

[Shri Hari Vishnu Kamath]

Parliament without any dissenting voice and all the powers that the Government wanted were granted to them. Is it right that the executive, armed as it is with these extraordinary powers, should continue to have them indefinitely without any reference to Parliament whatsoever? I am sure it is entirely contrary to the spirit of the Constitution, not only the spirit of the Constitution but also the letter of the Constitution. I, therefore, ask: Why does the Government still insist on not revoking the Proclamation of Emergency?

Recently, we learnt from the papers, as well as from the statements made in the House, that the Chief Ministers were invited from all the States, including Nagaland, I believe—that is also a State and it should have been invited; if not, it ought to have been invited though, of course, Shri Shilu Ao is out of the picture for the time being, we wish we depose the Government in a similar manner but we cannot do it here—for talks, for their opinion, as to whether the Defence of India Act and the Rules should continue. I believe, at that time, this cognate matter, this cognate issue, of the Proclamation of Emergency also continuing *pari passu* with the D.I.R. was also discussed with the Chief Ministers of various States. There is a phrase, human nature being what it is—I repeat it even at the risk of being dubbed as tedious—human nature being what it is, the Chief Ministers being what they are, who, Sir, would agree to a proposal that they shed the powers? Powers, once acquired, are rarely voluntarily given up, are very seldom given up; it is only extraordinary persons who have voluntarily given up the powers that they have acquired by force or fraud, by hook or by crook. I do not say that in this particular case they had acquired their powers by force or fraud, by hook or by crook; under the Constitution they have acquired the powers. But it is a universal experience that very few, whether in the

Centre or in the States, would like to shed the powers that they acquired on that historic day in November, 1962. Is it in the national interest? You yourself are a thinker give to cogitating earnestly over these matters. Even for your own home State, Jammu & Kashmir even from the point of view of that State, Jammu & Kashmir, do you think that this proclamation of Emergency should continue today?

Mr. Chairman: The hon. Member may resume his seat; he can continue his speech on the next day when Private Members' Bills will be taken up.

17.37 hrs.

PERSONAL EXPLANATION BY MINISTER

The Minister of External Affairs (Shri Swaran Singh): As I had no questions to answer, I was not present in the Lok Sabha this morning during the Question Hour.

I have learnt that in the course of supplementaries to Starred Question No. 420, it was stated by Shri Hem Barua that:

“...they (M/s. Aminchand Pyarelal) had made a substantial contribution towards the election fund of the then Steel Minister who held office prior to Shri Subramaniam as much as Rs. 7 lakhs and if so, may I know whether the Government is going to hold a probe into the entire gamut of affairs starting from 1953 to present days.”

Shri Hem Barua at a subsequent stage said:

“I have made a specific allegation that Rs. 7 lakhs were contributed by this firm towards the election fund of a particular Minister; that should be taken into consideration.”

Shri Hem Barua further Said later:

"My allegation is that it has contributed Rs. 7 lakhs towards the election fund for a particular Minister."

I find that Shri Swell raised a point of order suggesting that the allegation made against me by Mr. Hem Barua should be passed on to me and I may be asked to come before the House with a statement refuting or accepting the charge made by Mr. Hem Barua to which the hon. Speaker remarked:

"It is for the Government to refute and not for me."

With your permission, Mr. Chairman, I may be permitted to state that, if the allegation made by Mr. Hem

Barua is directed against me, it is incorrect. It is incorrect that any contribution was made by the said firm to my election fund; in fact, I did not have any election fund. As a matter of fact, no contribution was made by the said firm through me to any election fund. As my name had been mentioned, I have sought your permission to enable me to contradict the allegation made against me.

Mr. Chairman: The House stands adjourned till 11 a.m. on Tuesday, the 16th August, 1966.

17.40 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, August 16 1966/Sravana 25, 1888 (Saka).