

[Mr. Speaker]

themselves to serve as members of the Central Silk Board, for the next term commencing from the 3rd May, 1965."

*The motion was adopted.*

**Mr. Speaker:** If Mr. Kamath has objection to something in Hindi, he may read the English version.... (Interruptions.)

**Shri Hari Vishnu Kamath:** I have no objection to English words being retained. But let there be some method in our madness.

**Mr. Speaker:** We have just begun. If we are making mistakes, we will profit by these mistakes.

**Shri H. N. Mukerjee** (Calcutta Central): This is a paper which comes out with your imprimatur. I remember that he was mentioning this particular equivalent in Hindi for the word coffee even earlier. Now, is this expression '*kahwa*' the one used for coffee by the Hindi people in this country?

**Shri Kapur Singh** (Ludhiana): May I say a word about this *kahwa*?

**Mr. Speaker:** It must not be taken too seriously.

श्री किशन पटनायक (सम्बलपुर) :  
काफ को सिर्फ हिन्दुस्तान में ही नहीं बाहर  
भी कहवा कहते हैं ।

**Mr. Speaker:** I do not think this *kahwa* or coffee is so stimulating to all members. It is a simple matter. It has been used by the Law Ministry in some Bill and we had to follow it. If the hon. Members can suggest us something better, we would adopt it.

**Shri Hari Vishnu Kamath:** Retain the words 'coffee Board'. Board is board there.

**Shri Hem Barua** (Gauhati): It is a hybrid marriage between *kahwa* and board, something extraordinary.

**Mr. Speaker:** If we begin to criticise and comment on this, there would be no end to it. We take up the Kerala Budget now.

**Shri Kapur Singh:** Since so many comments have been made about this word, may I be permitted to say a word about it?

**Mr. Speaker:** I do not think it requires any discussion now. The Kerala Budget. Shri Kappen may begin.

**Shri Hari Vishnu Kamath:** Sir, on a point of order.

**Mr. Speaker:** Let him begin.

**Shri Hari Vishnu Kamath:** The motion on the budget is not in order, he cannot begin.

12.23 hrs.

KERALA BUDGET—GENERAL DISCUSSION; DEMANDS FOR GRANTS ON ACCOUNT (KERALA), 1965-66 AND; SUPPLEMENTARY DEMANDS FOR GRANTS (KERALA), 1964-65—*contd.*

**Mr. Speaker:** Mr. Kapur Singh may raise his point of order. He will have preference because he had written to me in the morning.

**Shri Hari Vishnu Kamath** (Hoshangabad): I have no objection.

**Shri Kapur Singh** (Ludhiana): May I refer to *kahwa* board now, in the first instance, Sir?

**Mr. Speaker:** No. He may proceed with his point of order on the Kerala Budget.

**Shri Kapur Singh:** Sir, I wish to raise a point of order under Rule 376 of the Rules of Procedure and Conduct of Business in Lok Sabha with regard to the presentation and discussion of this Budget in the House. Under article 356 of the Constitution

the President has dissolved the Kerala State Assembly by the proclamation of presidential rule in Kerala on the 10th September, 1964. Normally it is the State Assembly that is responsible for the approval of the Budget of the State Exchequer and the Central Government only comes into the picture when the State Government is not functioning under the emergency provision. It was under article 356 that the Union Government acquired the right after 10th September, 1964 to introduce the Kerala Budget in the Parliament so that necessary sums could be appropriated for the expenditure of the State Government. The Kerala Budget now before the House was introduced under the proclamation dated 10th September, 1964 which, as we are aware, has been revoked on the 24th March, 1965. Immediately the powers come back to the State Assembly when such a revocation is made. The State Assembly, however, has again been dissolved. (*Interruption*).

**Shri Ranga (Chittoor):** Not dissolved; but put out of action.

**Shri Kapur Singh:** It has been put out of action; put into desuetude; it has been killed; it has been prematurely strangled, or whatever hon. Members would like to say. Consequently, the power of passing the State budget comes back to the Centre but only under the new proclamation dated 24th March, 1965. The Kerala Budget which is before the House is under the old proclamation. The moment the proclamation of 10th September, 1964 was revoked, all Bills, etc., pending before the Parliament automatically lapse. Hence the budget which we are discussing now has already lapsed. I therefore ask for your decision on this point of order.

**Shri Hari Vishnu Kamath:** By your leave, Sir, I would like to reinforce

what my hon. friend Shri Kapur Singh has so ably stated before the House. May I also invite your attention to the striking, rather the shocking fact that the Kerala Legislative Assembly has been dissolved even before it was convened; even before it was duly, formally, legally and constitutionally constituted? The powers of dissolution of any legislature, and the issuance of the proclamation by the President with regard to this can be exercised only when the particular legislature is in existence, has been formally constituted. But even before it was constituted, it has been dissolved. That means to say, there was nothing for the President to dissolve, and therefore, I think that the proclamation of the President, or by the Vice-President discharging the functions of the President, which was issued a couple of days ago, dissolving the legislature is not in order. Therefore, neither under the first proclamation which has been revoked, nor under the new proclamation which is illegal or unconstitutional, has the Government got any powers to bring the Kerala Budget before the House.

**Mr. Speaker:** Would the hon. Minister like to answer?

**The Deputy Minister in the Ministry of Law (Shri Jaganatha Rao):** May I submit that under article 172 of the Constitution, the life of a State Legislative Assembly is five years unless sooner dissolved. The Kerala Legislature which was constituted after the recent elections on the 4th March was dissolved—(*Interruption*).

**Some hon. Members rose—**

**Shri Hari Vishnu Kamath:** Give us the date of its constitution.

**Mr. Speaker:** Order, order. The hon. Minister should be allowed to speak.

**Shri Nath Pai (Rajapur):** The Deputy Minister knows that the Assembly becomes constituted, it is consti-

[Shri Nath Pai]

tuted, when members come and take the oath, when the Governor addresses, and so on. All these procedures are there. The Governor must summon the Assembly. We have all been seeing these functions. The Governor must first summon the Assembly and then the members come and take the oath. (*Interruption*).

**Mr. Speaker:** Now he is proceeding into an argument. Let the Minister finish his remarks. Arguments may be wrong.

**Shri Jaganatha Rao:** The elections to the Kerala Legislative Assembly were held on the 4th March. Members were elected to the Assembly. The Assembly was not formally summoned. (*Interruption*).

**Shri Hari Vishnu Kamath:** The cat is out.

**Shri Jaganatha Rao:** It makes a little difference. It was not formally summoned by the Governor. Meanwhile, the President has issued a proclamation under article 356 of the Constitution, before the Assembly was summoned and.....

**Mr. Speaker:** He has only to argue whether the Assembly has been duly constituted.

**Shri Jaganatha Rao:** I can say that the Assembly was not summoned, but the constitution of the Assembly, according to me, is complete the moment the elections are completed, and the notification was issued by the Election Commission as required under the law. Before the Assembly could be convened for any purpose, the President, under article 356, has issued a proclamation. Therefore, there is no question of any irregularity in bringing the Kerala Budget before the House.

**Shri H. N. Mukerjee** (Calcutta Central): It seems to me a fantastic argument which the Deputy Minister in the Ministry of Law has chosen to make. (*Interruption*). My submission is that the Legislative Assembly cannot be conceived to have been constituted merely by the fact of a notification by Government of the election of certain members to that body. My submission is that the constitution of an Assembly requires that after the election of the members to that body, there should be a meeting of the legislature where the oath or affirmation is taken by the members concerned. Before the oath is made or affirmation is made, it is not legitimate for a member to call claim that he is a full-fledged member of the Assembly. In the absence of full-fledged members of the Assembly to claim that the Assembly has been constituted, consisting presumably of full-fledged members and that constituted Assembly can be dissolved or not dissolved is an argument which seems to imply that the Minister concerned does not seem to have his head over his shoulders. There must be some sensibility, some evidence of intelligence as far as the Government is concerned.

**Mr. Speaker:** He should not go so far. Supposing subsequently I also hold like that? The Minister has to reply. Then suppose he says something about the hon. member? What is the use of this sort of exchange?

**Shri H. N. Mukerjee:** Sir, I submit to your guidance in this matter, in so far as the possible use of language a little too surcharged with my own feelings on this matter is concerned. But I do wish to submit to you that after all when we are trying to proceed in a manner which is in conformity with the law of the land, things should be done in a more intelligible fashion. If it is the claim of Government that merely by gazette notification of the election of certain members to a Legislative Assem-

bly, that Legislative Assembly can be assumed to have been constituted and therefore a constitute A ssembly can also be dissolved by Government order, surely that goes against the grain. That is my submission.

**श्री मधु लिमये (मुंगेर) :** अध्यक्ष महोदय, मैं इस पर थोड़ी रोशनी डालना चाहता हूँ। (हस) यह हंसने की बात नहीं है। आपु ने अध्ययन नहीं किया है तो सुनिए, यह क्या तरीका है? अध्यक्ष महोदय, आप हमें तो डांटते हैं, उन को भी रोकिए।

मैं यह अर्ज करना चाहता था कि मैं ने परसों आप का ध्यान संविधान की विभिन्न धाराओं की तरफ खींचा था, और उस वक्त मैं ने धरा 172 का भी जिक्र किया था, और मैं ने यह कहा था कि अगर उस को जल्दी समाप्त नहीं किया जाता है तो विधान सभा पांच साल तक चल सकती है, उस की प्रथम बैठक के बाद। और फिर मैंने आप की तवज्जह धारा 174 की ओर भी दिलायी थी, और कहा था कि राज्यपाल को जो अधिकार है विधान सभा को समाप्त करने का उस का जिक्र धारा 174(2) में है। फिर उस के बाद मैं ने यह कहा था कि जो धारा 176 है उस में यह कहा गया है कि जब विधान सभा की प्रथम बैठक होती है, या दोनों सदनों की होती है, तो राज्यपाल को अपना अभिभाषण देना चाहिए। अब मैं आप से यह निवेदन करना चाहता हूँ कि इन धाराओं में कहीं भी "कनवीन" या "कांस्टीट्यूट" इन शब्दों का प्रयोग नहीं है।

मैं रिप्रेजेन्टेशन आफ पीपल्स एक्ट की तरफ भी आप का ध्यान खींचना चाहता हूँ कि जिस में एक धारा में कहा गया है कि चुनाव के बाद जो चुने हुए सदस्य हैं उन के नाम गजट में प्रकाशित किये जाते हैं, इलैक्शन कमीशन के द्वारा, और यह जो प्रकाशित करने का काम है उसी को ही कानून में विधान सभा को

कांस्टीट्यूट करने का काम कहा गया है

अब सवाल यह है कि विधान सभा कांस्टीट्यूट तो हो गयी मेरी दृष्टि में जब कि वह गजट में ऐलान हो गया, लेकिन कहीं भी यह साफ नहीं है विधान में, आईन में, कि क्या केवल कांस्टीट्यूट होने से इस की आवश्यकता नहीं रहती है कि विधान सभा की बैठक हो। तो अध्यक्ष महोदय, यह मामला जितना आप साफ समझते हैं उतना साफ नहीं है, और उस पर पहले यहाँ बहस करने का पूरा मौका देना चाहिए। आप ने तो कहा कि आप सुप्रीम कोर्ट के पास जाइए। मेरी समझ में नहीं आता कि सुप्रीम कोर्ट के पास मैं कैसे जा सकता हूँ क्योंकि यह कोई मूलभूत अधिकार का प्रश्न नहीं है और सुप्रीम कोर्ट को कोई ऑरिजनल जुरिस्टिक्शन भी नहीं है। हो सकता है कि केवल विधान सभा के कुछ सदस्य अनकुलम के हाईकोर्ट में इस बात को रख सकते हैं, लेकिन मेरे जैसा आदमी नहीं रख सकता। मैं समझता हूँ कि यह पूरे देश का सवाल है और जो जम्हूरियत के हमारे व्यापक अधिकार हैं—गो कि वह बुनियादी अधिकार नहीं हैं—उन की जब हत्या होती है तो मेरे लिए क्या चारा रह जाता है। इसलिए मैं आप से नम्र निवेदन करता हूँ कि केरल की इस समस्या पर आप काफी समय दें और आवश्यकता समझें तो इस के लिए विशेष सत्र भी बुला सकते हैं। जो कुछ आप को करना है आप मंत्रियों से बात कर के तै कीजिये और इस के लिये पूरा मौका मिलना चाहिए। आप ने कहा कि सर्वोच्च न्यायालय के सामने जाइये, लेकिन यह राजनीतिक मसला है, संविधान में उस के ऊपर कोई प्रकाश नहीं मिलता है हम लोगों को। मैं ने इस के जो दूसरे पहलू हैं वे भी आप के सामने रखे हैं। इसलिये समय दिया जाए यहीं मुझे आप से कहना है।

**श्री बड़े (खारगोन) :** इस में दो प्वाइंट आफ ऑर्डर हैं। एक तो श्री कपूर सिंह जी ने

[श्र बड़े]

रखा है क्या यह केरल की सप्लीमेंटरी ग्रान्ट्स हाउस में चल सकती हैं क्योंकि दूसरी असेम्बली कांस्टीट्यूट हो चुकी है। दूसरे मधु लिमये साहब ने कहा है कि पीपिल्स रिप्रेजेंटेशन एक्ट के अनुसार गजट में सदस्यों के नाम प्रकाशित होने के बाद असेम्बली कांस्टीट्यूट होती है। अगर आप मधु लिमये साहब की बात को ठीक मानते हैं तब तो कानून के अनुसार इस शिकायत में ज्यादा जोर नहीं है कि असेम्बली कांस्टीट्यूट नहीं हुई। अगर पीपिल्स रिप्रेजेंटेशन एक्ट के अनुसार असेम्बली कांस्टीट्यूट हो चुकी है तो आप को देखना चाहिए कि क्या हम इन ग्रान्ट्स को जैसी वह हैं पास कर सकते हैं या नहीं। श्री कपूर सिंह ने आप के सामने यह प्वाइंट रखा है कि आप हाउस में सप्लीमेंटरी ग्रान्ट्स तब तक नहीं ला सकते जब तक कि केरल का नया बजट हमारे सामने न आ जाए। इसलिए पहले नया बजट यहां प्रस्तुत होना चाहिए।

**Shri Tridib Kumar Chaudhury** (Berhampur): We are on the limited question about which budget we are considering, whether the budget that was presented originally—the vote on account budget when the previous proclamation was in force or a new budget, whether the same thing continues or not.

**Mr. Speaker:** Does the Finance Minister want to say anything?

**The Minister of Finance (Shri T. T. Krishnamaechari):** I think the Education Minister might perhaps enlighten the House.

**The Minister of Education (Shri M. C. Chagla):** I do not know whether I will be able to enlighten the House, but I will do my best to put before the House the legal point of view. There is a definite distinction between the constitution of the State Assembly and the convening of it.

The misapprehension lies in this. Various articles have been cited like article 174, Governor should address the Assembly, etc. That assumes the convening of the State Assembly and then the procedure has got to be followed. Article 356 over-rides all this. Section 74 of the Representation of the People Act says:

“After the elections held in pursuance of the notifications issued under section 15A or in any year in pursuance of the notifications issued under section 16, there shall be notified in the appropriate authority in the Official Gazette the names of the members elected for the various Council constituencies and by the members of the Legislative Assembly of the State at the said elections together with the names of any persons nominated by the Governor....”

As soon as this is done, the Assembly has been constituted.

Then comes the Constitution. We have various articles from article 172 onwards, which apply to a legislature which has been convened after it was constituted. But between the constitution of the legislature and the convening of it article 356 has come in and a proclamation has been issued dissolving the legislature. So what has been dissolved is not—I think Shri Ranga said—something which never came into existence. The legislature came into existence. The elections took place, the official notification was issued and the legislative assembly was constituted. But before it could be convened the President intervened and issued the proclamation under article 356.

With regard to the other point raised by one of my hon. friends there, about the budget not being valid because the old proclamation has been rescinded and a new proclamation has

been issued the answer is very simple. Whatever has been done under the old proclamation cannot be invalidated by the fact that that has been rescinded and a new proclamation has been promulgated. Therefore, the budget is under the old proclamation. Take the laws that have been passed under the old proclamation. Various Acts have been passed. They cannot be invalidated because the proclamation has come to an end. Whatever new things we do, we have to do under the new proclamation.

**Shri Warrior (Trichur):** Sir, may I point out one thing?

**Mr. Speaker:** No, Sir; I have heard many Members.

**Shri Warrior:** This is a relevant fact. When the old proclamation has been replaced by a new proclamation, we the constituted members of the Advisory Committee have been notified—we got the notification day before yesterday—that that Committee has been dissolved. We are not functioning now. That means there is a break in the whole thing and it is not a continuous process. We were notified that we are no more members of the Advisory Committee for matters connected with Kerala. So the Government admits that there is a break.

**Mr. Speaker:** There are two points of orders raised. One is by Sardar Kapur Singh, that the budget was placed here under the old notification and because that has been revoked it is no longer here and it lapses. He said that because a new notification has been issued, a new budget must be placed under the new notification. The second point is that the Assembly had not been constituted and therefore no question of dissolution could arise. So far as the question of constitution is concerned, whether the Assembly had been constituted or not, the answer has been given by Shri Limaye as well as by Shri Chagla, that under the Representation of the

People Act it is made very clear under section 73 that after elections have taken place upon the issue of such notification the House or Assembly shall be deemed to be duly constituted. That is very clear, and so far as that is concerned there is no bar in the Constitution.

**Shri Nath Pai (Rajapur):** Even if you uphold it, Mr. Speaker, no member can function as an MLA till he takes the oath.

**Shri Sezhiyan (Perambalur):** Sir, I want to bring to your notice one point.

**Mr. Speaker:** Order, order. I am not concerned with that.

**Shri Sezhiyan:** Sir, I want to raise only one point.

**Mr. Speaker:** Not at this moment. Whoever stood up then I have heard him. Let me give my decisions on the points raised.

**Shri Sezhiyan:** Please refer to article 172 of the Constitution. Article 172 says that every legislative assembly of every State.....

**An hon. Member:** Sir, this is highly objectionable.

**Mr. Speaker:** Order, order. The second point raised is that the budget was presented under the old notification and therefore everything lapses when that notification is revoked. If this had been before the Assembly of Kerala then everything must have lapsed by the revocation of the proclamation. But this House was seized of that item, and this House has not been dissolved for that item of business to lapse.

**Shri Bade:** That is not the point.

**Mr. Speaker:** This House continues. This House is already seized of that item of business. Simply because the old proclamation was revoked and an-

[Mr. Speaker]

other one has been brought in, that does not automatically result in the lapse of the item before this House as well. Therefore, I do not think we should stop here.

A third point raised by Shri Limaye was that I should give a decision after consulting the legal advisers because he thinks that the Constitution is being violated. He thinks that there are certain provisions against which this has been done. He thinks that those provisions have been flouted by this. I told him that day also—most of the points that he has raised today I answered on that day—that it was not for the Speaker. The Speaker never takes that responsibility. If really the Constitution has been violated, then every citizen has a right to go to the Supreme Court and the Supreme Court shall hear it. There is no bar for Shri Limaye even to go to the Supreme Court. He can do that any moment.

**Shri Hari Vishnu Kamath:** Sir, I want to clarify certain doubts.

**Mr. Speaker:** No, Sir.

**श्री मधु लिमये :** अध्यक्ष महोदय . .

**अध्यक्ष महोदय :** लिमये साहब अब आप माफ कं जिये ।

**श्री मधु लिमये :** आप ठीक तरह समझे नहीं, आप गलाफहने में हैं इसलिए मैं जरा सफाई कर देना चाहता हूँ ।

**अध्यक्ष महोदय :** नहीं, अब आप कार्यवाही चलते दं जिये

**श्री मधु लिमये :** मैं कोई बहस नहीं छेड़ना चाहता लेकिन आप ने जो हमारे एक बिल पकड़ ली है मगर दूसरी बात को जरा सफाई कर देना चाहता हूँ ।

**अध्यक्ष महोदय :** अब आप बैठ जायें ।

**श्री मधु लिमये :** मेरी केवल एक बात सुन ल जिये ।

**अध्यक्ष महोदय :** अब और कुछ नहीं । श्री केप्पन ।

**Shri Kappen (Muvattupuzha):** Mr. Speaker, Sir, from yesterday onwards. I had to jump so many hurdles to stand up here and talk today. Yesterday it was a question of quorum and today there were a number of points of order. Anyway, by the Grace of God I am able to speak today.

**Shri Hari Vishnu Kamath:** Sir, it is a reflection on you. He is questioning your right to allow points of order.

**Mr. Speaker:** He says he is unfortunate because since he began yesterday the question of quorum was raised and today there were these points of order. He is rather blaming himself that he is not lucky.

**Shri Daji (Indore):** Let him stop speaking if it is not auspicious.

**Shri Hari Vishnu Kamath:** He is questioning your authority.

**Shri Vasudevan Nair (Ambalappuzha):** Sir, what about the time factor that we raised. Already some time has been taken up in these points of order.

**Mr. Speaker:** That we will see.

**Shri Kappen:** Sir, I am grateful to the hon. Members of this House for the great interest they are taking in the Kerala matter. I would be very

much obliged to them if they would take at least 50 per cent interest in understanding the problems of Kerala and finding a solution for them. I am going to place before the House what are the real problems that agitate the Kerala mind and suggest remedies for them. I hope I will have the ear of the Members of this House for that purpose.

12.49 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Coming to the budget, I feel that it would be a misnomer to call this a budget, because when we look at the budget we think of something more than a mere statement of receipts and expenditure. We expect to find in it some suggestions and proposals for the development of the State. Sir, that is the tiniest State in India with an area of only 1.2 per cent of the entire area of India but with 3.8 per cent of the total population of India. Not only the density of population is high—1025 per square mile—but the rate of growth is also high. When I speak of a high rate of growth, it may be thought that the birth rate is high. On the other hand, the birth rate is slightly lower than the all-India average. The basic reason for this high rate of growth is the low death rate. Kerala has the lowest death rate in India. This is due to the high standard of hygiene kept up by the people. This pressure of population has its impact on various aspects of the economic life in the State. It is seen in the urge to push along the margin of cultivable area to the maximum extent. The proportion of sown area to the total area in the State is as high as 47.8 per cent while the all-India figure is 39 per cent. The average land holding in Kerala is only 1.5 acres while it is 7.5 acres for the whole of India. 68 per cent of the land holdings in the Travancore-Cochin area are below 1 acre. This pressure of population, again produces unemployment of a magnitude of which perhaps this House is not aware. In

a survey conducted on the eve of the Second Plan it was found that 4.2 per cent of the population were totally unemployed, while the figure for the whole of India at that time was only .58 per cent. The level of consumption expenditure in any region is a good indication of the standard of living in that region. The average monthly consumption expenditure in Kerala is only Rs. 21 whereas it is Rs. 34 for the whole of India. A break-up of this expenditure reveals some interesting points. Thus, the expenditure on foodgrains, milk and milk products is not only low but even as a proportion of the entire expenditure it is very low. This is because of the non-availability of foodgrains and milk and milk products in the States. Indeed, the food gap is round about 50 per cent which has led to formulation of solutions which, if implemented, would retard the growth.

Every economy has certain growth leaders. It is in stimulating and energising those growth leaders that development and improvement can be achieved. Kerala, because of its location and climatic conditions is best suited for cultivation of cash crops. Kerala can play the role of an exchange economy in which it must depend for its foodgrains on other States of India while in return helping the development of the whole country by earning valuable foreign exchange by export of the products of cash crops. In 1957-58 Kerala earned 12 per cent of the total foreign exchange earned by India. Therefore, by any standards, Kerala deserves special treatment and favourable consideration at the hands of the Centre.

In fact, Kerala received special treatment, but of a different kind, as I shall presently show. In the First Plan the total investment in Kerala was Rs. 30.03 crores. On a *per capita* basis, the public sector investment came to Rs. 34 while it was Rs. 55 for the whole of India. In the Second Plan the total investment in Kerala was Rs. 187 crores. On a *per capita*



[Shri Kappen]

basis, this again came to Rs. 64 while it was Rs. 118 for the whole of India. In the Second Plan, the investment by the Central Government in the public sector was Rs. 657 crores of which Kerala received only Rs. 0.59 crores; that is, .1 per cent of the total investment. In the Third Plan, however, some public sector projects were to be commissioned in Kerala. The Cochin Shipyard is one of them, the collaboration agreement for which has just been signed. God alone knows whether this generation will see ship-building in that yard. The second project was the oil refinery at Cochin. It is still a distant glimmer of hope and I hope it will be realised. The third was the phyto-chemical project at Neriamangalam for which the Kerala Government had acquired land and displaced a large number of families. Today it has been shifted to another State and the Central Government alone knows the reasons for it. The only project worth mentioning that has been started is a unit of the Hindustan Machine Tools at Kalamasseri.

During the period 1951-61 the increase in the income of the State is calculated to be about 13.7 per cent. The *per capita* income rose from Rs. 234 to Rs. 240 which is much below the all-India average. Kerala, with its large population, with its huge unemployment and lack of industries and various other problems, requires a much higher rate of growth. But can the State Government find the resources for this? From the picture I have presented, it can be clearly seen that the State Government is not capable of finding the necessary resources. It leads to the inevitability of Central aid or deliberate deficit-financing. From the time of its formation, Kerala is passing through a period of financial stringency. During the period 1958-59 and 1960-61, Kerala had a revenue deficit of 59 crores on revenue account alone and it had brought down the cash balances by Rs. 24.9 crores.

Under these circumstances, is it possible for Kerala to increase the taxes to find resources for a much larger Plan which will ensure faster economic growth? No, Kerala has no capacity for it. As I do not have the time, I shall not go into details. If you examine the tax structure, it will be seen that the taxes have become inelastic. The only elastic source of revenue is the general sales tax. Another small item is vehicles tax. There also difficulties have arisen and motor operators have stopped plying their vehicles because of their inability to pay the taxes. The rate of taxation in Kerala has reached the maximum possible limit. On land alone there are four taxes—the basic tax, the plantation tax, the additional tax and the agricultural income-tax. The middle and lower middle class people are crushed by the burdens of these taxes and they are forced to sell their land to pay taxes and meet their necessary expenditure. That is the condition prevailing in Kerala today.

Now, the question is, will the Centre come to the aid of Kerala? I do not find any proposals, or any indication whatever to that effect, in this budget. The political stalemate of that State, of which much was heard here, is simply due to the economic problems that confront that small State. Solve the economic problems of that State; or put me at the head of the administration of that State and give me Rs. 500 crores over a period of ten years; I shall show you how Kerala ceases to be a problem State.

**Shri D. C. Sharma** (Gurdaspur): We will elect you as Chief Minister.

**Shri Kappen:** Place me as anything you like but give me Rs. 500 crores during the next ten years; I will see to it that it is not a problem State.

You must remember that in Kerala the high schools are turning out 50,000 matriculates every year and also a sizeable number of graduates. These young men and women have

no grainful employment and so they become an easy prey to the machinations of self-seeking politicians. That accounts for the political instability of that State. The people there have now become desperate. Highly literate and intelligent people cannot go on suffering like this for long. They become desperate and they try every party in the country. They have tried Congress, the PSP, the Communists and also a combination of PSP and Congress. Now they have become tired of conventional parties....

**Shri Khadiikar (Khed):** Is there a President's box in the election booths?

**Shri Kappen:** If Shri Khadiikar comes and stands there for election people would vote for him also. Now the question is not whether the President is ruling or somebody else is ruling. Let there be a devil if the devil can undertake to solve the real problems—give us enough food, give us cheap food, give us employment. Well, then anybody can come and rule us. We have absolutely no objection. If these problems can be properly handled, then everything will be all right. Whether Mr. A. P. Jain comes or somebody else comes, I would say, "Well, come along if you can solve these problems." As I have not got much time at my disposal, I would not go into the details, but I would like to point out certain remedies for solving these problem.

13 hrs.

First of all, if you look at p. 103 of the Explanatory Memorandum, you will find an amount of Rs. 14,400 lakhs as Central grant. The total revenue of the State is Rs. 85 crores, and Rs. 5 crores have to be given to the Central Government as interest. I would ask the Finance Minister to take courage in his hands and write off 5 lakhs. When is the Kerala Government to pay? It will only mean adding of interest. But then he will ask me, "How shall I write it off?" . It is for

him to see. He is a resourceful man; he can find some method of doing it. He could advise the Finance Commission to find resources for that. Somehow or the other, he can write it off.

The second remedy is the quick industrialisation of the State. Of course, there the Finance Minister struck a note of optimism by saying that the industries have been started there. I have shown how the industries have been started. The quick industrialisation of the State is the only remedy. There are many unemployed persons. What do they do? They get up in the morning—there is no work for them—go to the tea shop, get any paper that comes there, read everything, then absorb it, discuss it, criticise it and all that. There are all sorts of politics, Communist politics, S.S.P politics, etc. There is absolute confusion in the State. I say, you give them enough food, you give them employment, and there will be no trouble at all. That is the real trouble; that is the real problem of my State. I assure the Government that if all that is done, there will be no trouble at all. But then what stands in the way of industrialisation? The overhead facilities are very good in Kerala as compared to other States. As regards the natural resources, Kerala is in a better state than other States.

Then, with regard to agriculture, it has developed agriculture as compared to other States. But the difficulty is that, though it has got natural resources, the easy accessibility is not there. Therefore, I would suggest that high ranges which are the source of foreign exchange and the resources of the rubber industry must be connected with the Cochin port by a railway line and the Eernakulam-Trivandrum railway line must immediately be made a broad-gauge line so that easy accessibility by cheap transport is possible to the sources of resources.

Taking the factory as well as non-factory sector in Kerala, so far as the

[Shri Kappen]

exports are concerned, coir products exports are at a standstill and coir yarn has to meet the challenge of sisal fibre so that the conventional markets are not there now. You cannot sell them as you used to do before. Therefore, new markets should be found for the coir products.

Then, Kerala produces 30 per cent of the entire fish in the country and there is a good scope for off-shore fishing. We have only touched the fringe of it. Therefore, you should spend the necessary money and make all necessary things to see that off-shore fishing is developed and mechanised.

Lastly, with regard to agriculture, any attempt at self-sufficiency in food in Kerala would be dangerous for the plantation industry because there is no land or the land has been cultivated with cash crops and it will be dangerous for the country if that is infringed in any manner. The only possibility, of course, is the intensive cultivation. That may be done. But with regard to cash crops, I want to say one thing. The most important cash crop is rubber. Of the total quantity of 25,000 tons produced in 1957-58, 22,000 tons were produced by Kerala. So, Kerala almost holds a monopoly there. There are 60,000 small holders who contribute to the production mainly but they are really in a pitiable state. Something should be done for them. The price of rice which was only Rs. 42 per sack has risen upto Rs. 120 per sack and the quantity supplied by the ration shops is so small that the people have to go and purchase it in the open market. As a result of this, agricultural labour cost which was only Rs. 1|9|- has risen to Rs. 3.05 paise. The price fixed for natural rubber is Rs. 305 for 100 kg. and that is too small. I would request that for the sake of security in the State, for the sake of peace in the State, for the

sake of stability in the State, the price of rubber should be raised by at least Rs. 100 per 100 kg.

I conclude by making a request that the Finance Minister will look into all these things.

डा० राम मनोहर लोहिया (फर्रुखाबाद):  
उपाध्यक्ष महोदय . . . .

श्रीमती यशोदा रेड्डी (करनूल) :  
अंग्रेजी में बोलिए । केरल में हिन्दी नहीं समझते हैं ।

डा० राम मनोहर लोहिया : आप तो समझती हैं । मैं तो आप के लिए बोला करता हूँ और किसी के लिए नहीं बोला करता हूँ ।

श्रीमती यशोदा रेड्डी : फायदा तो नहीं होगा ।

डा० राम मनोहर लोहिया : कम्पन साहब ने अभी फरमाया कि केरल की आर्थिक स्थिति के सबब से यह मामला बिगड़ा है । सब से पहले मैं यह साफ कर देना चाहता हूँ कि बिहार और उड़ीसा जैसे प्रदेशों की आर्थिक स्थिति और ज्यादा खराब है । इसलिए यह मामला मिला जुला है और इस बात का खतरा है कि जो कुछ केरल में आज हुआ है वह खाली उस तक ही सीमित रहेगा, ऐसी बात नहीं है । जल्दी ही बाकी सब जगह भी अब वह होगा ।

कोई बात कहने के पहले मैं एक भ्रम से बच जाना चाहता हूँ और वह भ्रम यहाँ बहुत फैला हुआ है । भ्रम यह है कि वर्तमान सरकार पिछली सरकार से ज्यादा खराब है, इसलिए कि पिछली सरकार अच्छी थी । मैं साफ कर देना चाहता हूँ कि इस को मैं ज्यादा खराब

तो मानता हूँ लेकिन इसलिये नहीं कि पहले वाली अच्छी थी सब पूछो तो वर्तमान प्रधान मंत्री को पुराने प्रधान मंत्र का बोया हुआ काटना पड़ा है उसी तरह से जिस तरह से भीम जो कुछ खाता था, उस के खाये हुए को शकुनि को पचाना पड़ता था। इस वक्त जो हालत हो रही है वह यह हो रही है कि पिछले सतरह बरसों के कुकर्मों और जाल से अपने को छुड़ाने वाला इस कांग्रेस पार्टी में या सरकार में कोई आदमी निकल नहीं रहा है। इसीलिये . . . .

**उपमध्यम महोदय :** केरल बजट पर बहस हो रही है इस वक्त।

**डा० राम मनोहर लोहिया :** केरल में जो कुछ हो रहा है वह पुराने सबब से हो रहा है मुझे भी और लोगों के साथ आप भ्रम में न जोड़ दें कि मैं यहां पर कोई इस वर्तमान प्रधान मंत्री या इस सरकार को खाली कहता हूँ। स्थिति इन के कारण और ज्यादा खराब हो रही है क्योंकि ये पुरानी नीतियों से अपना छुटकारा नहीं कर पा रहे।

इस वक्त राष्ट्रपति शासन वहां लागू कर दिया गया है। राष्ट्रपति शासन का अर्थ क्या होता है? केन्द्रीय कांग्रेस के शासन का मतलब होता है न? यह केवल एक भ्रम का शब्द है। साफ साफ कहना चाहिये कि कांग्रेस की जो केन्द्रीय पार्टी है उस का शासन आज केरल में पिछले दरवाजे से चल रहा है। क्योंकि जो शासन जनता ने च.हा था वह नहीं हुआ।

अभी जब ऐसी बात है तो एक तरफ कहा जाता है कि जो लोग ज्यादा तादाद में चुन कर आये वह देशद्रोही हैं। मैं इस तर्क को बिल्कुल साफ कर देना चाहता हूँ। कई कई बार यह अफवाहें उड़ाई जाती हैं कि उन्होंने यह किया, वह किया। कुछ हद तक मैं वामपन्थी कम्यूनिस्टों की विचार

धारा को खराब समझता हूँ। उतनी ही खराब समझता हूँ जितनी इस वर्तमान कांग्रेस को, जिस की सरकार है। लेकिन देशद्रोही शब्द कहते वक्त कम से कम उन्हें एक वामपन्थी कम्यूनिस्ट का नाम तो बतलाना चाहिये जिस ने चीन की बढ़ती हुई सेनाओं के साथ रह कर इस देश के तख्ते को पलटना चाहा था। ऐसा एक नाम तो बतला दो। यह लाखों हैं, करोड़ों हैं, लेकिन एक नाम तो बताओ। नतीजा यह होता है कि मुझे कई दफे शक होता है कि अगर आप ने मुझे आज शाम को गिरफ्तार कर लिया रात को और अखबारों को कह दिया कि वह फलानी विदेशी सरकार के साथ जुड़ा हुआ था, तो इस देश में कुछ लोग ऐसे होंगे जो विश्वास कर लेंगे कि यह सचमुच जुड़ा हुआ था, हालांकि इस से ज्यादा सफेद झूठ और कोई हो नहीं सकता।

**पुनर्वास मंत्री (श्री त्यागी) :** आप की बात कोई यकीन नहीं करेगा।

**डा० राम मनोहर लोहिया :** यकीन कर लेंगे। आप ने जो स्वर्ण गोली इस देश में छोड़ रखी है उस की सबब से बहुत से लोग इस बात पर यकीन कर लेंगे। शायद बहुत संख्या में नहीं यकीन करेंगे लेकिन काफी संख्या में इस पर यकीन कर लेंगे। इसलिये एक आदमी का नाम बताओ, सिर्फ एक वामपन्थी कम्यूनिस्ट का। चीन की पलटनें आगे बढ़ी थीं दो सौ तीसों मील हिन्दुस्तान में आगे बढ़ आयी थीं तो क्या एक भी कम्यूनिस्ट नहीं था वहां पर। अगर नहीं था तो यह लोग बहुत डरपोक हैं, और अगर डरपोक हैं तो इन से आप को डरना नहीं चाहिए, नहीं तो उन में से एक आदमी तो जाना चाहिये था उस पलटन का स्वागत करने को, कम से कम उस से बात करने को। यह बात चीत करने की किस तरह से आपस की बात चीत से और मदद से हम दिल्ली के तख्त पर कब्जा कर सकते हैं। या यह सब बातें फिजूल हैं।

[डा० राम मनोहर लोहिया]

इसलिये मैं आप से कहना चाहता हूँ कि जो कुछ इस वक्त केरल में हो रहा है वह संविधान की, प्रजातन्त्र की, जनतन्त्र की जवर्दस्त हत्या है। आखिर वहाँ पर जिम्मेदार हुकूमत काम कर सकती थी या नहीं इस का फैसला कौन करेगा। गवर्नर साहब करेंगे या जो चुने हुए प्रतिनिधि थे वह करेंगे। गवर्नर साहब को या राष्ट्रपति को या इस सरकार को कोई हक नहीं रहता। जब विधान सभा चुन जाती है तो उस के बाद जो पार्टी सब से ज्यादा तादाद में चुन कर आई है उस को बुलाना चाहिये, उस को जिम्मेदारी देनी चाहिये। मैं इस बात को माने लेता हूँ कि अगर आप को डर होता कि वह पार्टी कई दिनों तक बिना विधान सभा को बुलाये हुए अपनी हुकूमत चला सकती थी तो आप एक शर्त लगा देते कि भाई, आज हम ने तुम को हुकूमत बनाने का हक दिया और तुम को पांच दिन के अन्दर विधान सभा की पहली बैठक करनी होगी, या आप तीन दिन के अन्दर भी कह देते। अगर आप को विश्वास मिल गया तो आप की सरकार चलेगी, और नहीं मिला तो आप की सरकार भंग हो जायेगी।

मैं यह कहना चाहता हूँ कि जो जिम्मेदारी इस सरकार ने अपने ऊपर ली है वह उस के लिये घातक सिद्ध होगी। जब मैं ने कल कहा था, पिस्तौल का रास्ता तो बहुत से लोग हंस पड़े थे। मैं क्या करूँगा, क्या नहीं करूँगा। इस को आप छोड़ दीजिए। बहुत से लोग इस बात को जानते हैं कि सन 1942 में जब हम लोगों ने याने जलाये थे, तोड़े थे, रेल गाड़ियों को अपनी पटरी से गिराया था, उस वक्त भी कम से कम मैं अकेला एक आदमी ऐसा था जो हमेशा कहा करता था कि तुम जिन रेल गाड़ियों में अंग्रेज अपनी पलटनी सामान ढोया करते हैं उनको गिराओ, उन की

ताकत को खरम करो, लेकिन जिन गाड़ियों में अंग्रेज सिपाही सफर किया करते हैं उन को मत गिराओ। जब मैं उस वक्त यकीन नहीं करता था तो—इस वक्त तो कितने भी यह लोग खराब हैं, और बहुत खराब हैं, जब गांधी जी जिन्दा थे उस वक्त की एक चिट्ठी आज नन्दा जी के दफ्तर में आप देख लेना। मैं ने सरकारी लोगों के बारे में लिखा था उस वक्त भी कि यह निकम्मे हैं, बाहियात हैं, बदमाश हैं। वह चिट्ठी कहां रखी हुई है।

**Mr. Deputy-Speaker:** Order, order. The hon. Member cannot call him a 'badmash'

**Shri K. C. Sharma (Sardhana):** Nothing but rubbish comes out from him.

**Shri Raghunath Singh (Varanasi):** The word 'badmash' should be expunged.

**डा० राम मनोहर लोहिया :** जरा समझने की कोशिश करो।

**Mr. Deputy-Speaer:** The hon. Member may please withdraw those words.

**डा० राम मनोहर लोहिया :** आप जरा सुन लीजिये। मैं इन के लिये नहीं कह रहा हूँ। मैं पुरानी चिट्ठी की बात कह रहा हूँ।

**Shri Raghunath Singh:** He is saying about Congressmen that they are 'badmashes'.

**Shrimati Yashoda Reddy:** This shows that even the Hindi-speaking people do not understand what he is speaking.

**डा० राम मनोहर लोहिया :** आप इस को सुन तो लीजिए। मैं अभी की बात

थोड़े ही कह रहा हूँ । मैं कह रहा हूँ सन् 1947 की बात, जब गांधी जी जिन्दा थे । गांधी जी को मैं ने एक चिट्ठी लिखी थी । वह बड़ा लम्बा किस्सा आ जायेगा, लेकिन वह उन के दफ्तर में मौजूद है । सन् 42 में मैं ने कहा था कि रेल गाड़ियों को पलटना जिन में सिपाहों होते हैं, गलत काम होगा । तो मैं यह नहीं चाहूंगा कि आप लोगों की जान ली जाये । हालांकि मेरा मन बड़ा बेचैन हो रहा है । आप सारे हिन्दुस्तान को बेचैन बनाये दे रहे हैं । आप जनतन्त्र के नाम को खत्म कर दे रहे हैं । मेरा मन तो मामूली तौर से बेचैन है । शायद मैं अपने आखिरी दिन तक अहिंसा को निभा ले जाऊंगा, लेकिन मैं यहां कह देना चाहता हूँ कि हमारे लोगों का मन इतना बेचैन हो रहा है आप लोगों की हरकतों से कि मुझे ऐसा लगता है कि शायद आखिरी दिनों में मझ से पाप हो जाये । यह तो मैं अपने बारे में कह रहा हूँ, लेकिन देश के बारे में मैं आपसे कहना चाहता हूँ कि अगर आप जनतन्त्र की इस बुनियाद को खत्म कर देंगे तो कहां ले जाओगे । आप कहेंगे कि मैं भी हिंसा करना चाहता हूँ । रघुनाथ सिंह जी उस दिन मेरे ऊपर बहुत ज्यादा लाल पीले हो रहे थे । यह आप करवा रहे हैं । हिन्दुस्तान आप से इतना ज्यादा बेजार हो जायेगा, इतना ज्यादा इस जनतन्त्र पर आघात से नाराज हो जायेगा कि हिन्दुस्तान को आप मजबूर करेंगे उस रास्ते जाने के लिए ।

जहां तक कम्यूनिस्टों का सवाल है, मैं साफ बतलाना चाहता हूँ कि वामपन्थी कम्यूनिस्टों और सरकार को क्या समझता हूँ चीन के सम्बन्ध में । मैं समझता हूँ कि चीन अगर बाध है और शेर है जो कि हिन्दुस्तान की जमन को हड़प रहा है तो वर्तमान सरकार गीदड़ है ।

**श्री त्यागी :** ऐसी बात मत कहो ।

**डा० राम मनोहर लोहिया :** वामपन्थी कम्यूनिस्टों को मैं कौवा समझता हूँ । अगर वामपन्थी कम्यूनिस्टों को कभी मौका मिल जाये तो एक आध चोंच इधर उधर मार देंगे । लेकिन अगर आप इस पर ज्यादा अच्छी तरह सोचें, हिन्दुस्तान की जमीन को पूरी तरह से बचाना चाहें तब आप उन के ऊपर ही नहीं पड़ जायें । कुछ अपने आप को बदलने की कोशिश करें । क्यों आप चीन के प्रधान मंत्री को हिन्दुस्तान की जमीन पर से जाने की इजाजत दे दिया करते हैं, क्यों आप चीन का दूतावास यहां कायम किये हैं, क्यों आप का चीन के साथ इतना जबर्दस्त सम्बन्ध है । यह सब रखते हुए आप किस मुंह से वामपन्थी कम्यूनिस्टों को

**उपाध्यक्ष महोदय :** आप का समय अब समाप्त हो गया ।

**डा० राम मनोहर लोहिया :** आप मुझ को थोड़ा सा वक्त दे दीजिए । मैं दो तीन मिनट में अपनी बात समाप्त कर दूंगा ।

मैं आपसे अर्ज कर रहा था कि इस मामले पर जरा सोच विचार करना मुझे वामपन्थी कम्यूनिस्ट चीन की हरकतों पसन्द नहीं हैं । लेकिन मैं क्या करूं । यहां जनतन्त्र है और इस जनतन्त्र में तुम अवसर उन का इस्तेमाल क्यों किया करते हो । जब कभी तुम को जनसंघ को तबाह करना होता है तब तुम कम्यूनिस्टों का इस्तेमाल करते हो, जब कभी तुम को कम्यूनिस्टों को तबाह करना होता है तब तुम जनसंघियों का इस्तेमाल करते हो । आज तुम इस खेल को बड़े मजे में, बड़ी शुशी से चला सकते हो, लेकिन हमारे जैसा आदमी जो जनतन्त्र में विश्वास करता है, यह कोशिश करता है कि इन वामपन्थियों के पेट वाली लड़ाई को स्वीकार करके उनको सुधारने की कोशिश करे । शायद हमारे

[डा० राम मनोहर लोहिया]

साथ रहते रहते चीन के मामले में उनके विचार बदल जायें या कुछ ज्यादा राष्ट्र प्रेमी बन जायें, या कुछ हिन्दुस्तान की भक्ति करने लग जायें। ऐसा ही जाये तो अच्छा होगा। लेकिन आप के रास्ते से तो वह बिगड़ते चले जायेंगे, और ज्यादा बिगड़ते चले जायेंगे।

मैं ने एक बार पांच, छः दिन पहले ही कहा था कि यह जो कांग्रेस पार्टी है और कांग्रेस सरकार है यह आपस में विरोधों का संगम बन गई है, और केरल में तो यह बात बिल्कुल साफ है। आप देख लें कि केरल कांग्रेस, अथवा जो वहां की अधिकृत कांग्रेस है, उस के अन्दर क्या है। अधिकृत कांग्रेस इस वक्त जो दक्षिण केरल के ईडवा लोग हैं उन के समर्थन पर खड़ी है, इस के अलावा केरल कांग्रेस ज्यादातर नायर और सिरियाई क्रिस्तानों के समर्थन पर खड़ी हुई है, उधर जो कम्यूनिस्ट वामपन्थी हैं वह उत्तर केरल के ईडवा जिन्हें थिया भी कहते हैं उन के समर्थन पर खड़ी हुई है। नतीजा यह होता है कि केरल कांग्रेस चाह वह अधिकृत हो या अनाधिकृत, यह विरोधियों का एक संगम बनी हुई है। हर जाति समझती है कि हमारा मौका आयेगा और वह उस के पीछे रहती है। उसके पीछे अपनी सारी ताकत लगा दिया करती है। तो यही मैं ने इन लोगों से कहा कि जब तक आप अपना एक सीधा रास्ता नहीं चुनगें, एक दिशा नहीं बनायेंगे, ईमानदारी के साथ अपना पथ नहीं लेंगे, तब तक संगम बनते रहेंगे और नतीजा यह होगा कि आप हमारे अन्दर भी ढूँढते रहेंगे। हमारे अन्दर भी कुछ लोग होंगे जो कभी पटनायक के दोस्त बन जायेंगे, और कुछ लोग होंगे जो मेहताब साहब के दोस्त बन जायेंगे। तो हमारा विरोध कहां रह जायेगा। विरोध कुछल्ला बन जायेगा। और आप के

विरोधियों के संगम से हिन्दुस्तान की राजनीति बिल्कुल तबाह होती चली जायेगी। इसलिए मैं आप से निवेदन करता हूँ कि इस बजट के ऊपर सोच विचार करते हुए जरा थोड़ा सा जो लोग बैठे हुए हैं, हमारी बात पर ध्यान दें।

**Shri Pottakkatt (Tellicherry):** Mr. Deputy-Speaker, the manner in which this Government has tackled the Kerala situation is causing serious alarm to all honest people of this country. Just a few weeks prior to the Kerala elections, all the leaders of the Left Communist Party were arrested and detained under the Defence of India Rules. Thereby it was hoped that the Congress Party in Kerala would get a majority in the State Assembly. But, as the results began to be announced, it became clear to the Central Government that the enlightened electorate of Kerala had repudiated the Congress Party and the Home Minister. The People of Kerala did not believe the allegations levelled against the Left CPI. The defeat of the Congress was more pronounced in the Malabar region of Kerala where it secured only 2 out of 48 seats.

Therefore, hurried consultations were held among the Cabinet Ministers, and I was told, it was decided to try to form a Congress Ministry with the backing of the Kerala Congress. Two Ministers were deputed to proceed to Madras to meet the Congress President to persuade him to agree to this proposal. At that time, it was thought that if the Left CPI members were not released, the alliance may get a majority. In pursuance of this *modus operandi* fresh orders of detention were issued to continue their illegal detention. But the Congress President was adamant in his stand, not to have any alliance with the Kerala Congress, and hence this plan could not be carried through.

The Left CPI has come out in flying colours in the Kerala elections. As the single largest group in the State legislature, it has the constitutional right to be called upon to form a Ministry. But this has been conveniently overlooked, and President's rule proclaimed in Kerala. Sir, 29 members of the Left Communist Party are prevented from discharging their duties by their continued detention. These detainees have not incurred any disqualification under art. 191 of the Constitution. Every one of them is a registered voter under art. 326 of the Constitution. If there is no disqualification attaching to their membership, they are, as a matter of right, entitled to take an oath or affirmation under art. 188. But they, as well as all the other elected members, were denied their fundamental right.

The Governor, as the constitutional head of the State, has no right to flout the provisions of the Constitution. Our sacred Constitution has conferred on all its citizens political justice and equality of status and opportunity. It is up to the Central Government, for all who believe in the sacredness of the Constitution, for all who believe in the rule of law, to respect the verdict of the people and allow the natural and legal consequences to flow from such a verdict. But the verdict of the people has been swept aside for the convenience of the ruling party, and President's rule proclaimed in this unfortunate State of Kerala.

Kerala has always been a problem State. It has always been neglected by the Centre. It had never received any consideration in the matter of establishing major industries. Even today, it is one of the most backward regions in the country. In the neighbouring States, industries are coming up almost every day. But Kerala continues to remain backward. There is a feeling that the more remote we are from the Centre, the

less are our chances of our voice being heard. The State is earning valuable foreign exchange for the country and hence Kerala deserves to be given some consideration.

Year after year, large tracts of land are washed away due to sea erosion. Every year we see the sorry spectacle of thousands of coconut trees and dwelling houses being washed away by violent waves. The problem has to be considered on a national level.

Unemployment is very acute in Kerala. Thousands of educated young men are finding it hard to get any employment. Even the very few who succeed in getting selected to posts, are denied employment opportunities due to adverse police reports. This system of police verification has claimed many victims. Some way has to be evolved to enable these victims to establish their innocence. Today they are condemned without being heard. This is against natural justice, and is a serious matter.

Every year, many of the existing industries have to be closed down due to shortage of power. One cannot operate a radio or tube light due to very low voltage in towns like Badagara in Malabar. This has been the case all the 365 days—it is not confined to a particular period of the year. How long have we to exist like this? The problem is more acute in the Malabar region of Kerala.

The prices of essential articles are going up. People find it very difficult to balance their budget. There is discontentment everywhere. What has the Government done to check the price level?

There are many problems that require urgent solution in Kerala. A popular Ministry alone can meet this challenge. But the Government and the ruling party have taken revenge



[Shri Pottekkatt]

on the people of Kerala by proclaiming President's rule.

Our Constitution is founded on the authority of the people. They can act only through their representatives. The electorate must exercise its will through the representatives chosen by it. They have chosen their representatives. But the Government has cast aside all propriety and imposed President's rule in Kerala.

I oppose the Demands for Grants.

**Shri P. G. Menon** (Mukundapurama): Mr. Deputy-Speaker, Sir, when speaking on this budget for Kerala, I ought to refer . . .

**Shri Hari Vishnu Kamath:** Let us have quorum for Shri Govinda Menon at least.

**Shri Nath Pai:** One of the ex-Chief Ministers of Kerala. The House wants to hear him.

**Mr. Deputy-Speaker:** The bell is being rung—Now there is quorum. He may continue.

Speaking on the Kerala Budget, I would have preferred to make some remarks about the economic conditions there, but, unfortunately, during the discussion of this Budget and on other occasions, there have been too many references to what happened in Kerala recently after the elections. I would like, on this occasion, to present the real facts regarding the imposition of President's rule in Kerala.

**Shri Vasudevan Nair** (Ambalugha): Real, according to you.

**Shri P. G. Menon:** I am extremely unhappy that this should have happened, that even after the general elections we could not have a popular Ministry. I also know how unhappy the Prime Minister has been,

as also the Home Minister and other members of the Cabinet, over this that they have had no alternative but to take this bitter decision.

Hon. Members have been putting forward the view, as if it is axiomatic, that the leader of the largest party should have been called and designated Chief Minister to form the Government. Every one takes that for granted, and takes it also for granted that in not having done so, a grave constitutional impropriety was committed.

Before I refer to the figures of membership of the different parties, I may, with your leave, read a passage regarding the formation of Government in the United Kingdom. After all, it is on that pattern that our Constitution has been framed.

**Shri Vasudevan Nair:** Not necessarily.

**Shri P. G. Menon:** Regarding the formation of governments, regarding matters of confidence and no confidence, it has been repeatedly stated that our Constitution is on the pattern of the British Constitution.

I am reading from *Munro's Governments of Europe*:

"The Prime Minister: how he is chosen."

"The Prime Minister, as has been said, is head of the Ministry, the cabinet, and 'the government'. The King goes through the gesture of selecting this official, but he has very little discretion in making the choice. He summons, and by usage must appoint, the leader of that political party which controls a majority in the House of Commons. If no single party controls a majority, he calls upon some leader who can form a

coalition or otherwise assure himself of a majority on important measures. Under the two party system, which prevailed in England for many generations, the King's task was very simple. When a Prime Minister resigned by reason of a defeat at the polls or on the floor of the House, the monarch merely sent for the leader of the victors and invited him to assume office.

But when three political parties are represented in the House, with no one of them controlling a majority, the royal function is not so simple. The King must then use his own judgment as to which leader he will summon. The main thing is that whoever takes office as Prime Minister shall be able to command a majority. If he can do this from within the ranks of his own party, so much the better. If he cannot, then he must secure it by some coalition, compromise, or understanding with one of the other parties. When Mr. Ramsay Mac Donald was invited to become Prime Minister in 1924, the Labour Party did not control a majority in the House. But before taking office, he satisfied himself that a sufficient number of Liberals would support him as against the Conservatives and thus enable him to carry on the government."

This is the accepted convention and practice regarding formation of government in the United Kingdom.

What is the position here? Unfortunately for Kerala, the different contending parties in the election—and there were 14 or 15 of them—took up certain rigid and inflexible attitudes at the time of the election and thereafter. But for these rigid, inflexible attitudes adopted by them, it would have been possible to form a Government.

The Left Communist Party has been claiming that they have the support of 60 or 61 Members, let us say 61. We will, for the present, forget that 29 of them are in detention, and assume that, for purposes of formation of Government, their numbers are also available. But, all other groups made it definitely clear that they would have nothing to do with a Government formed by the Marxist Communists. The same applies to the offer later made by the SSP to form a Government with the support of the Left Communists. Is it contended, then, that it was the duty of the Governor to call the leader of the Marxist Communist Party or SSP to form a Government?

Then, much has been said about the Rebel Congress or Kerala Congress. They have no majority. They have allied themselves, almost like Siamese twins, with the Muslim League, and stated clearly that they would sink or sail with them. The question has been put why they were not asked to form a Government. The SSP and Marxist Communists made it clear, very clear, that they would have nothing to do with a Government formed by the Kerala Congress.

Then, there is the Indian National Congress left. Our strength is only 36, and the leader of the Indian National Congress made it clear, and according to me very correctly, that after having been defeated at the polls, he would have nothing to do with the formation of a Government. In doing so, he stated exactly what Mr. Baldwin said in 1929 when he was defeated in the elections. Mr. Baldwin said:

"I took the view, that whatever had been the constitutional position, under universal suffrage the situation had altered; that the people of this country had shown plainly that whether they wanted Hon. Members

[Shri P. G. Menon]

opposite or not, they certainly did not want me....".

And that is the position of the Indian National Congress. I am sure that if the leader of the Indian National Congress in Kerala had attempted to form a Ministry, the attack would have been on his greed for power, his desire to get into office. All these 14 political parties, except the Indian National Congress, approached the electorate with the declared objective that they would see that the Indian National Congress was defeated. All of them, all the leaders issued statements declaring their objectives in the election. The leader of the SSP said that his objective was to defeat the Indian National Congress. It may be, he said that this is a negative objective. He said that it is so. All the other parties said likewise. Therefore, the only thing which was in common among these different parties opposing the Congress was this negative attitude of keeping back the Indian National Congress.

Does this imposition of President's rule in Kerala occur for the first time? In September, 1964, when the Congress Ministry was defeated by a no confidence motion, the same thing happened. The Congress had a strength of only 50 in a House of 126, and all the other opposing parties which were present in the Kerala Assembly before it was dissolved, had among them 76 Members. Nobody complained about the imposition of President's Rule then. The Governor called the leaders of all the political parties, one by one, to form a Government. They said: we could not form a Government. They wanted to form a government but they could not form a government.

**Shri Warrior:** That could be done now.

**Shri P. G. Menon:** The leader of Mr. Warrior's party said that if they could get the support of the PSP, they could attempt the formation of a government. It is not enough if you want to marry the princess. The princess also should agree. The leader of the Kerala Congress, the leader of the Marxist Party—they all want to form a Government but they are not able to produce a majority to support the Government. The example of the United Kingdom is not applicable in all respects because under the system prevailing there the King's or Queen's Government as the case may be, should go on for ever; there could be no hiatus between one Ministry and the other. Therefore, one more method is resorted to in the UK and that is to select some one to form a Ministry so that he may get the privilege of dissolution. I would refer in this connection to a textbook on the English Constitution. I refer to Jennings's *Cabinet Government*.

**Shri Vasudevan Nair:** You referred to it in 1954.

**Shri P. G. Menon:** I am referring to it again. Referring to a situation where no party has majority, he says that in such a case the King has to consider three possibilities. The first is that a coalition Government may be formed. "The second possibility", referred to by him, is that one party may form a minority Government with the intention of advising a dissolution as soon as it is practicable to do so." The third possibility is that one party may form a minority Government which may be able to maintain itself in office in spite of its lack of a majority. He mentions these three possibilities. The first and the third possibilities are not available here because no party has a majority and no party has got the support of the other groups. If this matter occurred in England or if this situation arose in the Centre in

India, what the Head of the State would have done is to choose one or the other of the leaders—in that matter, he has discretion—to form a Government so that he can dissolve the legislature and go to the country again. That is not a situation contemplated by the Indian Constitution for the States. Under the Indian Constitution, for the States, we have got article 356 that has been provided in order to, provide for this contingency. But for article 356, what would have happened is the Governor would have called one or the other of the various leaders.

**Shri Khadilkar:** You are arguing a constitutional point. Article 356 debars the Governor from inviting, constituting and taking the advice—that is what it comes to. Does it debar him actually? Will you point it out?

**Shri P. G. Menon:** I will come to that. What the Governor could have done is to ask either the leader of the Communist Party or the leader of the rebel Congress to form a Government so that they may dissolve it later. This was attempted in Travancore-Cochin in the year 1953 when the then Ministry in Travancore-Cochin lost a vote of confidence. They advised the dissolution and there was a furore against that practice from all the sides, especially from the communists. They said that the right to dissolve could not be given to the leader of a party who has no majority. The demand now made amounts to this. One or the other leader of these different warring groups should have to be put into power so that he may have the privilege of dissolving the House. That is the situation.

I am sure it was a very unpleasant duty on the part of the Home Minister and his colleagues and the Prime Minister to have had to advise the President to dissolve the Kerala Legislature and to impose the President's rule. Interesting and ingenious sug-

gestions had been made as to what the Governor could have done. Prof. Ranga the other day said that the Swiss model should be tried in Kerala. If it is good let us try it. Other participants in the debate, outside and in this House, have been saying that the Governor should call the house and ask one of the leaders to get a vote of confidence in order to form a government. Probably on account of developing circumstances in India some thought would have to be bestowed on this matter, how to deal with such situation. Many may know of article 45 of the French Constitution of the Fourth Republic. It is as follows:

“At the opening of each legislature the President of the Republic, after customary consultations, shall designate the president of the council. The latter shall submit to the National Assembly the programme and the policy of the cabinet he intends to constitute. The president of the council and the ministers may not be formally appointed until the president of the council receives a vote of confidence.”

**Mr: Khadilkar and others thought** that we should adopt this procedure. If that is the view of the House and of the country.....

**Shri Vasudevan Nair:** The House was not given a chance.

**Shri P. G. Menon:** Let not Mr. Vasudevan Nair be impatient. I shall meet all his objections. I am now speaking of this House and saying that if this Parliament and the country think, if political thinkers and constitutional lawyers in India think that on account of the developing conditions in India, procedures such as these should be incorporated in our Constitution, by all means that constructive suggestion should have been offered rather than censure the Government for what it has done. If it

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is accepted that it is the British practice that is incorporated in our Constitution, then this could not be done; an amendment of the Constitution will be necessary. If that is required, that should have been a constructive suggestion during this debate and probably there would be many to support it. Probably, this situation may arise later in other States also. We adopted in the Constituent Assembly the British model because that was the model that educated India was familiar with; that is a model which in a truncated form existed in India before the Constituent Assembly drew up the Constitution. There are other forms also; but that is a different question than censuring the Government for what it has done under the Constitution under which we are working today. Why do I say that the Constitution has to be amended? Mr. Khadilkar was happy when I referred to this provision. I am also happy that provisions such as these exist. But they have yet to be accepted. Mr. Madhu Limaye referred the other day to one of the articles of the Constitution. He referred particularly to article 176 of the Constitution which says that the Governor shall call the Assembly and tell the Assembly the reasons for which it was summoned. Shri Khadilkar is nodding his head. What is the meaning of this provision? The meaning is, the Governor shall call the Assembly to meet and tell the Assembly as to what the programme of the Government for the year is. That is to say, the Governor shall deliver a speech, corresponding to the speech of the Crown in the British House of Commons. You cannot take the bare text of the Constitution and import meanings into it. The articles of the Constitution should be read and understood under the circumstances in which they have been framed and with the constitutional practice in the background.

The Governor calls the legislature immediately after the general elec-

tion and annually so that the programme of the Government may be communicated to the legislature, and the Governor, in that respect, is only the mouthpiece of the Ministry. The Governor cannot now call the legislature and say, "I have called you; I designate 'A' to be the future Chief Minister; let 'A' place his programme and seek a vote of confidence of the House." For that purpose, Article 176 can not be used. If it were to be used, then it would have been tantamount to a subversion of or deviation from the Constitution.

This is an occasion, when all of us in this House, whether one belongs to the Congress party or to the Opposition parties, should think and think furiously about the pattern that has evolved after this general election in Kerala. I have been told—I do not want to enter issue now with those who told me so—that this kind of pattern may be emerging after the general election in other places also. I do not know. But then, they should have made the above constructive suggestion. Instead of throwing mud on the Home Minister, instead of calling him names, instead of saying that infamous advice was tendered by the Home Minister to the President, instead of saying that there has been murder, infanticide, abortion and what not—

**Shri Vasudevan Nair:** What else should we say?

**Shri P. G. Menon:** I will tell him what they should say. Instead of saying that, the Members of the Opposition should have had the statesmanship, should have had the patriotism, to say that a situation has arisen in which some further thought about the Constitutional practice in India is required. That Sir, is the situation.

I do not want to add much further to this aspect of my speech. I am

very sorry, I am extremely sorry and unhappy that my State, the most educated in India, my State where literacy is so large, my State which is second to none in India regarding intelligence of her people, should be in this situation even after this general election. I would have been happy if the Members of this House who thought it fit to bandy about the name of Kerala during the last four or five days had been referring to Kerala on account of the unhappy economic and other situation there. I have never heard a single word coming out of any Member of the Opposition regarding the difficulties in which we in Kerala are suffering, regarding our economic situation, regarding the unemployment there and regarding the erratic planning at the Centre on account of which Kerala is in a difficult situation today.

I will state one point and finish. It has been said in the statement by the Finance Minister that several new industries have been started in Kerala by the Centre during the third Five Year Plan. Among them, only Hindustan Machine Tools has been commissioned. The Oil Refinery in Cochin was started about a year back. Then an announcement regarding the second ship-building yard was made on the eve of the election. There have been wrong comments that it was done with the elections in view. I am sure it is not so. The phyto-chemical factory has been scrapped altogether. There have been Rs. 8 crores invested in Kerala by the Central Government by way of industries during the third Five Year Plan. This Rs. 8 crores is a rough figure: it may be slightly more or less. During the first Plan, the all India expenditure on industries in Public sector was Rs. 150 crores, and the investment in Kerala was Rs. 0.00 (*Interruption*). It is three zeros. During the second Plan the investment in the public sector, in industries, by the Centre was Rs. 770 crores and the investment in Kerala was Rs. 79 lakhs. This is what happened.

**Shri Harish Chandra Mathur:** I will tell you one State which has got even much below this. It is Rajasthan.

**Shri P. G. Menon:** I plead not only for Kerala but for all the have-not States of India like Kerala and Rajasthan, and I hope Shri Mathur and others from Rajasthan would join us. That is the position, after the working of the five Year Plans during the last 14 or 15 years. Although much has been said about regional disparities being removed as a result of the Plan, they are there only in the Plan report. The regional disparities get more and more accentuated at the end of every Plan.

Take power. During the last year, for four to five months continuously, industries in Kerala lay closed down for want of power. Anyone in the Government should know that Kerala and Mysore are the two States in India which can produce power most economically because of the hydro-electric potential. These are the States where power could be produced at six to seven paise per kilowatt, but then what is the position? Kerala today has to go before the Madras Government with the begging bowl for power.

**Shri Vasudevan Nair:** who is responsible for all this?

**Mr. Deputy-Speaker:** Order, order. He will have his say.

**The Minister of Defence Production in the Ministry of Defence (Shri A. M. Thomas):** The communist party:

**Shri P. G. Menon:** What I am saying is, this is an example, as I had an occasion to state earlier in this House, of the most egregious kind of erratic planning in India. Kerala has come again directly into the hands of the Central Government. Would the Central Government look into this matter and would they rectify the position? I endorse every word of

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the statement made by my hon. friend Shri Kappen. I have no time to expatiate on those points.

I appeal to the Central Government. Shri Vasudevan Nair asked me whose fault it is. It is the fault of the Central Government. It is the fault of the Planning Commission. If you want to project these matters to the party level, I do not want to do it. It is not that way that things are happening. There are the federal union relations, and those relations have not worked properly. I do not want to take more time of the House.

I am extremely sorry that Members of the Opposition in this House wanted to speak about Kerala only to refer to this wrong and untenable constitutional position which they wanted to raise. I hope the Union Government would study and understand the difficulties of Kerala. The Planning Commission is there, with extremely competent people. Here is a State whose density of population is 1025 or so per square mile. If Kerala were a country, Kerala would be the most densely populated country in the world, not even the low countries in Europe, not even Japan or any other country in the world is so densely populated. Has the Planning Commission ever referred to the problems of density of population in certain regions in India? Has there been any thought bestowed upon this? I rise on this occasion to complain about the situation in Kerala, which remains what it was at the time when planning started.

14 hrs.

**Shri Tyagi:** I can assure the hon. member that the Government will do their best to remove their difficulties.

**Shri Warrior:** We have heard that assurance many times without any result!

**Mr. Deputy-Speaker:** At 4 o'clock the Foreign Minister will make a statement on the use of gas in Vietnam.

**Shri Hari Vishnu Kamath:** Mr. Deputy-Speaker, Sir, the House is discussing the Kerala budget under the shadow of an event which augurs ill for the future of parliamentary institutions in the country, which is fraught with danger to the future of parliamentary democracy in India. The budget was presented some days ago, but by one of those ironies of history, the powers under which it was presented by the Central Government had lapsed, and a new proclamation had been issued only a couple of days ago. This morning the point was discussed at some length. However much it might be said on behalf of the Government that the Legislative Assembly was properly constituted, I still feel the matter is not free from doubt. As you are well aware, even this House, the Lok Sabha is not constituted properly until the members are sworn in. Then only they can draw their salaries, allowances, and that kind of thing. In that light, I do think even now that the Kerala legislature was not properly constituted. Be that as it may, the position with regard to Kerala legislature must be examined in some greater detail.

May I say straightway that I and my party, from the very outset, for the last so many years, had warned the Government against the designs of the Chinese and their allies in India? On this occasion, I would like to reiterate the position for which my party has stood all these years that those elements in our country—the parties or groups—who are overtly or covertly allied with the Chinese enemy today under the Defence of India Act deserve no mercy.

**Shri N. C. Chatterjee (Burdwan):** It is an aggressor.

**Shri Hari Vishnu Kamath:** As long as the Defence of India Act is in force, it is an enemy country.

Having said that, let us examine the position with regard to the issue of the proclamation two days ago. I venture to suggest that the statement made by the Home Minister a couple of days ago based as it is or as it purports to be on the report of the Governor of Kerala is a laboured effort at bamboozling this House and the people outside with regard to the position in Kerala. May I invite your attention to some of the portions of his statement? It is said that the Governor explored all the avenues that were open to him, and he found that it was impossible to form a stable Ministry and therefore, under the provisions of article 356, he reported to the Central Government that a stable Government could not be formed in Kerala. Is it as clear as that?

The Home Minister says in one part of his statement:

"The leaders of the Kerala Congress and the Muslim League made it clear to the Governor that they would not join or support any ministry that may be formed or sponsored by the Communists."

Well and good. My friends on the other side seem to be labouring under the illusion that the strength required for forming a Government by any party or group of parties is 67, because the strength of the Assembly is 134 or 133. That is a patent fraud and a fallacy, because the Home Minister, rightly or wrongly has announced in the House that those 29 left communist detenus would not be released.

**Shri A. M. Thomas:** A curious argument!

**Shri Hari Vishnu Kamath:** It is easy for you, sit in the front bench

here and talk like that. Go to Ernakulam and see.

The strength of the Kerala Assembly, minus the 29 detenus, comes to only 104 or 105, with those communist detenus behind the bars not being able to take part in the Assembly. Sir, it was the Congress Party, the peace-mongers of the Congress, who brought war to our door. It is they who gave a fillip to the pro-Peking elements in India. Now it does not lie in their mouth to call the kettle black—the pot calling the kettle black!

Be that as it may, today the position is that any party or bloc of parties can form a Government in Kerala if it has a strength of 52 in a House of 103, because one will adorn the Speaker's Chair. So, any group of parties with 52 members within their fold can form a stable Government. If that is admitted—no sensible member on the other side would dispute that argument—let us examine the position with regard to the various parties.

Kerala Congress—23 plus 1 plus another Swatantra member who has aligned himself with the Kerala Congress; that means Kerala Congress 25; Muslim League 6 plus 5, i.e. 11; SSP 13, Independents 4 and the Communist Party of India 3. All these together give a total of 55 or 56. It may very well be argued that one or the other of the parties would not support any government of that kind. What does the Home Minister's statement say? It says:

"Thus, except for Samyukta Socialist Party who were not opposed to a Ministry formed or sponsored by the Communist (Marxist) Party, the parties were clear that they would neither lend support to, nor seek the support of, that party in forming a government."

I am for a Ministry formed by all the patriotic and democratic parties in



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Kerala. If the SSP or the Kerala Congress and Muslim League had formed a Government, once the Assembly was convened by the Governor, it would have been anybody's guess as to what might have happened. You know, Sir, once an Assembly is convened, the elected members start discussing things and new thoughts and new alignments may emerge from that. I am quite sure if the Assembly had been convened and constituted there would have been a party or group of parties with the requisite strength of 52 members to form and constitute a stable government in Kerala—it is not 67 but 52, let us be clear about this matter.

Sir, I do not know what the advice of the Governor was to the President. A summary has been placed here and not the full report. Therefore, I would like to ask the Home Minister one thing. My hon. friend, Shri Govinda Menon talked about the Constitution of France, this country and that. May I ask, can this Congress party, which has always put party interest above the national interest, which has put party interest above the requirements of democracy, which has put party interest above the imperatives of the Constitution, today ask the Opposition to tell them some alternative, give them some alternative? I have given the alternative. Can you challenge the reasonableness of this alternative. This party installed in office as Chief Minister some years ago, perhaps not once but twice, a member who was defeated very badly at the elections. He was installed as Chief Minister and for months together he continued. Then he had to face the Assembly—of course, he got the confidence vote because they were in a majority. These filthy precedents they have created in this country. Still they talk a lot about Constitution and democratic proprieties. The party in power, the Congress Party, has not hesitated to do violence to constitutional proprieties and to democratic requirements in this coun-

try. The duty of the Congress Party was quite clear and yet they have shirked it. They have not only shirked it, they have betrayed their duty to the parliamentary democracy and to the people. They have taken shelter behind the perfidy of the Left Communists. But I charge them that they have been perfidious to the Constitution, perfidious to democracy. I charge them with having committed perfidy to the Constitution, to democracy. This is not the way the Congress Party which is pledged to high ideals should have functioned on this occasion.

Sir, I am not one of those who are apologists for the Left Communists and function under the guise of socialism. We have made our position clear. My party made its position clear. I assert that no chance has been given to the Kerala legislature to form or at least meet once after being properly convened and explore the possibilities of forming a stable ministry. It has been killed. As I said rightly, this, morning, democracy has been slaughtered, not merely has there been infanticide but, *bruna hatiya*, it has been killed in the womb, a case of foeticide. At the most it might be said that as soon as it was born it was killed, it was strangeld.

I would, therefore, on this occasion, when the Kerala Budget is before the House, say that the economic development of Kerala must occupy the undivided attention of this House. Therefore, I had pleaded for more time for discussing this Kerala Budget. It is not merely a Vote on Account that we will have to pass. Now that the new proclamation has come the entire budget will have to be passed by this House, and I am sure the House will discuss at length the economic requirements of Kerala, the economic development of Kerala and other essential things of that kind.

But I have no hesitation, once again, in saying that the proclamation that has been issued two days ago is a patent, unmitigated fraud on the Constitution. It has betrayed parliamentary democracy; it has violated all constitutional requirements. The Vice-President discharging the function of the President should have ensured that the Kerala Legislature met at least once and that the members were given a chance to form a stable ministry. In my own Madhya Pradesh and also in Rajasthan, after the last general elections the Congress did not have a majority at the time. Later on, after the Assembly met, after the legislature met, they manoeuvred—after all, we know how they manoeuvre things by distribution of patronage, of office and all that—and got a bare majority of three or four. That is how they functioned in Madhya Pradesh and in Rajasthan after the elections. They did not give a similar chance to the people of Kerala. This is gross violation of the Constitution, of democracy and they stand self-condemned.

श्री हुकम चन्द कलुवाय (देवास): उपा-  
ध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है।  
हाउस में कोरम नहीं है ,

**Mr. Deputy-Speaker:** The Bell is being rung. There is quorum now—Shri Khadilkar.

**Shri Khadilkar:** Mr. Deputy-Speaker, Sir, the issue before the House today is of grave significance and I do not want to apply my mind, nor do I desire any Member of this House to apply his mind, from a narrow party angle, because this House is not only supposed to carry on the Government but is also supposed to see that the provisions enshrined in the Constitution the provisions formulated by the founding fathers, are being maintained and no reach is committed consciously on any occasion.

As the Finance Minister said yesterday, every decision of the Government need not be considered infallible. This is a constitutional issue on which every Member of this House must feel concerned. What would happen if this issue is not properly grasped and understood? If there is a lacuna in the Constitution and it is not amended or rectified, what would happen to this country?

Sir, we are in a most sorry state of affairs because I feel, as a democrat, that the verdict given by the electorate in Kerala, the mandate given to the representatives of Kerala, has been reversed. While reversing that mandate, I am not personally satisfied that all the constitutional possibilities of functioning of parliamentary democracy were explored. Constitutionally, to my mind—let me be very frank—this looks dubious and it violates the fundamentals of our Constitution. It is against constitutional propriety. I am not speaking as a party member with a rigid attitude, as I said in the beginning. I expect the time has come when, as I said the other day, in this country the dominant party should try to sustain democracy. In other countries the dominant party usually undermine democracy. That has been sustained by the leadership of late Pandit Nehru and now, I presume, by Shri Lal Bahadur Shastri who is taking his decisions looks at the collective wisdom. But there are occasions when intuitive judgment of moral character is called for when you have to apply your mind afresh. I know that Shastriji is not very happy about this decision. This is my personal view.

What has happened in Kerala? Let us try to analyse it. Sir, you were a member of the Constituent Assembly and you know that we have enshrined in our Constitution the British parliamentary system of Government. But we never thought at that time whether in the changing context of the

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situation this system will prove workable in this country or not. What do we find at the present juncture? After functioning for 17 years under this Constitution, we find that party life is disintegrating. The Communist Party is split; the SSP is split; the Jan Sangh is split on the language issue; the Swatantra Party is united only on free enterprise; beyond that, there is no united front in the Swatantra Party; there is absolute freedom. For the first time, in Kerala—let us take note of this—the Congress Party also is split. Therefore, this situation has arisen.

**Shri D. C. Sharma:** Certainly not.

**Shri Khadilkar:** Please sit down Do not disturb me..... (*Interruptions*) Do you want this infection to be carried to the other States also? I maintain that democracy in this country needs a dominant party like the Congress to achieve certain objectives. I hear rumours that in Mysore there is trouble and there is an attempt....

**An hon. Member:** No no.

**Shri Khadilkar:** I read about it in the papers. Therefore, let us take stock of the situation. Let us see whether our present constitutional framework can be fitted into the changing atmosphere or some new pattern should be evolved.

I do agree with many things that were mentioned by Shri Govinda Menon. For instance, he wanted the constitutional aspect to be taken into consideration. I agree there, but I do not agree with his conclusion. Article 356 does not preclude inviting any leader, even a minority leader to come and form a Government. Let any constitutional lawyer—and there are many constitutional pandits here like Shri Nath Pai, Shri N. C. Chatterjee and Shri H. N. Mukerjee—apply his

mind to this problem and give his considered opinion. Does article 356 preclude inviting the leader of a minority group to form a government? It does not. But that possibility was not explored.

As I said on a former occasion, many of us in this House who were brought up under the British regime still have many cobwebs in our minds of certain constitutional patterns which are not applicable to this country. The time has come when we must apply our mind to this problem.

So far as Kerala is concerned, as I warned you on the last occasion, rigid attitudes have developed—caste attitude, party attitude and so on. You have no ready solutions. You have arrested many people because they were security risks. I support those arrests. But the question is was your contention accepted by the people in the elections? They did not accept your contention. This is a serious problem. If the Communists are going the wrong way and they have foreign affiliations, we who have the heritage of Gandhiji and Nehru, instead of putting them behind the bars should fight them on their own grounds, on the mass front, on the political front and other fronts. I for one, as a democrat, could not tolerate this attitude, because ultimately it would land us in trouble and democracy in this country will be undermined in the name of fighting Communists.

In Kerala you had given them no chance. Shri Govinda Menon quoted the Constitution of the Fourth French Republic. That section says that you must give a chance to the parties; let them answer. If we had given a chance, some groups would have come forward to form a government and the Congress, as we have often said, if not lending active co-operation, would have given the negative kind of support to the constitutional government to function in Kerala. Even a

minority government would have been better, provided the Legislative Assembly is functioning. If that is not possible, there could have been a consensus of three or four groups. It is only when there is a failure of even that that the Governor could say that the constitutional machinery has broken down and so the President should take over the administration by issuing a proclamation.

There is another point of propriety to which I have given deep thought. I want to ask the constitutional lawyers one question. Whose judgment is final in this matter—the judgment of the Governor or that of the representatives of the people? That is the conflict. Let the elected people meet and decide it. If they find there is a failure of democracy, let them come to the Governor. Ultimately they will inevitably have to approach the Governor. It is only then that the Governor could form a judgment and take the decision. To take a decision on the basis of personal conversations is against the grain, against the spirit of our Constitution, as I have understood it.

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

Therefore, on this occasion, as a member of the Constituent Assembly,

I would like to appeal to you and the House that we will have to leave aside party considerations and transcend the party loyalties and consider the position in Kerala in a new perspective. I may tell you that in Kerala there is a local leadership. We might say anything, but is it possible for any hon. Member, be it Shri A. M. Thomas or Shri Ravindra Varma, to go and tell the people of Kerala that Shri A. K. Gopalan and Shri E. M. S. Namboodiripad are traitors? They will not listen to it. Because, these were the people who have fought in the freedom struggle and undergone many difficulties and made many sacrifices in the earlier days. In view of this background material, it is extremely difficult for anybody to tell the people of Kerala that these people are traitors. That can be done only by meeting them on their own ground. You have to tell them by active work in the field; you have to tell them that they are being misled by the Communists, who are security risks, their loyalty is under suspicion and so on. You have to fight them on their own plane; not on any other plane; not by taking political action or repressive measures, because by those measures you cannot fight the Communists.

Finally, as Shri Govinda Menon has said, there is a constitutional gap or lacuna. The changing situation demands that this gap should be filled up by amending the Constitution. If it is necessary, we have to do it. Today the position is that the political life at the party level is disintegrating. Lord Bisraeli said that a party is organised public opinion. If that definition is not more applicable to the present context of the situation, it is for us, the dominant party in the country, to take stock of the situation. Now, in a slow manner, the whole party life and social life is getting disintegrated. We have to build ourselves up so that the dominant position of the Congress Party would be maintained. By no other method can

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we sustain the Constitution and democracy and achieve our social objective within the framework of the Constitution. Kerala has taught us a lesson and we should not forget it. We should try to repair the damage that has been done to democracy.

**Shmri Nath Pai:** Sir, Mr. Khadilkar has made an appeal for our Constitutional advice on this very important issue.

It is the considered opinion of Mr. N. C. Chatterjee, Mr. H. N. Mukerjee and Mr. Nath Pai, on behalf of the few other Members on these benches also, that article 356 does not preclude the calling of the leader of a minority party to form the government. (*Interruption*).

Sir, he has asked for it.

**An hon. Member:** Constitutional Bench!

**Shri Tridib Kumar Chaudhuri:** Sir, we all know the extraordinary circumstances under which Parliament has to consider these Grants. The main question before us is whether the action taken by the President on the advice of the Home Ministry has been constitutionally proper or legal.

I would invite a reference to the concluding paragraph of the summary of the report of the Governor that has been circulated to us. And in this paragraph it is stated:

In view of what has been stated above—the Report of the Governor deals with the situation arising after the election and concludes—In view of what has been stated above, the Governor considered that no party or combination of parties would be in a position to muster enough strength to form a ministry with a working majority and he therefore recommended that article 356 of the Constitution might be applied.

But what article 356 contemplates is not the possibility or the impossibility of forming a representative government with a working majority. What article 356 contemplates, if you read the language of that article, is that the Governor must be satisfied that a situation has arisen in which the government of the State cannot be carried on in accordance with the provisions of this Constitution.

When the Governor takes upon himself the responsibility of deciding whether any party or combination of parties is in a position to form a government with a working majority or a representative government, the Governor unwittingly enters the sphere of party politics. And that is a gross violation of the Constitution. What the Constitution requires is stated clearly in article 164(2) where it is stated—it is a very simple and succinct statement—that “the Council of Ministers shall be collectively responsible to the Legislative Assembly of the State”.

If any party is not in a position to command a majority, in that case the courses that are open to the head of the State have been described here in this well-known book by Mr. Ivor Jennings and this was referred to by Mr. Menon also.

The head of the State has to consider three possibilities. The first is that a coalition government may be formed. The second possibility is that one party may form a minority government with the intention of advising a dissolution as soon as it is practicable to do it. And the third possibility is that a minority government may be formed which may be able to manage itself in office in spite of its lack of a majority.

The Governor's report makes it very clear that, if a government were formed by the Kerala Congress and the Muslim League, in view of the stated

position of the Congress Party, they would be prepared to support a government so long as that government did not go against the stated Congress policies. I fail to see how in view of this position the Governor could arrive at this conclusion that a situation has arisen where the government of the State cannot be carried on in accordance with the provisions of the Constitution.

The provisions of the Constitution would be satisfied if the Assembly allows the government to be carried on. So long as it does not throw out a government, even if it is a minority government, so long the requirements of the Constitution are satisfied. Unfortunately that aspect of the matter was not considered, and the Congress Government at the Centre, who were embarrassed because their counterparts in the State were thrown out of power by the electorate, wanted to convert their minority position into a majority indirectly, by assuming all power to themselves. And that is why we have to consider here the State's budget that has been presented by the hon. the Finance Minister to this House.

I say, Sir, with all the emphasis at my command that it is not merely constitutional impropriety. The hon. the Speaker suggested that if some people were not satisfied with the decision of the Government they may take the matter to the Supreme Court. May be, some Member of the Kerala Legislature would take up that suggestion. But it is clear that not only the spirit of the Constitution but also the letter of the Constitution, the law as written in the Constitution, has been violated. That has been violated firstly by the Governor in not reporting to the Government that a situation has arisen in which the government of the State cannot be carried on in accordance with the provisions of the Constitution. That, he has never stated anywhere in his report.

The only thing he has stated is that a representative government with a working majority cannot be formed. But that does not mean that a situation has arisen where the government of the State cannot be carried on in accordance with the provisions of the Constitution, because the provisions of the Constitution only require that the State Government should have the confidence of the Legislature; it should be collectively responsible to the Legislature; nothing more, and nothing less. So long as a government formed is not thrown out by the Legislature by means of a vote of no-confidence, so long the requirements of the Constitution are satisfied.

So far as the problems of that problem State are concerned, everybody is aware of them. Mr. Panampilli Govinda Menon complained that Members of the Opposition or Members of this House are not aware of those problems. But the tragedy is that although his party has been in power in that State for the major part of the seventeen years that we have been independent, the problems of that State have not been solved and they will certainly not be solved if the ruling party here assumes power in the illegal and unconstitutional manner it has sought to do.

**Dr. M. S. Aney (Nagpur):** If you permit me I will speak on one small point in connection with the Constitution.

**Mr. Deputy-Speaker:** Shri Vasudevan Nair:

**Shri Vasudevan Nair:** Mr. Deputy-Speaker, Sir, I was listening to all the speeches made by the hon. members with a lot of interest. I should say that I was very much amused to hear the speech of one hon. member, Shri Govinda Menon. He had the distinction in this House—that only distinction in this House of trying to defend the indefensible case. He is a very eloquent speaker and a very good

[Shri Vasudevan Nair]

Advocate. But I should tell him that he has tried to present a lot of legalistic arguments to cover up the political crime of the ruling party. That is the real point at issue. And no amount of quotations either from Jennings or Montague can cover up that crime, the political crime committed by the ruling party of which he is a leading member. I was also interested to see that he was giving so many quotations because he is very good at quotations. In 1953—I would like to recall—it was he who very much depended on Jennings's quotation to justify the continuation of a minority Congress Ministry in Travancore-Cochin which was voted out of power on no-confidence. They tried to continue in power as a caretaker Government and they continued shamelessly. And an explanation was given and an argument was advanced by Shri Govinda Menon who was a Minister in that Cabinet on the basis of a quotation from Jennings.

**An hon. Member:** The same quotation.

**Shri Vasudevan Nair:** I do not know whether it was the same quotation.

I am surprised and I am really sorry that persons like him who should guide the Central Government and the ruling party in a more sensible manner are trying to cover up the mischiefs, the mistakes and the crimes committed by the very same ruling party. My charge is that whatever the Central Government has done in relation to Kerala in the recent period was done solely and wholly in the self-interest of the ruling party and the Central Government. It was not done in a spirit of fairness; it was not done in a spirit of democracy; it was not even done to uphold the spirit of the Constitution. Many constitutional experts and lawyers have already told us how the action of the Central Gov-

ernment was betrayal of democracy and betrayal of the Constitution. I am not so much interested in that as I am interested in the political aspect of the problem.

Now, Sir, the Congress High Command and the Central Government thought that they can frighten the Kerala people and that they can terrorise the Kerala people. I charge this Government and this Home Ministry that they decided to put these people in prison just on the eve of the election with no other purpose than to frighten the electorate of Kerala. They thought that they will be able to prevent an understanding between the Left Communists and the Muslim League by putting the Left Communists in prison. I will just request Shri Govinda Menon to really refute if it is possible....

**Shri P. G. Menon:** I refute it.

**Shri Vasudevan Nair:** It was with this idea in mind that they will be able to prevent an alliance like this which according to me was a very unholy alliance. But this was not the method to prevent it.....

**Shri P. G. Menon:** What happened.

**Shri Vasudevan Nair:** I am sorry. I do not get enough time to yield to the hon. member.

**Shri P. G. Menon:** If you challenge me, I will refute it and you should give me an opportunity.

**Shri Vasudevan Nair:** They thought that they could win the elections—at least some of them thought that they could win the elections if the leading members of the Marxist Communists were put in prison. But they were thoroughly mistaken. We know what is in the stock of the Kerala electorate. We had our experience even before. The Home Minister rushed to Kerala. I will even say that a consultative

committee meeting of Kerala M.Ps. was hurriedly shifted to Trivandrum so that the Home Minister could come to Kerala and on the spot he held a press conference. I charge that this was all planned and deliberate. And there he came and said in that press conference: "All right, I will give a chance to the electorate to reject these people. But in case these people are elected, we will do our job." He said: "We will do our job". Therefore, even at that time he hinted, rather bluntly hinted that even if these people are elected, they will not be released. Arithmetical calculations are made. But in all honesty, we should all agree and realise that there is a case for the major party that has emerged after the elections that they were not given a proper opportunity and a fair chance to enter into negotiations with all other opposition parties to find out whether they can really form a Government and get a majority. An impression was given by the Central Government from the very beginning that there is no use of having any alliance with this party because whatever happens 75 per cent of those members of legislature will remain in prison; they will not come out of prison. I say that this also was done with a calculation and with a purpose. Even at this time when the Central Government, on the so-called advice of the Governor and the advice of some members of the Congress Party in Kerala, took this decision to promulgate President's rule, I say there was a chance for a Government to be formed. May be it will be a minority Government for the time being.

Why was the High Command in such a hurry? There are two reasons for that. One is that they want to get rid of this situation under which some MLAs are in prison even after getting elected. Even though Shri Nanda is very bold in his denunciation, I think he is himself a little nervous that people who are voted to the As-

sembly, in spite of the accusations, are remaining in prison and there is going to be a huge mass movement for their release, especially for the release of people who are elected to the Assembly, if not for all the detenus. He knows that he will be in an extremely defensive position and that he will not be able to meet that mass movement. This was one consideration.

The second consideration was that anyone who reads Kerala papers knows, this that when an Assembly comes into existence and Government is sworn in, there will be defections from the Congress Party. They wanted to avoid that situation because that has happened in the past. There were persistent reports in the newspapers that some MLAs of the Congress who were elected were sending telegrams and messages to the High Command that they should not take this obstructionist attitude and that they should co-operate with the Rebel Congress and form a Government. In case the rebel Congress-Muslim League alliance forms a Government, Shri Govinda Menon and many others knew that there was a likely chance of some people crossing over and that party becoming a majority party.

Again, Sir, in the interest of the Congress, the Government of India, the Home Ministry, wanted to save the Congress from that embarrassing situation. It is very amazing, it is very strange and it is really shocking that the Home Ministry comes out with a political analysis of the election results to show that the Congress has gained in these elections in percentages and that the Communists have lost in the elections in percentages. Of course, these calculations and combinations can be made. But my charge is: what business has the Home Ministry, what business has this Government of India which is here at the expense of all the people, not only the Congress, to come out with such statements and publicise them. Is it



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the business of the Central Government to bring out a political analysis explaining that the Congress is still enjoying so much support and that others are losing? So, Sir, from beginning to end, if you examine the history of Kerala developments during the last six months, you will see that every action of this Central Government was actuated, motivated, by selfish considerations, by party considerations, above national interests and even above the constitutional position in this country.

Now, what will be the result? I am really surprised that this very Government, this very party, which everyday talks in the name of democracy—they say we are all not democrats—is cutting at the very roots of democracy. They are cutting at the very roots of democracy. During the last 17 years, there was not a single action like this which cut at the roots of parliamentary democracy. You are accusing the Communists as a whole and now the Left Communists in particular that they do not believe in parliamentary democracy. It is really surprising that here is a Government which is in a hurry to dissolve a legislature even without giving chance to the parties elected to form a Government because the Congress has lost, because they cannot form a Government. Is there any other agency in this country which is really subverting democracy and paving the way for other paths? The people will have to look for other paths. If this ruling party is going to behave like that we are not afraid to say this. After all ultimately it is the interests of the people that are to be considered supreme. Nothing is more supreme than the interests of the people. All responsible parties in this country are wedded to peaceful paths of revolution. We stand for a revolution in this country but we are pledged to a peaceful path of revolution. But if this party,

if this Government, is going to behave like this, nobody can guarantee what will happen in this country. And you know what is going to happen in Kerala. Already black day has been announced against this declaration of President's rule. May be, they have got the police. In the budget, they have one more crore of rupees for the police. A new battalion is being built up, Malabar special police, and they may be able to meet the situation with the help of the police for the time being. But I say that bad days are coming for our country and it is precisely because of the anti-democratic anti-people, anti-constitutional steps taken by this Government that such a situation is coming about in our country and the entire responsibility rests on this Government.

Sir, even at this late hour, we would request the Central Government to consider their position. Let the people's verdict be honoured. Let them meet the people; let them carry on their ideology among them and try to meet them. If Shri Govinda Menon can depend upon his eloquence and meet the people of Kerala, then perhaps he can do something. Otherwise, this move is doomed to failure. We want to give that warning to this Government.

**Mr. Deputy-Speaker:** Sir T. T. Krishnamachari.

**Dr. M. S. Aney:** May I have five minutes. I want to raise only one constitutional point.

**Shri Raghunath Singh:** We should be allowed to say a few words.

**Mr. Deputy-Speaker:** I have to close this debate at 3-30 P. M. Otherwise, the entire budget programme will be upset.

**Dr. M. S. Aney:** May I have only five minutes.

**Mr. Deputy-Speaker:** All right Dr. Aney. He should conclude in five minutes.

**Dr. M. S. Aney:** Sir, I have only one constitutional point to make. Under the Constitution, there is a provision for the appointment of the President for the Union and the Governor for the State. There is a convention that neither the President nor the Governor can give any advice or do anything without the advice of the Prime Minister or the Chief Minister as the case may be. Under all sections of the Constitution wherever it is said that the Governor has to do this or to do that, it only means that it is on the advice of the Chief Minister. He cannot do anything on his own. That is the main basis of the entire Constitution. So, if the Governor wanted to act and give the advice to the Central Government, or the President, about this he has first to see that there was a Ministry on whose advice he could give that advice to the President. The Ministry has to be there first on whose advice he can say, "I have tried to run the Government but I cannot do that." On that basis, he can tender that advice to the Central Government or to the President. It is that advice which the President has to take into consideration. He himself dissolved the old legislature and ordered new elections in the State. That thing was done. The people acted according to his order. Having taken all these steps on the advice of the Ministry, the only thing he could do was to ask them to form a Ministry by selecting one party which has got a majority *vis-a-vis* other parties. It was his duty to do so. Otherwise, he was not creating a condition under which he can do anything or give any advice either to the Central Government or to the President. That condition was wanting and the advice that he has tendered to the Union Government and to the President here is not the one on which proclamation should

have been issued or the Government should have acted upon.

**Mr. Deputy-Speaker:** Shri T. T. Krishnamachari.

**Shri T. T. Krishnamachari:** Mr. Deputy-Speaker, Sir....

श्री हुकम चन्द्र कल्याण : उपाध्यक्ष  
महोदय, सदन में कोरम नहीं है ।

**Mr. Deputy-Speaker:** The bell is being rung....Now there is quorum.

15 hrs.

**Shri T. T. Krishnamachari:** Mr. Deputy Speaker, Sir, in the Statement that I have appended to the papers placed before the House, I had mentioned in paragraph 9 that I am presenting only a provisional budget of the Kerala Government for the next year. It was the Government's hope at that time that an appropriate budget would be framed and presented later at an appropriate place and we could get the Vote on Account for carrying on the administration until the other contingency developed. Unfortunately other events have overtaken us, and may be the responsibility for having to frame the budget for Kerala would devolve on the Central Government.

Many hon. Members had sent cut motions on these demands. I had gone through all of them and tried to prepare an answer for some of the cut motions tabled. But, unfortunately, I think, none of them has been moved or nobody made any reference to any part of the budget excepting very general charges made about neglect of Kerala. The discussion revolved round the Proclamation that has been placed on the Table of the House a couple of days back and

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upon the *pros and cons* of the circumstances that were behind this proclamation. I don't think I am called upon at this stage to provide any detailed reply for these accusations and counter-accusations; but the reason for the issue of this Proclamation will have to be ratified by the House by a Resolution and in due course that Resolution will be tabled and the House will have a full opportunity of discussing this problem over again. Then, the Government also would be able to state their case adequately at that time.

I hope the hon. Members who spoke will not mistake me as being somewhat oblivious to the remarks made and my not replying to them, because I think that that is the proper time for dealing with this problem. At the moment all I am concerned with is to request the House to pass the Demands and on the basis of the Demands to pass the Vote on Account so that the Government of Kerala can be carried on until such time as a fuller budget, if need be, may be placed before this House for its *imprimatur*, until other conditions supervene.

Therefore I will content myself with this statement and if the House permits, I shall present to the House my Bill in respect of the Vote on Account.

**Mr. Deputy-Speaker:** Are the Cut Motions being pressed to vote?

**Shri Vasudevan Nair:** Cut Motion No. 22 may be put to voice vote.

**Mr. Deputy-Speaker:** The question is:

"That the demand for grant on account under the head 'Heads of

States, Ministers and Headquarters Staff' be reduced to Re. 1."

[Refusal to release M. L. As under detention thereby preventing the formation of a Government in Kerala after the elections. (22)].

*The motion was negatived.*

**Mr. Deputy-Speaker:** I shall now put all the other cut motions.

*All the other cut motions were put and negatived.*

**Mr. Deputy-Speaker:** The question is:

"That the respective sums not exceeding the amounts shown in the third column of the Order Paper be granted to the President on account out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966 in respect of the following Demands entered in second column thereof:—

Demand Nos. I to LIII and LV".

*The motion was adopted.*

**Shri T. T. Krishnamachari:** The Supplementary Demands may also be put to vote.

**Mr. Deputy-Speaker:** The question is:

"That the respective Supplementary sums not exceeding the amounts shown in the third column of the Order Paper be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965 in respect of the following demands

entered in the second column thereof:—

Demands Nos. I, IV to VI, IX, X, XII to XIV, XVI, XVII, XXI to XIII XXV, XXVIII, XXX to XXXV, XXXVII, XL, XLIII, XLVII, L to LIII."

*The motion was adopted*

[*The motions of Demands for Grants (On Account, 1965-66) and of Supplementary Demands for Grants, 1964-65, in respect of Kerala which were adopted by the Lok Sabha, are reproduced below—Ed.]*

ON ACCOUNT DEMANDS, 1965-66

DEMAND NO. I—AGRICULTURAL INCOME TAX AND SALES TAX

"That a sum not exceeding Rs. 7,44,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Agricultural Income Tax and Sales Tax'."

DEMAND NO. II—LAND REVENUE

"That a sum not exceeding Rs. 22,20,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Land Revenue'."

DEMAND NO. III—EXCISE

"That a sum not exceeding Rs. 4,84,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Excise'."

DEMAND NO. IV—TAXES ON VEHICLES

"That a sum not exceeding Rs. 1,65,000 be granted to the President, on account, out of

the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Taxes on Vehicles'."

DEMAND NO. V—STAMPS

"That a sum not exceeding Rs. 2,24,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Stamps'."

DEMAND NO. VI—REGISTRATION FEES

"That a sum not exceeding Rs. 6,57,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Registration Fees'."

DEMAND NO. VII—STATE LEGISLATURE

"That a sum not exceeding Rs. 1,53,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'State Legislature'."

DEMAND NO. VIII—ELECTIONS

"That a sum not exceeding Rs. 1,56,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Elections'."

DEMAND NO. IX—HEADS OF STATES, MINISTERS AND HEADQUARTERS STAFF

"That a sum not exceeding Rs. 13,03,000 be granted to the President, on account, out of

the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Heads of States, Ministers and Headquarters Staff'."

**DEMAND NO. X—DISTRICT ADMINISTRATION AND MISCELLANEOUS**

"That a sum not exceeding Rs. 16,65,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'District Administration and Miscellaneous'."

**DEMAND NO. XI—ADMINISTRATION OF JUSTICE**

"That a sum not exceeding Rs. 17,49,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Administration of Justice'."

**DEMAND NO. XII—JAILS**

"That a sum not exceeding Rs. 9,16,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Jails'."

**DEMAND NO. XIII—POLICE**

"That a sum not exceeding Rs. 81,14,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the

charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Police'."

**DEMAND NO. XIV—STATE INSURANCE AND MISCELLANEOUS**

"That a sum not exceeding Rs. 3,45,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'State Insurance and Miscellaneous'."

**DEMAND NO. XV—SCIENTIFIC DEPARTMENTS**

"That a sum not exceeding Rs. 1,69,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966 in respect of 'Scientific Departments'."

**DEMAND NO. XVI—UNIVERSITY EDUCATION**

"That a sum not exceeding Rs. 33,54,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'University Education'."

**DEMAND NO. XVII—GENERAL EDUCATION**

"That a sum not exceeding Rs. 4,13,85,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'General Education'."

**DEMAND No. XVIII—TECHNICAL EDUCATION**

"That a sum not exceeding Rs. 21,20,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Technical Education'."

**DEMAND No. XIX—MEDICAL**

"That a sum not exceeding Rs. 98,00,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Medical'."

**DEMAND No. XX—PUBLIC HEALTH**

"That a sum not exceeding Rs. 39,74,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Public Health'."

**DEMAND No. XXI—PUBLIC HEALTH ENGINEERING**

"That a sum not exceeding Rs. 17,54,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Public Health Engineering'."

**DEMAND No. XXII—AGRICULTURE**

"That a sum not exceeding Rs. 46,37,000 be granted to the President, on account, out of the Consolidated Fund of the

State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Agriculture'."

**DEMAND No. XXIII—FISHERIES**

"That a sum not exceeding Rs. 24,12,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Fisheries'."

**DEMAND No. XXIV—RURAL DEVELOPMENT**

"That a sum not exceeding Rs. 9,20,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Rural Development'."

**DEMAND No. XXV—ANIMAL HUSBANDRY**

"That a sum not exceeding Rs. 18,91,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Animal Husbandry'."

**DEMAND No. XXVI—Co-OPERATION**

"That a sum not exceeding Rs. 12,53,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Co-operation'."

**DEMAND No. XXVII—INDUSTRIES**

"That a sum not exceeding Rs. 16,40,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Industries'."

**DEMAND No. XXVIII—COMMUNITY DEVELOPMENT PROJECTS, NATIONAL EXTENSION SERVICE AND LOCAL DEVELOPMENT WORKS**

"That a sum not exceeding Rs. 49,10,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Community Development Projects, National Extension Service and Local Development Works'."

**DEMAND No. XXIX—LABOUR AND EMPLOYMENT**

"That a sum not exceeding Rs. 14,72,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Labour and Employment'."

**DEMAND No. XXX—HARIJAN WELFARE**

"That a sum not exceeding Rs. 29,06,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Harijan Welfare'."

**DEMAND No. XXXI—STATISTICS AND MISCELLANEOUS**

"That a sum not exceeding Rs. 8,42,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Statistics and Miscellaneous'."

**DEMAND No. XXXII—IRRIGATION**

"That a sum not exceeding Rs. 49,66,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Irrigation'."

**DEMAND No. XXXIII—PUBLIC WORKS**

"That a sum not exceeding Rs. 1,56,53,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Public Works'."

**DEMAND No. XXXIV—PORTS**

"That a sum not exceeding Rs. 1,25,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Ports'."

**DEMAND No. XXXV—TRANSPORT SCHEMES**

"That a sum not exceeding Rs. 98,34,000 be granted to to

the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Transport Schemes'."

**DEMAND No. XXXVI—FAMINE**

"That a sum not exceeding Rs. 3,37,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Famine'."

**DEMAND No. XXXVII—PENSIONS**

"That a sum not exceeding Rs. 49,73,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Pensions'."

**DEMAND No. XXXVIII—STATIONERY AND PRINTING**

"That a sum not exceeding Rs. 13,43,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Stationery and Printing'."

**DEMAND No. XXXIX—FOREST**

"That a sum not exceeding Rs. 23,51,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Forest'."

**DEMAND No. XL—MISCELLANEOUS**

"That a sum not exceeding Rs. 9,83,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Miscellaneous'."

**DEMAND No. XLI—MISCELLANEOUS COMPENSATIONS AND ASSIGNMENTS**

"That a sum not exceeding Rs. 2,74,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Miscellaneous Compensation and Assignments'."

**DEMAND No. XLII—NATIONAL EMERGENCY**

"That a sum not exceeding Rs. 8,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'National Emergency'."

**DEMAND No. XLIII—CAPITAL OUTLAY ON PUBLIC HEALTH**

"That a sum not exceeding Rs. 18,65,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending 31st day of March 1966 in respect of 'Capital Outlay on Public Health'."

**DEMAND No. XLIV—CAPITAL OUTLAY ON AGRICULTURAL IMPROVEMENT**

"That a sum not exceeding Rs. 1,17,000 be granted to



the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Capital Outlay on Agricultural Improvement'."

**DEMAND No. XLV—CAPITAL OUTLAY ON INDUSTRIAL AND ECONOMIC DEVELOPMENTS**

"That a sum not exceeding Rs. 57,11,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Capital Outlay on Industries and Economic Developments'."

**DEMAND No. XLVI—CAPITAL OUTLAY ON IRRIGATION**

"That a sum not exceeding Rs. 55,45,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Capital Outlay on Irrigation'."

**DEMAND No. XLVII—CAPITAL OUTLAY ON PUBLIC WORKS**

"That a sum not exceeding Rs. 96,16,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Capital Outlay on Public Works'."

**DEMAND No. XLVIII—CAPITAL OUTLAY ON OTHER WORKS**

"That a sum not exceeding Rs. 6,65,000 be granted to

the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Capital Outlay on Other Works'."

**DEMAND No. XLIX—CAPITAL OUTLAY ON PORTS**

"That a sum not exceeding Rs. 13,35,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Capital Outlay on Ports'."

**DEMAND No. L—CAPITAL OUTLAY ON TRANSPORT SCHEMES**

"That a sum not exceeding Rs. 75,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Capital Outlay on Transport Schemes'."

**DEMAND No. LI—CAPITAL OUTLAY ON FORESTS**

"That a sum not exceeding Rs. 6,93,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Capital Outlay on Forests'."

**DEMAND No. LII—COMMUTED VALUE OF PENSIONS**

"That a sum not exceeding Rs. 42,000 be granted to

the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Commutated Value of Pensions'."

**DEMAND NO. LIII—CAPITAL OUTLAY ON SCHEMES OF GOVERNMENT TRADING**

"That a sum not exceeding Rs. 13,85,35,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Capital Outlay on Schemes of Government Trading'."

**DEMAND NO. LV—LOANS AND ADVANCES BY THE GOVERNMENT**

"That a sum not exceeding Rs. 2,98,58,000 be granted to the President, on account, out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1966, in respect of 'Loans and Advances by the Government'."

**SUPPLEMENTARY DEMANDS, 1964-65**

**DEMAND NO. I—AGRICULTURAL INCOME TAX AND SALES TAX**

"That a Supplementary sum not exceeding Rs. 1,67,500 be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Agricultural Income Tax and Sales Tax'."

**DEMAND NO. IV—TAXES ON VEHICLES**

"That a Supplementary sum not exceeding Rs. 44,000 be granted to the President out of

the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Taxes on Vehicles'."

**DEMAND NO. V—STAMPS**

"That a Supplementary sum not exceeding Rs. 5,100, be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Stamps'."

**DEMAND NO. VI—REGISTRATION FEES**

"That a Supplementary sum not exceeding Rs. 11,400 be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Registration Fees'."

**DEMAND NO. IX—HEADS OF STATES, MINISTERS AND HEADQUARTERS STAFF**

"That a Supplementary sum not exceeding Rs. 1,77,000 be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Heads of States, Ministers and Headquarter's Staff'."

**DEMAND NO. X—DISTRICT ADMINISTRATION AND MISCELLANEOUS**

"That a Supplementary sum not exceeding Rs. 3,11,600 be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in

respect of 'District Administration and Miscellaneous'."

#### DEMAND NO. XII—JAILS

"That a Supplementary sum not exceeding Rs. 4,72,000 be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Jails'."

#### DEMAND NO. XIII—POLICE

"That a Supplementary sum not exceeding Rs. 10,00,000 be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Police'."

#### DEMAND NO. XIV—STATE INSURANCE AND MISCELLANEOUS

"That a Supplementary sum not exceeding Rs. 48,700 be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'State Insurance and Miscellaneous'."

#### DEMAND NO. XVI—UNIVERSITY EDUCATION

"That a Supplementary sum not exceeding Rs. 3,20,000 be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'University Education'."

#### DEMAND NO. XVII—GENERAL EDUCATION

"That a supplementary sum not exceeding Rs. 1,41,88,000 be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'General Education'."

#### DEMAND NO. XXI—PUBLIC HEALTH ENGINEERING

"That a Supplementary sum not exceeding Rs. 100 be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Public Health Engineering'."

#### DEMAND NO. XXII—AGRICULTURE

"That a Supplementary sum not exceeding Rs. 400 be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Agriculture'."

#### DEMAND NO. XXIII—FISHERIES

"That a Supplementary sum not exceeding Rs. 17,11,900 be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Fisheries'."

#### DEMAND NO. XXV—ANIMAL HUSBANDRY

"That a Supplementary sum not exceeding Rs. 27,000 be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course

of payment during the year ending the 31st day of March, 1965, in respect of 'Animal Husbandry'."

**DEMAND No. XXVIII—COMMUNITY DEVELOPMENT PROJECTS, NATIONAL - EXTENSION SERVICE AND LOCAL DEVELOPMENT WORKS**

"That a Supplementary sum not exceeding Rs. 100 be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Community Development Projects, National Extension Service and Local Development Works'."

**DEMAND No. XXX—HARIJAN WELFARE**

"That a Supplementary sum not exceeding Rs. 3,00,000 be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Harijan Welfare'."

**DEMAND No. XXXI—STATISTICS AND MISCELLANEOUS**

"That a Supplementary sum not exceeding Rs. 100 be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Statistics and Miscellaneous'."

**DEMAND No. XXXII—IRRIGATION**

"That a Supplementary sum not exceeding Rs. 18,28,500 be granted to the President out of the Consolidated Fund of the

State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Irrigation'."

**DEMAND No. XXXIII—PUBLIC WORKS**

"That a Supplementary sum not exceeding Rs. 100 be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Public Works'."

**DEMAND No. XXXIV—PORTS**

"That a Supplementary sum not exceeding Rs. 86,300 be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Ports'."

**DEMAND No. XXXV—TRANSPORT SCHEMES**

"That a Supplementary sum not exceeding Rs. 43,67,800 be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Transport Schemes'."

**DEMAND No. XXXVII—PENSIONS**

"That a Supplementary sum not exceeding Rs. 40,07,800 be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Pensions'."

## DEMAND NO. XL—MISCELLANEOUS

"That a Supplementary sum not exceeding Rs. 2,00,000 be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Miscellaneous'."

## DEMAND NO. XLIII—CAPITAL OUTLAY ON PUBLIC HEALTH

"That a Supplementary sum not exceeding Rs. 100 be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Capital Outlay on Public Health'."

## DEMAND NO. XLVII—CAPITAL OUTLAY ON PUBLIC WORKS

"That a Supplementary sum not exceeding Rs. 300 be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Capital Outlay on the Public Works'."

## DEMAND NO. L—CAPITAL OUTLAY ON TRANSPORT SCHEMES

"That a Supplementary sum not exceeding Rs. 2,500 be granted to the President out of the Consolidated Fund of the State of Kerala to defray the

charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Capital Outlay on Transport Schemes'."

## DEMAND NO. LI—CAPITAL OUTLAY ON FORESTS

"That a Supplementary sum not exceeding Rs. 7,93,200 be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Capital Outlay on Forests'."

## DEMAND NO. LII—COMMUTED VALUE OF PENSIONS

"That a Supplementary sum not exceeding Rs. 1,00,000 be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Commuted value of Pensions'."

## DEMAND NO. LIII—CAPITAL OUTLAY ON SCHEMES OF GOVERNMENT TRADING

"That a Supplementary sum not exceeding Rs. 19,25,73,800 be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1965, in respect of 'Capital Outlay on Schemes of Government Trading'."