

"That the Bill to provide for the better management of certain Sikh Gurdwaras and Gurdwara property, as passed by Rajya Sabha, be taken into consideration."

*The motion was adopted.*

MR. DEPUTY SPEAKER : Now, we take up clause-by-clause consideration. There are no amendments. I will put all the clauses together. The question is :

"That clauses 2 to 20, clause 1, the Enacting Formula and the Title stand part of the Bill."

*The motion was adopted.*

*Clauses 2 to 20, Clause 1, the Enacting Formula and the Title were added to the Bill.*

SHRI H. R. GOKHALE : I beg to move :

"That the Bill be passed."

MR. DEPUTY SPEAKER : The question is :

"That the Bill be passed."

*The motion was adopted.*

14.35 hrs.

**MYSORE STATE LEGISLATURE (DELEGATION OF POWERS) BILL**

MR. DEPUTY SPEAKER : We now take up the next item—The Mysore State Legislature (Delegation of Powers) Bill.

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI MOHSIN) :

On behalf of Shri K. C. Pant, I beg to move :

"That the Bill to confer on the President the power of the Legislature of the State of Mysore to make laws, as passed by Rajya Sabha be taken into consideration."

The House is aware that in the Proclamation dated the 27th March, 1971, in relation to the State of Mysore, the President has declared that the powers of the State Legislature shall be exercised by or under the authority of Parliament. However, in view of the otherwise busy schedule of the two Houses, it would be difficult for Parliament to deal with the various legislative measures that may be necessary in respect of the State. There would be particular difficulty in situations requiring emergent legislation. The Bill, therefore, seeks to confer on the President the power of the State Legislature to make laws in respect of the State.

It has been the normal practice to undertake such legislation in relation to the States under the President's rule and the present Bill is on the usual lines.

Provision has been made for the Constitution of the Consultative Committee, consisting of Members of Parliament, which will be consulted before enacting laws in respect of the State of Mysore. Provision is also being made to empower Parliament to direct modifications in the laws made by the President, if considered necessary.

I request the honourable House to accept the legislative proposal before it and to pass the Bill.

MR. DEPUTY SPEAKER : Motion moved :

"That the Bill to confer on the President the power of the Legislature of the State of Mysore to make laws, as passed by Rajya Sabha, be taken into consideration."

\*SHRI MANORANJAN HAZRA (Aram bagh) : Mr. Deputy Speaker, Sir, while speaking on the Mysore State Legislature (Delegation of Powers) Bill, 1971, I will say that for the last 20 years in this House there was no arrangement for simultaneous interpretation in English of the speeches that might have been made in Bengali. But in the Fifth Lok Sabha, some Opposition members spoke in Bengali in order that their mother tongue may find an honourable place in this House. Since some arrangement has now been made in this House for simultaneous interpretation in English of the speeches made in Bengali, I offer my thanks

\* The original speech was delivered in Bengali.

[Shri Manoranjan Hazra]

to the Speaker and the Deputy Speaker for the same. But the arrangement that has been made so far is not complete, as this facility for simultaneous interpretation should also be extended to the Question Hour for us. I would appeal to you, Sir, to do the needful.

I shall now come to the Bill under consideration. This type of Bill shows the growing tendency of the Central Government to usurp the powers of the State Governments. We have a picture of Central rule in States like Orissa, Gujarat, Bihar, Punjab and in Mysore. The present Bill is related to the State of Mysore. Similar Central rule was imposed upon the Union Territory of Manipur. Therefore, it is obvious that the Central Government has grown a tendency to rule the States from here. From my own experience, I can say that whatever happened in Mysore, Mr. Dharma Vira is responsible for that and about this man we have got some experience in West Bengal as he was once the Governor of that State. We all know well that he is an expert in breaking the State Governments through dishonest means. In Mysore, too, he was responsible for creating such a condition which led the Central Government to take over State administration through a Presidential proclamation.

Sir, this taking over of State administration through dishonest means is a danger to our democracy. The present ruling party, under the leadership of Shrimati Indira Gandhi, is trying to topple the various State Governments. It is also known to us that in 1959 there was a non-Congress Government in Kerala. That Government was destroyed by the ruling party at the Centre through dishonest means. Shrimati Indira Gandhi incited, at that time, the people of the State against the State Government to start a civil disobedience movement and in that movement many schools and colleges were burnt. Now Shrimati Gandhi has changed her tactics as her old tactics are not going to influence the people any more. After careful conspiracy she has started toppling the State Governments with the help of defectors. Her actual intention is to administer the States from the Centre and for achieving that end she has been making consistent efforts. Therefore, Sir, a danger has arisen to our democracy because of frequent toppling of State Governments by the ruling party at the Centre. As

this matter should be taken into account by the Members of this House, I bring it to their notice.

I now invite the attention of the House to the various provisions in the Bill under consideration. Sir, under sub-clause (3) of clause 3 it has been provided for that the Act, enacted, by the President, shall be laid before each House of Parliament. It is also provided for in the Bill that after the President's Act is laid before Parliament, we can direct modifications to be made therein, if we like, by passing a resolution to that effect within period of one month. In this connection, Sir, I would like to say that our President is vested with many powers under the Constitution. I am not going to challenge his powers. But our Parliament has also some powers. If we want to modify the President's Act, it will have to be done by passing a resolution within a period of one month; otherwise it cannot be done. But there is some dangerous point in this time limit of one month. One month is a long period and in such a long period many undesirable things may happen.

Then I will say that the legislative powers of Parliament are being trampled upon by giving law-making powers to the President. I feel that the President, perhaps, does not want to be invested with such a power.

The Parliament has been deprived of its law-making powers. I do not feel there is any necessity of conferring such powers to the President. But the Ministers want to degrade the position of the President. They want to make him a puppet in their hands. Nothing is more disgraceful to him than conferring upon him such a law-making power.

I conclude my speech opposing the Mysore State Legislature (Delegation of Powers) Bill, 1971.

\*SHRI K. MALLANNA (Madhugiri) : Mr. Deputy Speaker, Sir, today we have before us the Mysore State Legislature (Delegation of Powers) Bill. This is the first time that the President's Rule has been imposed in the State after Independence. People are very happy about the President's Rule in the State. They are happy because during the last ten years they had been suffering under misrule of Shri Nijalingappa

\*The original speech was delivered in Kannada.

and Shri Veerendra Patil's ministries. Corruption was rampant in the administration. Favouritism, nepotism and caste considerations were the order of the day and the people wanted an end of their Government. When that was the situation, President took over the administration of the State of Mysore and the people had high hopes of good administration during the President's Rule. But I am sorry to say that their hopes were belied.

It would not be out of place for me to mention here that during the regime of Shri Nijalingappa and also of Shri Veerendra Patil, even in the Universities and Colleges there was utter mismanagement and they were appointing only their kith and kin and their supporters to high posts in these institutions. Even in the Public Works Department there were seven or eight Chief Engineers.....

MR. DEPUTY SPEAKER: May I draw the attention of the hon. Member to the scope of the Bill? The Bill is confined only to this, namely, that instead of Parliament Legislating, we are delegating that power to the President. Let us not go into all the affairs of the Mysore State.

SHRI K. MALLANNA: I am pointing out how the necessity of this legislation arose. We hope that all this mismanagement will end with the imposition of President's Rule. After the President's Rule, the Government investigated the conduct of several officers. For instance, in the Mysore Iron and Steel Works there was lot of mismanagement. The Government enquired into the affairs of this Company. The Officers of the Government also paid surprise visits to several Hospitals in the State. People were very happy over these developments and they were looking forward for a change for the better in the administration.

But things have not turned out as expected. It has been noticed that of late the administration has gone from bad to worse. The Government have set up several Committees and they have appointed the defeated candidates as chairmen and members of those committees. The people had not heard about the members of these committees earlier. They had not figured in the public life of the State, either social or political. This is how the administration of the State is being run under President's Rule. It is in these circumstances that this Bill has been brought before this

House in order to set up a Consultative Committee to provide guidelines to the Governor in the administration of the State. I welcome this Bill.

There are a few important points which I would like to bring to the notice of this House.

MR. DEPUTY SPEAKER: You are going out of the scope of the Bill.

SHRI K. MALLANNA: It is within the scope of the Bill.

MR. DEPUTY SPEAKER: Order, Order.

SHRI K. MALLANNA: There were two important issues, one relating to the border and the other relating to the river waters on which the attention of the people was focused during the recent elections. Inspired by the leadership of the Prime Minister, Mrs. Indira Gandhi, people gave their verdict in favour of the ruling Congress and all the 27 seats were won by the Congress headed by Mrs. Indira Gandhi.

The border dispute is a burning issue before the people of the State. The Mahajan Commission was set up with the consent of Maharashtra and Mysore Governments to resolve this dispute and this Commission has submitted its Report on this subject. But the recommendations of the Commission have not so far been implemented.

The second question agitating the minds of the people is in regard to Cauvery waters, the 1924 agreement regarding sharing of Cauvery waters would expire in 1974. I appeal to the Government to ensure that the Cauvery Basin Projects are given high priority and completed before 1974.

Lastly I would like to draw the attention of the House to the serious drought and famine conditions prevailing in some of the districts of the State namely, Tumkur, Chittaldurg, Bellary and Kolar. I urge the Government that in order to prevent the recurrence of such calamities in these districts, a Development Board on the lines of the Rayalaseema Development Board in Andhra Pradesh should be set up immediately to bring about an around economic and agricultural development of this region.

MR. DEPUTY-SPEAKER : I do not think this is a controversial Bill. The only question is whether we should continue to legislate for Mysore as long as it is under President's rule or we should delegate the power to the President as Parliament has many other things on hand. I have many names; hon. Members may confine themselves only to this point, and not go into details of what is going on in Mysore at the moment.

SHRI CHANDRE GOWDA (Chikamagalur) : I welcome this Bill. I would like to narrate the story which ended in the imposition of President's rule. It is for the first time that Mysore is under President's rule. I welcome it for the reason that the Ministry headed by Shri Veerendra Patil had brought about an administration wherein corruption, communalism and casteism were rampant. The result of the last general election to the Lok Sabha from the State proved beyond all reasonable doubt that the people's verdict was against that Government. Out of the 72 lakh votes polled, the ruling Congress secured 52 lakh votes, which showed not only that they approved the programmes and policies of the new Congress but that they had a very strong grouse against the Mysore Government then headed by Shri Veerendra Patil of the old Congress. They in the old Congress used to boast about their Ministry as an unbreakable rock. But within five days of the declaration of the results of the voting to the Lok Sabha, something unexpected and unimagined happened, that is, the Ministry fell on 18 March 1971.

MR. DEPUTY-SPEAKER : Why go into all those details now ?

SHRI CHANDRE GOWDA : I do so for a specific purpose. It was the Veerendra Patil Ministry which was mainly responsible for the deterioration of conditions in the State. With the imposition of President's rule, we thought something better would be done for the State. But contrary to our expectations, the Governor is behaving like a dictator in the State. In fact, many representations have been submitted even to the Prime Minister on many occasions. All the committees have been constituted by the present Governor without consulting any of the elected Members, not even the Legislative Council Members and Members of Parliament.

In this connection I would like to bring certain instances to the notice of this hon. House to show how Veerendra Patil's shadow Government is being run by the present Governor. From the time he assumed charge of the administration, he has been appointing many committees, and he continues to do so. The ex-Finance Minister, Shri Ramakrishna Hegde has been appointed the Chairman of the State Youth Service Organisation. Shri Linga Reddy, ex-Minister of Fisheries, has been made the Chairman of the Fisheries Board. Shri L. S. Venkaji Rao, former Treasurer of Congress (O) has been made the Chairman of the State Transport Corporation. Mrs. Sudha Reddy, former Congress (O) M. P., has been made the Chairman of the State Lalit Kala Akademi. Shri Chowdiah of Cong. (O), who was defeated in the last elections from Madaya constituency, has been made the Regent of the Mysore Agricultural University. My submission is that the Governor cannot run the administration like this. He has not had the courtesy to consult any of the 27 Members of Parliament who have been returned on behalf of the ruling party.

In the circumstances, it is very necessary that we should have a consultative committee, and hence the Bill has been brought here, with that specific purpose. Therefore I welcome the Bill, and hope that Members from all sections of the House will support it so that Governor's rule can be ended as early as possible, elections can be held and a popular Government installed.

श्री कूल चन्द्र बर्वा (उज्जैन) : उपाध्यक्ष महोदय, जहाँ तक इस विधेयक का सम्बन्ध है, इसके बारे में मेरा कोई विशेष मतभेद नहीं है लेकिन जिन परिस्थितियों में वहाँ पर राष्ट्रपति शासन लागू किया गया है उसके सम्बन्ध में मैं निवेदन करना चाहूँगा और उसी के सन्दर्भ में माननीय मंत्री जी से जानना चाहूँगा कि जो आज दल बदल का रोग पूरे भारतवर्ष के सभी प्रान्तों में हमारे प्रजातंत्र की जड़ों को खोखला करता हुआ ला इलाज हो गया है, क्या उसके लिए केन्द्रीय स्तर पर कोई कानून बनाने का सरकार विचार कर रही है जिससे कि इस दल बदल को रोका जा सके और जिस दल को जनता ने बहुमत में भेजा है वह पांच साल तक

अपने कार्यक्रम के अनुसार वहां पर जनता की सेवा कर सके ? यह एक ऐसा राज रोग है जो कि पूरे देश में इस प्रकार विद्यमान है कि जहां पर भी विरोधी दलों की सरकार होती है हमारे कांग्रेस के बन्धु वहां की सरकार को गिराना चाहते हैं, केन्द्रीय सरकार को विरोधी दलों की सरकार फूटी आंखों भी नहीं भाती है। इसी सन्दर्भ में यदि मैसूर को लिया जाये तो कोई गलत बात नहीं होगी। मैसूर में निर्वाचन के पूर्व विरोधी दलों की सरकार थी।

और केन्द्र के जो मंत्री हैं इनको भी सरकार अच्छी नहीं लगती थी, चुनाव के बाद जब बहुमत में आ गये तो उसको गिराने के लिये पूरी तरह से संलग्न हो गये तथा विधायकों की खरीद फरोस्त शुरू हो गयी। 50, 50 हजार रु० देकर उनको खरीदा गया और इस प्रकार मैसूर की सरकार गिरायी गयी। जहां तक सरकार गिराने का काम है ऐसा लगता है कि इसे केन्द्रीय सरकार ने अपने 11 सूत्री कार्यक्रम में शामिल कर रखा हो। मैं मंत्री जी से कहना चाहता हूँ कि जो आज आपके लिये रामबाण हथियार है वह कल आपके लिये खतरा हो सकता है। भगवान न करे पार्लियामेंट के मेम्बर दल बदल कर के कल आप को खतरे में डाल दें। यह खतरा आगे बढ़ने वाला है। इस लिये अगर आप ने कानून नहीं बनाया तो आने वाले समय में आप को इसका सामना करना पड़ेगा और उसके पूरी तरह से शिकार होंगे। आपके पास सत्ता है, कुंसियों के लिये लड़ाई चल रही है और उसके आप शिकार होने वाले हैं। प्रान्त की सरकार गिरने से कोई ज्यादा फर्क नहीं पड़ता, लेकिन उसमें आप दिलचस्पी लेते हैं। मैं कहता हूँ कि यह जो दल बदली की बीमारी है इससे देश खोखला होता जा रहा है, विदेशों में हमारा चित्र बहुत चिनीना दिखाई देने लगा है कि भारत की पार्लियामेंट के सदस्य खरीदे जाते हैं। यह हमारी संस्कृति के लिये एक कलंक है और इसको रोकने के लिये एक विधेयक आपको लाना चाहिये। मैं समझता हूँ कि सदन के सभी सदस्य उसका समर्थन करेंगे।

15 hrs.

जहां तक राष्ट्रपति का सवाल है विधेयक के सम्बन्ध में इसका मैं समर्थन करता हूँ। लेकिन चाहता हूँ कि दल बदल की बीमारी रोकने के लिये आप को विधेयक लाना चाहिये जिससे हमारे देश के अन्दर प्रजातन्त्र की जड़ें मजबूत हों।

SHRI D. D. DESAI (Kaira) : This is one more case of the State Government having succumbed to Central pressures. Before the split in the Congress this particular Government under Nijalingappa was considered to be a good Government and consequently he was elected Congress President and Veerendra Patil took over the Government. Unfortunately we found that after split that Government was not considered competent and so that was toppled. We all know what amount of work Shri Nijalingappa and subsequently his successor Shri Veerendra Patil had done in Mysore. They have undertaken extensive irrigation works and several thousands of pump sets were electrified. The Shrivati hydel project was completed due to their tireless efforts. They also set up one of the largest aluminium plants in the country and industrialisation of Mysore was on its way. Unfortunately a situation has now developed when it has not been found possible for the Government to go ahead with its plans. The Central Government should take the fullest care during the President's rule to see that the progress that Mysore was making under its earlier regimes would continue. It has its problems which are well-known. They have been debated here in the past. We would very much like that those problems are solved in an amicable and sympathetic manner. We have to express our deep regrets that the State Governments which are opposed to the central regime are toppled in spite of their being elected in a democratic manner. We have democracy in this country and we trust that when representatives are elected democratically, we feel that unfair means should not be employed to dislodge the wishes of the people. We are sure that the Centre itself will in course of time take full notice of the consequences of such a situation and we feel that it is necessary for us to bring this to the attention of this House.

\*SHRI G. VISWANATHAN (Wandiwash) : Hon. Mr. Deputy Speaker, Sir, it is highly

[Shri G. Viswanathan]

regrettable that Mysore State should have come up here for discussion in this House. Generally, in many States the democratically elected Governments have fallen and it is a matter of deep regret that Mysore State also should be one among them, where the popular Government has not been able to function. The Dravida Munnetra Kazhagam has accepted unreservedly the principle that, whichever political party may be in power, there should be a Government elected by the people. It is immaterial whether it is the Old Congress Party or the New Congress Party that is in power. But, it is of paramount importance that there should be a duly elected Government by the people exercising their franchise freely and fearlessly. The epidemic of defection which is in an endemic form today throughout the country has brought down the Veerendra Patil Government in Mysore State. I do not want to enter into any discussion as to whether that Government did well or not. But the hopping of legislators from one political party to another deserves outright condemnation.

Sir, I remember very well having read a news item that when the General Secretary of the New Congress, Shri Uma Shankar Dixit was camping in Mysore, a number of Members of the Assembly including the Minister of Veerendra Patil Government were standing in a queue for long hours with applications in their folded hands for entry into the New Congress. This unsavoury episode clearly illustrates that the Congress legislators belonging either to the Old Congress or the New Congress would not like to remain for ever out of power and they cannot reconcile themselves to the situation of sitting in Opposition and discharging their duties as such. We find that the New Congress has closed its doors to the Members of Old Congress. If only the doors of the new Congress are kept ajar, there will undoubtedly be an onrush of Old Congress Members seeking entry.

I can very well imagine the pangs of remorse of Shri Nijalingappa, the former President of Old Congress, that he should be a witness to the sordid state of affairs in his own Home State.

Mysore is one of the progressive States of

our country. It also happens to be our neighbouring State. We, the people of Tamil Nadu, have always wished them well and would continue to do so. The two States have very cordial relations for ages. The people of the two States are bound by common cultural links and the languages spoken by the people of the two States are of Dravidian origin. Bangalore, the capital of Mysore State, is a cosmopolitan city with people speaking different languages.

I would like to refer to a dispute that has arisen between these two neighbours, which has created tension and misunderstanding among the people. This, Sir, relates to sharing of Cauvery waters. The two popular Governments could not come to a negotiated settlement. Unfortunately, now there is President's rule in Mysore. The Tamil Nadu Government has persistently been demanding that this issue be referred to a Tribunal. Recently, in an all-party meeting convened under the chairmanship of the Chief Minister of Tamil Nadu, Kalaingar Karunanidhi, this demand has been endorsed unanimously. If the friendly relations between these two States are to be fostered and further strengthened, it is imperative that the Central Government intervene immediately and find an amicable solution by referring this dispute to a Tribunal. We realise that we are sustained by the waters of Cauvery. It is also not our intention that Mysore should be deprived of its due share of Cauvery waters. In fact, it is our cherished desire that both Tamil Nadu and Mysore flourish and prosper together by utilising the waters of Cauvery.

Mr. Deputy Speaker, Sir, to our utter dismay we find that the Government of Mysore is proceeding fast with their plan of construction of dams across Hemavathi, Kabini and Harangi—the tributaries of Cauvery. If this is permitted, Tamil Nadu will become a vast arid zone. The Governor of Mysore is more vociferous than the democratically elected Government had been and swears that these dams will be completed soon. I would appeal to the Central Government that the people of Tamil Nadu should not be deprived of their legitimate share of Cauvery waters. I would also request the Central Government to intervene and refer the issue to a Tribunal immediately. With these few words, I conclude.

SHRI B. V. NAIK (Kanara): Sir, I rise

to support the Bill that has been brought forward, in regard to the President taking over the powers to legislate in respect of Mysore. In the course of the discussion, quite a few points have been thrown up. A large number of them deal either with the political vested interests or regional vested interests. As per the advice given by the Deputy-Speaker, I would like to confine myself to the basic issues that are involved, but we cannot divorce them from the surrounding political atmosphere.

In regard to the oft-mentioned toppling game, that is one of the most favourite stories going round that there is some sort of a master mind at New Delhi or elsewhere...

SHRI P. K. DEO (Kalahandi) : It is going to recoil on you.

SHRI B. V. NAIK : We are not worried at the recoiling. We have been associated with the political developments in Mysore right from the beginning, when we assembled on the 17th March. An opportunity was given by the Governor to form a ministry. But if opportunistic politicians change their colours to suit their own self-advancement in political life, we cannot say this is done through some master mind toppling this or that government. That has been the drawback in our public life.

I would not like to give any publicity to the previous rulers of Mysore, but the ex-Government presented a sort of budget and thereafter vacated their posts at the most critical time. If they had stayed on for 10 days more, which was possible, at least the salaries of the officials of the Mysore Government could have been paid. It was a sort of a tactical move to put the elected MPs from Mysore and the Central Government into a sort of discomfiture. Like *prima donnas*, they have vacated their posts with tears in the eyes of some members of the Mysore Government.

Now comes the problem of the Governor's rule. I have met Mr. Dharma Vira. Perhaps he wants to live down his reputation that he gathered in West Bengal. Perhaps that is haunting him. At the time when he was responsible for the overthrow of the West Bengal Government, he was called the lackey of the Central Government. Perhaps in the closing phase of his really brilliant career he is now trying to prove that he is nobody's lackey.

That is the reason why many of us, Members of Parliament, today feel that we are not being consulted on major issues. I know him personally and I have talked to him and put it to him....

AN HON. MEMBER : Is he a friend of yours ?

SHRI B. V. NAIK : He is an acquaintance of mine. I will not call him my enemy. There is no personal enmity between us.

I have seen him work as though he were a civil servant and I want to see him work as a Governor. We, the elected Members of Parliament, had been at pains to tell him that he, who had been a civil servant in the past, is not after all the Chief Secretary but that he is the Governor and therefore he is even above the Chief Minister and, to that extent, he is a political appointee and as a political appointee he cannot take administrative decisions without ascertaining the will of the people. And the will of the people has been proved unquestionably when they elected every Member of Parliament from everyone of the constituencies of the State of Mysore and, to that extent, on the basis of friendly persuasion we have been trying to tell him, and in fact we have convinced him, that the will of the people can be asserted by the people who have received a fresh mandate. If out of these 27 people some of us may be inexperienced, some others are definitely experienced. Now, if this is done, I think many of the problems of the State of Mysore and its administration will vanish into the air.

MR. DEPUTY-SPEAKER : I think the Bill proposes to do that.

SHRI B. V. NAIK : That is why I support it, Sir.

Then I come to my second point. We are now going to give powers to the President. Ultimately, what will it boil down to? The proposals that have been worked out by somebody in the Mysore Government Secretariat would be approved by the Centre. Herein, I would plead that at least the problems of administration of Mysore should be solved during this interim period. During the seven or eight months or whatever time is left at their disposal, they should try to solve those problems of administration which the old administration

[Shri B. V. Naik]

because of their political pressures have been refusing to solve. In fact, they, even connived at them. We have a State of Mysore which is a composite State which would break up unless we are able to solve the service controversy. Each area has got its own pulls and counter pulls. Now that there is a sort of a vacuum I think a great service could be done to the State of Mysore if the inter-state seniority rivalry that is going on between various zones due to the political pressures, is solved permanently and once for all in spite of justice for some and injustice for a few others. I would urge that the Centre should put as much pressure as they can upon this State to see that this inter-State seniority controversy is resolved before the popular government comes into power.

\*SHRI M. SATYANARAYAN RAO : Mr. Deputy Speaker, Sir, I am sorry to note that for the last two or three days this House has been discussing issues concerning President's Proclamations in Gujarat, Punjab and Mysore and the consequential legislation. I wonder how long this business will continue in this House. I feel that Government should give a serious thought to this aspect.

Congress (R) and Congress (O) have their own scores to settle. We are not concerned with those controversies between them. Even when they were united, they had their problems. And now, after the split, each is criticising the other.

Sir, I am not supporting this Bill. If the delegation of power is not given to the President, then this House would have had an opportunity to discuss the various issues involved. Not only the Hon'ble Members from Mysore but others from the various sections of the House would have had the opportunity to discuss the matter. But unfortunately this has not happened.

The power of the Legislature of the State of Mysore to make laws is sought to be conferred on the President, through this Bill. But, Sir, this conferment of the power is in name only as, in actual practice, it is the Ministry of Home Affairs or more probably the Congress (R) who would be wielding the power.

Recently we have seen the controversy regarding the Governor of Mysore, Shri Dharma

Vira. As per the newspaper reports, the Congress (R) members alleged that the Governor had nominated only the Congress (O) leaders to certain bodies in the State. Sir, the Governor is in an unenviable position. If he does something, he is blamed by one party or the other. Even if he is impartial and unbiased, he does not escape the stigma. In the case of the Governor of Mysore, Sir, he was summoned to Delhi and had to apologize. If he had not done so, I wonder what would have happened to him. It is only because of this, Sir, I feel that the power of Parliament to legislate for Mysore State should not be delegated to the President.

SHRI S. B. PATIL (Bagalkot) : Mr. Deputy Speaker, Sir, I thank you very much for your permission to speak on the subject we are discussing today. Sir, many friends from both Mysore and other States have expressed their views on the subject but our friend Mr. Viswanathan from Madras has referred to the Cauveri River Water Dispute. I do not want to go into the details because this discussion is a restricted one. When our friend referred to this matter—it is an important matter for both Tamil Nadu and Mysore—he suggested that the dispute might be referred to the tribunal.

Sir, we have no popular Government in Mysore. Unfortunately, Governor's rule is there. Many of our friends expressed that the Governor is dictatorial and I do not want to go into the details. Regarding the Cauveri River Water dispute, Mysore had sent the proposal for clearance to the Central Water and Power Commission. The Central Water and Power Commission has not given the clearance to the scheme. Sir, I hope that there is no question of referring the matter to the tribunal now. Tamil Nadu and the Mysore State—after formation of popular Government in Mysore—can mutually discuss and settle the matter.

As regards the other point I want to urge the Government that Ghataprabha Left Bank Canal Scheme which is one of the major irrigation schemes has not so far been given clearance by the Central Water and Power Commission. The Mysore Government submitted this scheme for their clearance in the year 1967. Still in 1970 they have written back to the State Government that some information is

\*The original speech was delivered in Telegu.

required for giving clearance. I do not know what Central Water and Power Commission is doing—whether it is giving clearance or giving no clearance. I do not understand the mentality of the Central Water and Power Commission which is under the Ministry of Irrigation and Power.

Then, our friend has referred to the Mahajan Commission. This is an important point. The Mahajan Commission had submitted its report long ago about the dispute between Maharashtra and Mysore. The Government is silent on this matter. In our border areas the people are pressing for the implementation of the Mahajan Commission's report immediately and for solving the problem. I do not want to go into details.

With these words, I support the Bill.

SHRI P. K. DEO (Kalahandi) : Mr. Deputy-Speaker, Sir, I would not like to do *post mortem* of the circumstances which led to the fall of the Veerendra Patil Government but would offer my observations so far as this Bill is concerned.

This Bill is not so simple and innocuous as it looks. It envisages to give blanket power to the Government of India so far as the government of Mysore is concerned. Legislation could have been initiated in this Parliament but this Bill provides to delegate all parliamentary powers to the President which means that the President will act on the advice of the Council of Ministers, which means, the Home Ministry. So, for all purposes, the Home Ministry is going to decide the destiny of the people of Mysore.

So long as our good friend, Shri Mohsin, from Mysore State, is there, I do not think any harm could be done. I hope, he will fulfil the aspirations of the people of Mysore State—all the big hopes and the big promises that had been given for *garibi hotao* and the election promises would be fully implemented. I hope, he will be responsible to nobody and a free hand would be given to him to solve all the outstanding problems of Mysore State.

I also hope that he will immediately implement the Mahajan Commission's Report, which has been hanging fire for the last so many years, and will give Mysore due justice about Belgaum and other areas. I hope, he will not

be elbow-twisted or pressurized by the Maharashtra interests in his Government.

DR. KAILAS (Bombay South) : Maharashtra-rians want justice.

SHRI P. K. DEO : Secondly, the inter-State water dispute regarding the Krishna waters has taken such a long time before the Krishna-Godavari Tribunal appointed under article 262 of the Constitution. If this thing is allowed to go on, I think, the Mysore people will not get justice. At the cost of Mysore, the Andhra Government has been carrying on new construction of various projects like Pochampad, Nagarjunasagar and so on. I hope, so long as Shri Mohsin is there, he will look after the interests of Mysoreans.

MR. DEPUTY-SPEAKER : Shri Shenoy.

SHRI P. K. DEO : I have not concluded yet.

MR. DEPUTY-SPEAKER : You have not concluded.

SHRI P. K. DEO : At your direction, I conclude now.

SHRI P. R. SHENOY (Udipi) : Mr. Deputy-Speaker, Sir, the popular ministry in Mysore State collapsed under the pressure of the massive mandate given to the ruling party in the mid-term election to Lok Sabha. It was then hoped that there would be elections to the State Legislature immediately. But the climatic conditions and certain other factors were against such a proposition. So, the people of Mysore had to choose between Governor's rule and rule by a new ministry to be formed with the support of unpopular defectors. It was like choosing between the devil and the deep sea. The choice has already been made and we have to go through the Governor's rule now for some time to come.

The Governor should rule the State not arbitrarily and independently during the period of the President's Proclamation but with the aid and advice of an advisory committee to be formed under the authority of the President.

MR. DEPUTY-SPEAKER : That is what the Bill provides.

SHRI P. R. SHENOY : That is only for legislative purposes. According to the present Bill, the President can make laws instead of the Parliament and the President has to make laws in consultation with the Consultative Committee. But the Governor can go on exercising the executive powers without consulting anybody, though, in theory, he is doing so under the authority of the President. The Government should always appoint an Advisory Committee to aid and advise the Governor whenever President's Rule is imposed in a particular State.

I am happy to know that the Central Government is anxious to hold elections to the State Legislature as early as possible. I suggest that the elections may be held either in the month of October or in early November after the rainy season and the harvesting season is over.

Certain legislative measures are to be taken up immediately without waiting for the end of the President's Rule. The Mysore Land Reforms Act should be amended in order to settle disputes between landlords and tenants quickly and the "fair rent" under the Act should be fixed not with reference to the gross produce which can never be fixed for a long time to come under the present procedure but with reference to the land assessment. The waste land should be distributed to the landless unemployed. Those who want to engage themselves for self-employment must be given loans by the Government. To solve the housing problem, the Government must encourage housing cooperatives. So, the Government should give loans and land to the people who want to build houses in urban areas.

Then, certain projects which were taken up by the Government could not be implemented speedily because of the want of clearance by the Central Government. I make use of this opportunity to request the Central Government to give early clearance to these projects.

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI MOHSIN) : Mr. Deputy-Speaker, Sir, this is a non-controversial Bill. By virtue of the Proclamation issued by the President on 27th March, 1971, under article 356 of the Constitution, the powers of the Mysore State Legislature are now exercisable by or under the

authority of Parliament. Under article 357 (1) (a) of the Constitution, it is permissible for Parliament to confer on the President the power of the Legislature of the State to make laws, and to authorise the President to delegate, subject to such conditions as he may think fit to impose, the power so conferred to any other authority to be specified by him in that behalf.

So, we have got this Bill now to confer the powers on the President to legislate for the Mysore State. The hon. Members may appreciate that it will be difficult for Parliament to take legislative measures for all the States. It may be impossible to find time. It is only with this objective in view that this Bill has been brought forward on the usual lines. In respect of other States which are under President's Rule, such powers are given to the President to legislate. There is nothing unusual about this Bill. The President shall, whenever he considers fit and practicable to do so, consult the Committee constituted for the purpose. The Committee will consist of about 60 Members of Parliament, 40 from the Lok Sabha and 20 from the Rajya Sabha, which will be consulted by the President at all times. It may also consist of Members from the Opposition. Unfortunately, for the Opposition, all the Members of the Lok Sabha from Mysore are from one party. So, others may not be disheartened. In the Consultative Committee, the Opposition Members from other States also will find a place.

AN HON. MEMBER : Members from other places.

SHRI MOHSIN : Yes, but it cannot be from our State because in our State all of them belong to one party.

So, there need not be any apprehensions as regards the powers that are going to be conferred on the President in this connection and those powers are also controlled by some clause of this Bill. Clause 3 of the proposed Bill makes provision for parliamentary control over the legislation enacted by the President. It is not as if the Parliament will not have any control over the legislation. Either House of Parliament may, by resolution passed, within 30 days from the date on which the Act was enacted by the President in exercise of the delegated powers and placed before it, direct that modifications be made in the Act. If the modifications are agreed to by the other House, they shall be given effect to by the President by enacting an amending Act. So, it will thus be seen that the

delegation to the President will not be absolute and the essence of parliamentary control will still be there. So, my friends need not have any apprehension on this score.

My Bengali friend and hon. Shri Phool Chand Verma said about the toppling of non-Congress Governments in the States. Perhaps, they do not know what the situation in Mysore was. It was just the other way.

**SHRI P. K. DEO :** How is this relevant, Sir ?

**SHRI MOHSIN :** It was referred by some hon. Members. They have said it. Therefore, I have to take notice of it.

As a matter of fact, our Party is not interested in toppling any Government. They were toppled by themselves. How could we be blamed for that ? *(Interruptions)*..... As regards Mysore an as hon. Member said, members were standing in the queue to see Mr. Uma Shankar Dixshit when he came there. It was just the other way. Even when the door was closed and we did not want them, still they were knocking at our doors. This was the situation. Not that we wanted them to defect. Neither did we want the Government to be toppled *(Interruptions)*..... I have heard you. Please hear with me. It is in everybody's knowledge that the Government in Mysore was toppled later on but not by our Party but by the masses themselves. After the massive mandate from the people during the Lok Sabha elections, the members in the Legislature began to be afraid *(Interruptions)*..... They knew what is going to be their fate in the next elections. So, they left their Party in a hurry and wanted to join our Party. In fact, our Party had enough strength to form a ministry. Still we did not want to form the Government with the assistance of these defectors. That is the attitude we took about defections. We do not want any defections from any Party.

Sir, much has been said about defections. .... *(Interruptions)* I do not want to yield. I did not interrupt you when you spoke.

As regards defections, our Government is very sincere about bringing a legislation in this regard. We do not want any defections from any Party. Our friend, Mr. Jyotirmoy Bosu, knows that the Prime Minister met the Opposition Leaders in December, 1970 and the

Government consulted the Opposition Leader<sup>s</sup> in this connection as to what should be the basis for such a legislation. Later on, a letter was also addressed to all the Opposition Leaders seeking their opinion and support for such a legislation to see that defections do not take place in future. But, even to-day, I am sorry to say, some of the Opposition Leaders have not even replied,..... *(Interruptions)* This is the cooperation we are getting from the Opposition. They say so many things, but when it comes to actual practice, many go back. Sir, this is the co-operation we get. We are very sincere to bring legislation on defections and we solicit the co-operation of all the Parties here as also in the States because defections may take place even in State Legislatures..... *(Interruptions)* Many things were said in favour and against the outgoing Ministry of Mr. Veerendra Patil. I do not want to pass any remarks about the observations made in this regard. I do not want to speak ill of the dead.

Many things were said about the Governor by our Bengali friend and by other friends also. Our Bengali friend stated that the present Governor helped the ruling party for defecting legislators from Congress (O) to join Congress (R). You have to hear the other side also. Members from our party are saying so many things against the Governor himself. Anyway, these are matters which may not be discussed here, because they are not so relevant. We are conferring powers to the President, not to the Governor and the Governor does not come into the picture as far as this Bill is concerned.

I have already replied to Mr. Desai. M.: Viswanathan referred to the Cauvery Water dispute and also Mr. S. B. Patil. There are differences on the use of Cauvery Waters between Mysore and Tamil Nadu. Efforts were made by the Centre to resolve the disputes by negotiation. The last meeting of the State Ministers in this connection was convened by the Union Minister of Irrigation and Power, in October, 1970. It was not found possible to arrive at any consensus. The Governments of Kerala and Tamil Nadu have requested that a Tribunal should be constituted to adjudicate in the matter and further action to be taken in this regard for solving the differences between these States on the Cauvery Waters is under the consideration of the Government of India at the highest level.

[Shri Mohsin]

I am thankful to Raja Saheb Mr. P.K. DEO for his kind words regarding me. He has reminded me about the development to be made in Mysore State, about *garibi hatao* schemes to be implemented. He has been a very good friend of mine. Perhaps if he was not born a Raja, he would have been with us. Unfortunately that birth comes in the way of joining our party.

About the *garibi hatao* programme we are very particular to implement such programmes. We solicit his cooperation and broadmindedness to sacrifice a bit at least for the *garibi hatao* programme and I am sure my friend will not disappoint me.

Many other suggestions were made by some friends, Mr. Naik and some others. One was about inter-State seniority list and other things. All these things will be conveyed to the President.

With these words, I appeal to the House to support the Bill.

MR. DEPUTY SPEAKER : The question is :

"That the Bill to confer on the President the power of the Legislature of the State of Mysore to make laws, as passed by Rajya Sabha be taken into consideration."

*The motion was adopted.*

MR. DEPUTY SPEAKER : We have taken up clause-by-clause consideration. The question is :

"That clauses 2, 3, and 1, the Enacting Formula and the Title stand part of the Bill".

*The motion was adopted.*

*Clauses 2, 3, and 1, the Enacting Formula and the Title were added to the Bill.*

SHRI MOHSIN : I beg to move :

"That the Bill be passed."

MR. DEPUTY SPEAKER : The question is :

"That the Bill be passed."

*The motion was adopted.*

15.44 hrs.

STATUTORY RESOLUTION RE: WEST BENGAL SECURITY (TRIPURA RE-ENACTING) SECOND AMENDMENT ORDINANCE

MR. DEPUTY SPEAKER : We will now take up the Statutory Resolution in the name of Shri Jyotirmoy Bosu.

SHRI JOYTIRMOY BOSU (Diamond Harbour) : I beg to move :

"This House disapproves of the West Bengal Security (Tripura Re-enacting) Second Amendment Ordinance, 1971 (Ordinance No. 4 of 1971) promulgated by the President on the 3rd May, 1971."

The West Bengal Security (Tripura Re-enacting) Second Amendment Ordinance is yet another detention ordinance specially meant for the colony of the Centre named Tripura. This ordinance as usual is meant for continuing repression and for deriving political advantage out of that for the ruling party. It is a desperate attempt to rehabilitate politically the Congress Party in Tripura.

15.46 hrs.

[SHRI K. N. TIWARY *in the Chair*]

During the past two or three years, we have seen them following a policy of deputing such officials as had earlier experience of handling peasants' and workers' agitations, that is, handling communist movements or movements led by the communists. We have known one superintendent of police who was taken there as IG, his background and his notoriety. That is the type of officials that they want to send to these small places to terrorise the people and to terrorise those who lead and organise agitations against exploitation and repression. Otherwise, how could one explain this ordinance ?

The parent Act was originally meant for West Bengal, and it had expired. This ordi-