजर मि० एल० के० भंडारी जिस समय अपने बैंक को खोलने के लिए गये तो वहां कुछ व्यक्यिों ने उनका घेराव किया। वह बिहार उडीसा, बंगाल, आसाम इन चार राज्यों के असिस्टेन्ट जनरल मैनेजर थे और तीन वर्ष से कलकत्तं में रहते थे। जब वह बैंक को खोलने गये तो कुछ व्यक्तियों ने कहा कि आप बैंक में हाथ न लगाइये क्योंकि इसमें जब तक मिदनापर के कर्मचारी नहीं रक्खे जायेंगे तब तक कोई बैंक को खोल नहीं सकेगा, ताले को भी हाथ नहीं लगा सकेगा। जिस वक्त उनका घेराव किया गया उस समय उन्होंने स्पष्टीकरण दिया कि मेरे इस बैंक में एक चौकीदार को छोडकर जितने भी कर्मचारी हैं वह सारे के सारे बंगाल के हैं। घेराव करने वाले व्यक्तियों ने कहा कि बंगाल के हैं या नहीं, यह हम नहीं जानते । हम चाहते हैं कि एक-एक कर्मचारी मिदनापुर के हों। उन्होंने कहा कि दो व्यक्ति मिदनापूर के भी हैं। नतीजा यह हआ कि घेराव करने वाले व्यक्तियों ने उस बैंक अधिकारी के साथ इस प्रकार का व्यहार किया कि उसी स्थान पर तत्काल उसका हार्ट फेल हो गया और उस 53 साल के व्यक्ति

के बच्चे आज बिलख रहे हैं। इस प्रकार की घटनायें वहां हो रही हैं। केन्द्रीय सरकार कब तक उनको देख कर अपने कानों में तेल डाले बैठी रहेगी और कब तक इन घटनाओं को बर्दाश्त करती रहेगी?

मेरा कहना यह है कि जिसके ऊपर हमको मिलकर विचार करना चाहिए वह यह है कि आज वह अन्तिम घड़ी आ चुकी है जिसको और देर तक टाला नहीं जा सकता। कभी श्री चह्नाण कहते हैं कि थानों के ऊपर कम्यूनिस्ट पार्टी के हमले हो रहे हैं। कभी कहते हैं कि चीनी दूतावास से मनी-आर्डर भेजे जा रहे हैं। कभी कहते हैं कि चीनी दूतावासों से विज्ञापनों का व्यय भेजा जा रहा है। मैं गृह मंत्री से पूछना चाहता हूं कि आज वह अपने दायें-बायें भी भाक कर देखें कि कहीं उनकी सरकार में भी तो उन लोगों के दूत नहीं बैठे हैं ? कहीं उनके बड़े-बड़े सरकारी कारखानों में ही तो उनके एजेंट बैठे हुए नहीं हैं? कहीं ऐसा तो नहीं है कि एक साथ सारे का सारा घमाका हो और केन्द्रीय सरकार और सारा देश देखता रह जाये ?

इसलिए आज समय की पुकार है कि इस पार्टी के सम्बन्ध में सोचा जाय कि जब इस पार्टी का जन-तंत्रीय परम्पराओं में विश्वास ही नहीं है तो उसको भारतीय राजनीतिक वातावरण में काम करने दिया जाय या न करने दिया जाये। आज इस पर सरकार को गम्भीरता से विचार करना चाहिये।

श्री एस॰ एस॰ जोशी (पूना): अध्यक्ष महोदय, मेरे पास समय बहुत कम, मगर जो विषय चर्चा के लिए उपस्थित है उस पर काफी गम्भीरता से हम लोगों को सोचना चाहिए और अपने मत देने चाहिये।

कब्ल इसके कि मैं इस मामले पर आऊँ, मुफ्तको चाहिए कि मैं बतलाऊँ कि मेरी बहन श्रीमती शारदा मुकर्जी ने जो बातें कही हैं उनसे [श्री एस० एम० जोशी]
ऐसा लगता है कि उनके दिमाग में कुछ गुलतफहमी है। उन्होंने कहा कि जो सिविलियन
डिफ़ेन्स पर्सोनेल हैं उनको मिलिटरी के साथसाथ काम करना पड़ता है। श्रीमती शारदा
मुकर्जी को शायद यह पता नहीं है कि जो
फैंक्ट्रियां हैं, जो पहले डाइरेक्टर जनरल ऑडिनेंस
फैंक्ट्रीज के मातहत थी और अव जनरल मैंनेजर
के मातहत है उनमें काम करने वाले सिर्फ
सिविलियन हैं, उनके साथ मिलिट्री पर्सोनेल

मेरा भी सम्पर्क सिनिवलियन डिफेन्स पर्सोनेल से रहा है। श्रीमती शारदा मुकर्जी का कहना है कि हम लोगों को भी सोचना चाहिए कि हम ऐसी जगहों पर काम कर रहे हैं जहां हमको अन्य मजदूरों के लिए नहीं सोचना चाहिये। हम जरूर सोचते हैं, लेकिन इसके साथ हमारा यह भी कहना है कि अगर हमारी जिम्मेदारी ज्यादा है तो फिर दूसरे मजदूरों के साथ जिस प्रकार सुलुक होता है वैसा हम लोगों के साथ नहीं होना चाहिये। इसी सभा में मंत्री महोदय ने आक्वासन दिया था कि जो टेम्पोरेरी पर्सोनेल हैं, जिनको डिस्चार्ज किया गया है, अगर वह चौथी धारा में आते हैं तो उनको दुबारा वापस ले लिया जायेगा। लेकिन आज तक ऐसा नहीं हुआ। मैं इस समय पर सदन के सम्मुख बतलाना चाहता हूँ कि इस काशीपुर फैक्ट्री में लगातार तीन चार रोज तक लोग अपनी मीटिंग करते रहे और इस चीज की मांग करते रहे। मैं नहीं जानता कि कहां तक सही है, लेकिन मुभे ऐसा पता लगा है कि अन्दर जो स्कूल है वहां पहले रोज यही कहा गया कि कल तुम्हारी छुट्टी है। यह किसने कहा यह मुक्ते पता नहीं है। मगर साढ़े सात बजे तक मीटिंग चलती रही उसके बाद वह आये। उधर कई अफ़सरों ने कहा कि यह दरवाजा बन्द मत करो । मगर कई लोग वहां ऐसे हैं जो कुछ बहाना चाहते हैं मजदूरों को पीटने का। उन्होंने कहा कि नहीं, बन्द करो। सब लोग वहां आये और हो हल्ला हुआ। उसमें गोली चली और यह नतीजा उसका हुआ। मैं

यह चीज कहता हूं कि अगर हमारी हुकूमत ने आश्वासन दिया है और उन आश्वासनों की पूर्ति नहीं होती है और मजदूर उसके विरोध में वहां सभाएँ करते हैं तब उनके साथ ऐसा व्यवहार हो, यह ठीक नहीं है। अगर एक-आध मिनट इक्षर-उधर हो जाय तो उसके लिये पूरा गेट नहीं बन्द किया जाता । साथ-ही-साथ दूसरा स्थान भी सामने रहता है जहां पर लोगों को रोका जाता है। उसके बाद यह गेट आता है। लेकिन उस रोज पहले अड़ंगे को भी हटा दिया गया और यह सब कुछ किया गया। जो हमारे रक्षा मंत्री हैं उन्होंने उस रोज कह दिया कि हम एन्क्वायरी करेंगे। बहुत अच्छी बात है। मगर मैं समभता हूं वहाँ जज की नियुक्ति के एलान में अशोभनीय जल्दबाजी हो गई। कुछ एलान किया, यह अच्छा हुआ क्योंकि हम बार-बार मांग करते हैं, तब भी मंत्री महोदय कभी एलान नहीं करते।

18.20 hrs.

मैं उस रोज यहां नहीं था। कई लोगों ने पूछा कि आप इनक्वायरी करेंगे ? आपने कहा कि करेंगे। यह अच्छी बात हो गई। उसके बाद बंगाल की हकूमत ने कहा कि क्या इसका फैसला करते समय आपको हमसे सलाह मशबिरा नहीं करना चाहिये था? अगर करना चाहिये था तो क्यों नहीं किया ? मैं कहंगा कि हमको सब लोगों को एक ही नाप से नापना चाहिए। वहां की हकूमत चूंकि कम्युनिस्ट हकूमत है इसलिए उसके साथ एक नाप और तेलंगाना या हैदराबाद की हकूमत दूसरी है। इसलिए उसके साथ एक दूसरा नाप और तमिलनाडु में चूंकि डी॰ एम॰ के॰ की हकूमत है इसलिए उसके साथ तीसरा नाप, महाराष्ट्र में चूंकि एक और ही हकूमत है इस वास्ते उसके साथ चौथा नाप, यह तो उचित नहीं है। दोहरी नीति नहीं अपनाई जानी चाहिए। एक नीति से काम चलना चाहिए।

हम सब चाहते हैं कि हमारे देश की आजादी कायम रहे। अव्वाम की तरक्की हो। हम चाहते हैं कि हमारे देश में प्रजातंत्र चले। लेकिन सवाल यह है कि लोकतंत्र किस तरह से चलाया जाए ? हमने एक संविधान बना रखा है। उसमें हमने कई बार संशोधन किया है। आज आप देखें कि परिस्थितियां बदल गई हैं। जब परिस्थितयां बदल गई हैं। जब परिस्थितयां बदल जाती हैं तो हमको अपने आपको उनके मुताबिक ढालना होगा, कुछ फर्क करना पड़ेगा। ऐसा करने में कोई आपित भी नहीं होनी चाहिए।

रंगा साहब ने कहा कि उस गवनंमैंट को डिसिमिस करो । इनके पास यही दवा रह गई है। वह चाहते हैं कि एकदम इनको डिसिमिस कर दो। इन दवाओं को मैं बहुत मुनता आया हूं। गोया हमारे पास यही एक नुस्खा रह गया है। जब नागालैंड में घटनायें घट रही थीं तो बहुत से लोग कहते थे कि भेजो आर्मी वहां। असम में जब भगड़े चल रहे थे तब इंटेग्रेशन के नाम पर कहा गया कि सख्त कदम उठाये जाने चाहिएं। इस तरह के सख्त कदमों की बात करना आसान है। लेकिन डैमोकेसी के जो उमूल हैं उनके खिलाफ ये नहीं जाते हैं? इसको भी आपको सोचना होगा।

कम्युनिस्ट हों, सोशलिस्ट हों, प्रजा-सोशिलस्ट हों, लैफ्ट कम्युनिस्ट हों या राइट कम्युनिस्ट हों या रौंग कम्युनिस्ट हों, सबको पार्टी बनाने का अधिकार है। यहां कहा जाता है कि इस पार्टी को गैरकानूनी घोषित कर दो। जो करना हो आप करो। लेकिन हमारा जहां तक सम्बन्ध है हम चाहते हैं कि लोगों की राय से इस देश की हकूमत चले। बंगाल में एक बार आपने जिनको डिसमिस किया, वही दुबारा वहां पर आ गए, उनको ही लोगों ने वोट दिया। अब इसका क्या अर्थ निकाला जाए। यह जरूर है कि जो हकूमत वहां बनी है वह संविधान के मुताबिक चले। लेकिन संविधान के मुताबिक सिर्फ वही चले और दूसरा न चले, यह तो नहीं हो सकता है। हमें बिना किसी प्रेजुडिस के काम करना चाहिये। कम्युनिस्ट लोग डैमोक सी में विश्वास करते हैं या नहीं, इसमें जाने की क्या जरूरत है। हम लोग

डैमोके सी चाहते हैं या नहीं, यह सवाल हमको अपने आपसे पहले पूछना चाहिये। इनको डिसिमिस करके और आर्मी को वहां भेजकर, क्या डैमोके सी चलेगी, यह सवाल हमको अपने आपसे पूछना चाहिये। जो भी कार्य हमारा हो वह इस तरह का होना चाहिये जिससे लोकतंत्र की रक्षा हों और एकता कायम रहे।

मेरा दल बंगाल में एक छोटा-सा दल है। हम युनाइटेड फन्ट का एक हिस्सा हैं। अभी तक हम हकूमत में नहीं रहे हैं। लेकिन हम लोगों ने फन्ट वालों को बार-बार कहा है कि हम लोग असैम्बली में गए हैं तो लोगों को राहत दिलाने के लिए गए हैं, गरीब लोग जो सताये गए हैं, उनके लिए कुछ करने के लिए गए हैं। हमारी उनसे 5छ शिकायतें हैं। हम चाहते हैं कि प्रोग्राम्ज को लागू करने के लिए वे समय निर्धारित करें, प्रोग्राम समय-बद्ध करें। समयबद्ध प्रोग्राम होगा तब हम हकूमत में हिस्सा लेंगे। हमने बहुत-सी बातें कहीं हैं। उनमें से एक बात की ओर मैं आपका घ्यान दिलाना चाहता हूं। आज सुबह भी मैं उस सवाल को उठाना चाहता था। मैंने आपसे इजाजत मांगी थी। हमारी एक बात यह है कि कलकत्ता शहर में फी प्राइमरी एजुकेशन हो, जो अभी तक नहीं हुई है। आज तक वहां कांग्रेस का राज्य रहा. है। उसने इसको नहीं किया है। अब ये लोग वहां आ गए हैं और इनसे हम कहते हैं कि आप जल्दी से जल्दी और समयबद्ध कार्यक्रम लागू करो । बार-बार हमने कहा है कि जहां तक ट्रेड यूनियन्ज का सम्बन्ध है जिस ट्रेड यूनियन के पीछे लोकमत है, बहुमत है, उसको मान्यता मिलनी चाहिये और इसके बारे में कानून बनना चाहिये। आज सुबह जिस बात का मैं जिक्र करना चाहताथा वह यह है कि हमारी पार्टी के नेता श्री राजनारायण जोकि राज्य सभा के मैम्बर हैं, आसनसोल गए थे। वहां राइवल ट्रेड यूनियन्ज में भगड़ा था। उन पर भाले और बरछे लेकर हमला किया गया और इसलिए किया गया कि वे दूसरी यूनियन से

[श्री एस॰ एम॰ जोशी]
सम्बद्ध थे। मजदूर किस यूनियन को चाहते हैं,
किस यूनियन के साथ उनका बहुमत है उसको
रिकगनिशन मिल जाए, उसको मान्यता मिल
जाए, लेकिन माले, लाठियां लेकर हमला तो
नहीं होना चाहिये, उनकी जरूरत तो नहीं होनी
चाहिये।

चव्हाण साहब और मैं एक-दूसरे को अच्छी तरह से जानते हैं। मैं उनसे कहूंगा कि हमको जल्दबाजी से काम नहीं लेना चाहिये। वहां हकूमत कम्युनिस्टों की है, इस वास्ते अगर हम दोहरी नीति चलायेंगे तो यह हमारे लिए कोई शोभा की बात नहीं होगी।

एक बात और मैं कहना चाहता हूं। जब स्टालिन की मृत्यु हुई तो मैं बम्बई विधान सभा का सदस्य था। उन दिनों वहां श्री मोरारजी देसाई मुख्यमंत्री थे। मैं उनके पास गया था और मैंने उनसे कहा था—

श्री रणधीर सिंह (रोहतक): बंगाल बंद के बारे में कुछ कहो।

श्री एस॰ एम॰ जोशी : जब कम्युनिस्टों की बात हो रही है तो स्टालिन भी तो बहुत बडा कम्युनिस्ट था। मैं मोरारजी देसाई साहब के पास गया था। मैंने कहा था कि एक बडा नेता मर गया है, हम लोगों को भी दुख का इजहार करना चाहिये। उन्होंने कहा कि गांधी की भी तो मृत्यू हो गई थी, तब उन्होंने क्या किया था। मैंने कहा था कि उनमें और आप में तब फर्क ही क्या रह जाएगा। हम गांधीवादी हैं। हम लोगों को इस पर नहीं जाना चाहिये कि वे लोग क्या करते हैं। उनका अगर डैमोकेसी में विश्वास नहीं है, कम्यूनिस्टों का अगर डैमोकेसी में विश्वास नहीं है तो भी हमें यह देखना होगा कि लोगों ने उनको वोट दिया है और लोगों की राय के मुताबिक हमको चलना चाहिये। लोकतंत्र की रक्षा के लिए हम लोगों को इस पर विचार करना चाहिये। हमें सोचना होगा कि जो भी कदम हम उठायें क्या उससे तनाव में वृद्धि तो नहीं होगी। जब हम इस निष्कर्ष पर पहुंचे कि हमारे किसी भी कदम से तनाव में वृद्धि होगी तो यह जरूरी है कि हम उसके कुछ उपाय कर लें। इस तरह के कदम अगर उठाये जायेंगे तो मैं समभता हूं कि तनाव में इनसे वृद्धि होगी। हो सकता है कि कम्युनिस्ट चाहते हों कि तनाव बढ़े। लेकिन सवाल यह है कि क्या हम चाहते हैं कि यह तनाव बढ़े? अगर नहीं चाहते हैं तो हमें बैठाकर कुछ फैसला करना होगा, यही मेरी प्रार्थना है।

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH): Mr. Speaker, Sir, I had no intention to intervene in the debate because even on facts when in response to the calling-attention notice I had to make statement, I avoided going into facts as I knew that this was a matter which was under investigation, a matter which should be inquired into dispassionately and objectively. It is for this reason that I did not comment upon the facts but reported to the House the facts as they came to me from the Director General, Ordnance Services.

I would like, however, to recall, because you happened to be in the Chair at that time, that it was in response to the suggestions made by my hon. friends opposite, Shri Indrajit Gupta and also Shri Jyotirmoy Basu, that I conceded this demand of holding a judicial inquiry.

SHRI INDRAJIT GUPTA: Does it mean that you are not to consult the State Government?

SHRI S.M. BANARJEE: Read my question...... (Interruption)

SHRI SWARAN SINGH: Then, on the question of holding a judicial inquiry, as has been rightly mentioned by my hon. friends opposite, both in law as well as in wisdom, it is a decision which has been welcomed by all sections of the House. I have been greatly impressed by the almost uniform support and the uniform attitude about holding an inquiry. Every time my hon. friends opposite ask for an inquiry and on this occasion immediately in response to it I

announced that an inquiry will be held and, I said, it will be held by a High Court Judge.

SHRI JYOTIRMOY BASU (Diamond Harbour): He did not mention it immediately afterwards. I discussed and talked to him and he said that he will get in touch with the State Government; then he will order a judicial inquiry. He is deliberately omitting that.

SHRI SWARAN SINGH: I would go a step further. I thought that it was a case which was eminently fit for a judicial inquiry. The whole incident took place in a factory which is owned by the Central Government; persons who where concerned in this, whether they were the Defence Security Corps personnel or the officers or even the workers, all of them are Central Government employees.

Then, the incident also took place inside the Factory. For all these reasons, it was a fit case in which an inquiry should have been ordered.

Then. Sir, in a matter like this, when something takes place at a time when this was time for the opening of the Factory and charges were made against senior officers who were admittedly on duty, I would like to remind this honourable House that, for all these cases, for any court to take cognizance, the permission of the Central Government is necessary. It was, therefore, necessary for us to know the facts quite clearly so that we at might, the time of sanction, be able to have independent opinion before us to enable us to accord the sanction if it comes to that, (Interruptions) I would like the hon. Members now to listen partiently.

Sir, even today, just on the last occasion, I did not want to go into the facts, I had no inclination to go into the law. But I have been compelled by my hon. friend, Mr. P. Ramamurti, who has quoted certain Sections to refer, very briefly, to the legal aspect. He has built his argument mainly on this basis that the court martial which, according to the scheme of the Army Act, is an appropriate authority and a tribunal to try these cases has not got the jurisdiction for two reasons; firstly, because it was a case of murder and secondly it was a case in

which they were not on active service. I am sorry the hon. Member has not done his home work properly. The fact of the matter is that they were enlisted under the Army Act. So the Army Act is applicable......

SHRI P. RAMAMURTI: I never said that...(Interruption)

SHRI SWARAN SINGH: Another question was: Were they on active service? It is not a question of agrument. It is a question of fact.

SHRI P. RAMAMURTI: You read the Act.

SHRI SWARAN SINGH: I have read the Act many times.

SHRI P. RAMAMURTI : You quote the Section.

SHRI SWARAN SINGH: The Central Government may, by notification, under Section 9, declare that any person or class of persons subject to this Act shall be deemed to be on active service within the meaning of the Act. Notification dated November 28 1962, issued by the Centeral Government, under the said Act, accordingly, declares that all persons subject to the Act who are not on active service under Section 3 thereof shall, wherever they will be serving, will be deemed to be on active service within the meaning of the Act for the purpose of the Act or for any other law for the time being.

SHRI UMANATH (Puduk kottai): This Notification was withdrawn after the Emergency was over.

SHRI SWARAN SINGH: This has This is my difficulty never been withdrawn. with the hon. Member. I would not have liked to be drawn into legal controversy because I still feel that this is a matter which, as has been rightly suggested, can be discussed between the Governments and which can be also a subject-matter of inquiry. The courts will go into it. There is a legal procedure laid down for this. But if these points are raised, the duty is cast upon me to present the other side of the case. There is no doubt in my mind. I say this with full sense of responsibility after getting a

[Shri Swaran Singh]

Cossipore firing

legal opinion that (i) the Defence Security personnel are subject to the Army Act and (ii) they are deemed to be on active service by virtue of this Notification. This Notification has never been withdrawn. With all these facts, it is a duty cast upon me to ensure that they are dealt with accordingly, not according to, what they call, the whims of the people or other things. Therefore, we should carefully examine these matters before we mention these points.

A great deal has been said that I did not consult them. Now, Mr. Speaker, with your permission, I would like to place my self before this House. Here is a case in which the Central Government servants. on either side, are involved. Here is a case in which the incident has taken place inside the Factory and those unfortunate persons who lost their lives and those who have been injured or fired upon, all of them, are Government servants. I use the words used by Mr. Ramamurti and others. Does any courtesy require that a person who is vitally interested in these people should be the first person to be informed? Is this the manner in which you want this incident to be dealt with? Am I to form an attitude only from the press report? Am to be informed only through these reports?

I do not know how to deal with them, because they make a request and on pressure from their own Government, they want to resile from that just as they resiled from their original attitude that they took about holding judicial inquiry. So, I would like, most emphatically, to say that still we do not want that this discussion should take place through proxy; I do not want that there should be public statements about there attitude...

SHRI S.M. BANERJEE: You go to Calcutta (Interruptions).

SHRI SWARAN SINGH: We are prepared to discuss these matters, but in all humility I would like to remind this hon. House that courtesy works both ways. Was the courtesy due to me or the Central Government shown? I should have been the first man to be informed of that. Here was a law and order matter in which the Central

Government Defence employees were involved; this happened inside the Defence factory, and I read about it only from the Press statement. Is that the courtesy about which the hon. members are talking? We talk of law and order. What is law and order?

SHRI P. RAMAMURTI rose Shri Swaran Singh: Let me finish.

SHRI P. RAMAMURTI: A teleprinter message was sent to you. I know this. (Interruptions)

SHRI SWARAN SINGH: They say that I should have gone down to Calcutta. As I said, some one could go down, with all this, I should say, 'tamaasha' of bundhs, which is very costly to the country (Interruptions) they expect us to show courtesy. All that I know is that this is a matter which has to be gone into. There are laws, there are procedures. For instance, it might be a surprise (Interruptions) to my friends on the Opposite that even according to law it is not the concern of the Government to ask for any accused if he is subject to Army Act: it is only the court which takes cognizance that can ask that the person should be handed over, and thereafter if the Commanding Officer does not agree, then a reference has to be made to the Central Government and the Central Government's decision in that respect is to be final. These are matters of law. I did not want to enunciate all that because I wanted the courts to look into this aspect. I want to appeal to the hon, members not to use this forum to straighten out legal aspects. There are courts of law, there is the High Court, there is the Sessions Court, there are magistrates, and they will certainly look into it. This is not the proper forum to air legal views which may be half-baked and which may not be quite correct. I would like to say that it is our intention to work strictly according to law, strictly according to the Constitution. It is in that spirit that we are approaching this. I would renew my appeal that we should view this matter in this spirit that whereas their scope of jurisdiction has to be respected, the scope of jurisdiction and the authority of the Central Government have also to be respected. When we talk of law and order, law and order is not just arresting the people, law and order is not punishing people...(Interruptions).

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SHRI UMANATH: Law and order is shooting people.

SHRI SWARAN SINGH: Law and order is giving protection to uphold law. All that I can say is that I feel concerned over this excitement because law and odrer is a much more serious matter and it should not be laughed away.

SHRI JYOTIRMOY BASU: Doctor, treat thyself.

SHRI SWARAN SINGH: I will ceretainly treat myself. I know that you are perhaps incurable.

Therefore, I had the least intention to accentuate this sort of tension, but imagine a responsible government leader, howsoever well informed he may be, in a criminal case, making a statement that this story is fictitious or that story is fictitious, if the Press reports are correct. This is absolutely unheard of that a man who is in charge of law and order should, before the case is tried by a

court of law, say that the man is guilty, he

should be hanged and so on.

That is just not done. We are wedded to work the law. We are wedded to work the Constitution. It is in this spirit that we should approach the question.

THE MINISTER OF HOME AFFAIRS (SHRI Y. B. CHAVAN: Mr. Speaker, Sir.....

SHRI S. M. BANERJEE: This is 'Tamasha No. 2'.

MR. SPEAKER: I would appeal to the hon. Members. You may not agree with the Home Minister's views. I do not expect you to agree with his views nor can he agree with your views. But I would appeal to you to hear him patiently. I appeal to Mr. Joytirmoy Basu in particular to hear the Minister Patiently. If I cannot control one Jyotirmoy Basu, it is difficult to control 285 of them on

SHRI Y. B. CHAVAN: The discussion can be divided into two parts. One was

by the Government of India and I think on that point, the Defence Minister has given very able reply to all the points raised on that side. The other part is about my statement made on 'Bengal Bundha'.

I can very well understand both the

about the inquiry commission to be appointed

extremes. Some people say that this is not a decent statement, therefore, I should be There was the other extreme dismissed. that it is too soft a statement. Therefore, I should be dismissed. (Interruptions). Unfortunately for them and fortunately for me, none of them has got this power to dismiss me.

The point remains that I should certainly

say what exactly the purpose of my statement

was. The statement contains three different parts. The first part concerns with the narration of facts, as to what happened and I do not think that any one here has questioned the objective and narration of facts Has anybody disputed the fact that the communication system was not allowed to function properly? It is correct or incorrect? We said about the civil aviation. We said about the general stoppage of work in the State. I have also said that the 'bundh' was more or less peaceful.

SHRI VASUDEVAN NAIR (Peerwade): 'Bundh' was meant for that.

SHRI Y. B. CHAVAN: I know. Ιt was ment for that.

SHRI M. N. REDDY (Nazamabad): I have a point of order. The Home Minister has made a statement on his own about the 'Rundh'.....

MR SPEAKER: What is your point of order?

SHRIM. N. REDDY: **

MR. SPEAKER: Nothing to be taken down. What he has said will not go on record.

From the morning you are doing it. The proper procedure is to give notice of a

this side.

[Mr. Speaker]

motion and then discuss it. But this way of disturbing will not be tolerated. I am not going to tolerate it. I know Telangana. You are every time trying to embarrass me. The proper way is to give notice and ask for a discussion.

SHRI M. N. REDDY: I have given.

MR. SPEAKER: I have not seen it till this minute. I do not know if you have given a proper notice. Because it is Telangana, don't think that it is your privilege to get up and shout.

SHRI Y. B. CHAVAN: Sir, I was mentioning the facts which were mentioned in the Statement itself. Nobody has questioned the correctness of facts.

Now, the second part is relating to the justification for the stoppage of work in the State as a whole. That is not a criticism of any Government as such. But I must certainly characterise the action that was taken as something that was disproportionate.

I can very well understand that as four or five persons died in the firing, there was some resentment in the minds of workers. There was resentment in the minds of people also. I can understand all that. Nobody is lagging behind them in expressing regret for the dead and sympathy for the persons concerned, particularly the working-class people, and if some persons die as a result of firing, everybody is sorry for it. Nobody can say that he is glad about it.

But, the point is this. What is the method of protest and what is the magnitude of the protest? In regard to what I have said, I would like to stand by every word in that statement. This method of disproportionate reaction to such incidents and stopping the general work of the State as a whole is something, the wisdom of which I certainly doubt. And, I do not want to withdraw a single word of what I have stated about it. I would like to stand by it.

The hon. Member, Shri Dange conveniently makes speeches criticising others and then disappears when replies are given.

SHRI S. M. BANERJEE: He has to go to the meeting. He has informed everybody.

SHRI Y. B. CHAVAN: He has also informed me. But merely informing does help. He raised a debate here, he made all sorts of allegations and criticisms and then completely disappeared. Now, my point is this. He said about the criteria and he asked: What is the criteria for proportionate and disproportionate reaction? He tried to ask me what is the criteria for proportionate and disproportionate action. Sir, the sense of proportion is not a mathematical proposition. Sense of proportion is not something which can be calculated in terms of statistics. Sense of proportion is a common sense proposition; whether should act in a particular way or not. Certainly I can understand; if the working class people of that very factory had gone on strike: If the working class of Calcutta city go on strike that day, I can understand it. But, organising with the blessing of the administration, a complete bandh all over the State, I must humbly submit, is something different. Unnecessarily politics has been brought into this matter. If it is done by any other Government, even Congress Government, I would certainly say that it is equally disproportionate reaction or wrong method. I have no doubt about it.

The second part of my statement is regarding the justification for this general strike or general bandh. Was it justifiable or not? There is nothing of politics in it. whether it is a communist government, or a non-communist government, let me make my point clear.

We do accept a position that in this country it is quite possible—and we see it now as a matter of reality—that there will be State Governments of different complexions and there will be a Central Government of different complexion. That is a reality. We ich not want to under-estimate things. We is to live with it. All of us have to live wistrictly I must say, even the State Governments, the to live with the reality that a Cons are Government is there at the Centre. If anyboul feels that the State can dictate...

AN. HON. MEMBER: Bully

SHRI. Y. B. CHAVAN: I won't say bullying. I say dictata. I don't want to use any wrong expression but if the State feels that they can dictate and the Centre will

1891 (SAKA) Import of Yarn by S. T. C. (H. A. H. Dis.)

take the dictation they are mistaken. I do not think the Central Government will justify the support of this honourable House if it does that. Hon. Members sitting here in this House should not merely try to represent the State Government here. Their responsibility is also to represent us in various States.

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That is where the third part of the statement comes. The third part of the statement gives the Constitutional aspect of the position. I have mentioned two Articles-256 and 257. If you see these Articles-I do not want to quote all the parts-really speaking they relate to administrative relations between Centre and States. As a matter of fact, if I have understood these Articles correctly, these two Articles embody the spirit of cooperative federalism embodied in the Constitution, namely, in what manner State Executive power should be employed or exercised. It should be so exercised that the executive power of the Centre is not obstructed. (Interruptions). Now in this matter, where was politics on our side? We do not mind if Communist Party wants to function within the Constitution, let them have their own special programme, whatever it is and they are certainly free (Interruptions) to implement it. But they want to have it both ways. If the Constitutional law suits or helps them, they will certainly refer to Constitutional law, if it does not help them, they want to have bandh. This cannot be allowed to exist. Therefore, the problem is very simple. I do not want to say anything which will unnecessarily create a wrong impression or wrong atmosphere. We have said that these are very fundamental issues, not only on this particular occasion; but this shows a new trend that is likely to develop and therefore it raises serious issues. We have not given any opinion on that. We propose to discuss these issues with the leaders of the West Bengal Government because we want to stand by our commitment and whatever be the complexion of the State Government whether it is red, black or white, whatever it is we certainly want their cooperation. As the Constitution has given us mandate similarly Constitution has given them mandate. But one must see that the mandates work within the framework of the Constitution. There is one thing I have to say. If Hon. Members are angry about my statement, I would request them not to just get angry. That statement does not mean that we are

trying to take any partisan view in this matter. That statement only underlines the importance of the issues that are likely to come up between the Centre and the States...

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श्री कंवरलाल गुप्त (दिल्ली सदर) : आगे ऐसा त होगा इस का ऐक्योरैंस क्या आप दिल-वायेंगे ?

SHRI Y. B. CHAVAN: You are merely asking for assurance here and there. Kindly see the seriousness of the problem that we are facing. It is not a question of giving assurances. Every Party, every Member of this honourable House must think seriously of the problems that are likely to come up and help the Government with an attitude of co-operation...(Interruptions)

SHRI JYOTIRMOY BASU: You are using this forum to do propaganda against the State Government.

18. 55 hrs

HALF-AN-HOUR DISCUSSION

IMPORT OF YARN BY STATE TRADING CORPORATION

[SHRI GADILINGANA GOWD in the Chair]

श्री सीता राम केसरी (किटहार) : सभा-पित महोदय, धागे के आयात के बारे में मेरे तारांकित प्रश्न संख्या 843 के 2 अप्रैल, 1969 को दिये गये प्रश्न के बारे में वैदेशिक व्यापार तथा पूर्ति मंत्री ने जो उत्तर दिया था उसके सम्बन्ध में मैं आज यह चर्चा उठाने जा रहा हूँ।

है।
जहां तक ऐक्सपोर्ट का प्रश्न है सिल्क तथा
आर्ट सिल्क हमारे देश में विदेशी मुद्रा अर्जन
करने का यह एक मार्ग है। हमारे मंत्री जी
ने उस दिन कहा था कि सिल्क यार्न का जो
ऐक्सपोर्ट होता था उसकी कमी होने का कारण
तो उन्होंने नहीं बताया मगर 1960 से हम सिल्क
का ऐक्सपोर्ट प्रारम्भ करते हैं और 1969 में आते
आते एक बार 10 करोड़ तक पहुंचने के बाद
वह 3 करोड़ पर पहुँच गया। मैंने अपने प्रश्न