

matter was raised here she might make the statement perhaps there was some misunderstanding. She wants to correct that. The fact is that this gentleman was arrested in a case of criminal assault and bail was refused. He went up in appeal to the local High Court. They also refused. You will remember, Sir, that the French law still applies to Pondicherry. When we heard about this matter we referred to our Chief Commissioner and he told us that he was nominated afterwards, that is, after this incident he was nominated as a candidate. We instructed our Chief Commissioner not to oppose the grant of bail. It is not for him to grant bail. It is for the courts, but he should make it clear that the Government would not oppose it. These are the facts. I do not quite know what has happened since then.

Shrimati Benu Chakravartty (Basirhat): There is one more sentence which needs correction. Not only the first sentence for correcting which she has already asked for permission but the next sentence about the High Court conviction should also be corrected.

Shri Jawaharlal Nehru: That is consequential. That should also be corrected.

12.12 hrs.

**RESOLUTION RE PROCLAMATION IN RESPECT OF KERALA—
 contd.**

Mr. Speaker: The House will now resume further discussion of the following Resolution moved by Shri Govind Ballabh Pant on the 17th August, 1959, namely,

"That this House approves the Proclamation issued by the President on the 31st July, 1959, under clause (1) of article 356 of the Constitution in relation to the State of Kerala."

Shri Braj Raj Singh was in possession of the House. He may continue his speech.

श्री ब्रज राज सिंह (किरीवावर) : अध्यक्ष महोदय, मैं ने कल निवेदन किया था कि केरल प्रदेश में एक जनविद्रोह सा हो गया था और वहां की कम्युनिस्ट सरकार को इस्तीफा दे देना चाहिये था। लेकिन उसने इस्तीफा नहीं दिया और उसके बाद केन्द्र ने हस्तक्षेप किया। केन्द्र द्वारा हस्तक्षेप किये जाने के बारे में गवर्नर द्वारा जो रिपोर्ट भेजी गई थी, उसको आधार माना गया है और मैं समझता हूँ कि जिन चीजों को आधार मान कर यह किया गया है, अच्छा होगा कि सदन उन पर विचार करे और देखे कि क्या इस तरह के आधार हिन्दुस्तान के दूसरे सुबों में जहां पर कि कांग्रेसी सरकारें हैं, मौजूद हैं या नहीं हैं। गवर्नर की रिपोर्ट में कहा गया है कि कम्युनिस्ट मिनिस्ट्री ने वहां की सरकारी मशीनरी को कम्युनिस्ट पार्टी की मजबूत करने के लिये इस्तेमाल किया। मैं निवेदन करना चाहता हूँ कि एक ऐसा ही बयान अभी हाल ही में ६८ कांग्रेसियों की तरफ से

Acharya Kripalani (Sitamarhi): To strengthen the Party; to make the Party the Government.

श्री ब्रजराज सिंह : मैं यही कह रहा हूँ कि कम्युनिस्ट मिनिस्ट्री ने कम्युनिस्ट पार्टी को मजबूत करने के लिये सरकारी मशीनरी का इस्तेमाल किया है, यह गवर्नर की रिपोर्ट में कहा गया है। मैं मानता हूँ कि यह गलत बात है और ऐसा नहीं होना चाहिये कहीं भी किसी भी सरकार को किसी पार्टी को मजबूत करने के लिये सरकारी मशीनरी का उपयोग नहीं करना चाहिये। लेकिन क्या यह चीज इसके प्रायों में नहीं हो रही है? अभी हाल ही में उत्तर प्रदेश में ६८ कांग्रेस जनों ने एक बयान दिया है आचार्य युवल किशोर के द्वारा जिस में उन्होंने कहा है कि सरकारी मशीनरी का उपयोग किया गया है। वहां पर सदन में यह कहा गया है :—

"सरकारी मशीनरी का बूत कर भ्रष्टाचार बिना किसी हिचकिचाहट के"

[श्री: राजराज चिह्न]

अपने गुट के हित में इस्तेमाल किया जा रहा है।

इससे यह साफ है कि कांग्रेस सरकार कांग्रेस पार्टी को मजबूत करने के लिये सरकारी मशीनरी का उपयोग नहीं कर रही है बल्कि कांग्रेस पार्टी के अन्दर जो क्लिक है, जो एक गुट है, जो एक ग्रुप है डाक्टर सम्पूर्णानन्द का, वहाँ के चीफ मिनिस्टर का, उस गुट को मजबूत करने के लिये सरकारी मशीनरी का प्रयोग किया जा रहा है।

इस आरोपपत्र में एक दूसरी बात यह कही गई है कि एक सॉकिल इस्पेक्टर को तीस अन्य सॉकिल इस्पेक्टरों के ऊपर पदोन्नति दी गई है। लेकिन उत्तर प्रदेश में, श्रीमन्, वहा के जो वर्तमान आई० जी० हैं, उन्होंने बहुत से दूसरे व्यक्तियों के अधिकारों का हनन करके पदोन्नति प्राप्त की है इस चीज का लेकर वहा के एक डी० आई० जी० ने इस्तीफा तक दे दिया है। मेरे कहने का तात्पर्य यह है कि जिस स्थिति का विवेचन आरोपपत्र में किया गया है, वैसी ही स्थिति हिन्दुस्तान के दूसरे सूबों में जहाँ पर कि कांग्रेसी सरकारें कायम हैं, मौजूद है।

एक और बात भी देखने लायक है। मैं मानता हूँ कि केरल में जन विद्रोह था। हम में पिछले कुछ सालों से देखा है कि हिन्दुस्तान में सिर्फ एक ही व्यक्ति था जिस के लिये लाखों आदमी इकट्ठे हुआ करते थे लेकिन इस बीच एक दूसरा व्यक्ति पैदा हुआ है हिन्दुस्तान के एक कोने में, जिस के लिये लाखों व्यक्ति इकट्ठा हो सकते थे और मैं मानता हूँ कि ऐसी स्थिति बिना किसी एक रोष के नहीं पैदा हो सकती थी, बिना किसी आधार के नहीं पैदा हो सकती थी या लोकमत के बिना नहीं हो सकती थी जो कि सरकार के खिलाफ पड़ गया हो। लेकिन इतना होने पर भी वहाँ क्या हुआ? हमने पिछले दिनों कुछ दूसरे सूबों में आन्दोलन का चर्चा देखे हैं। उन आन्दोलन में और केरल के आन्दोलन में क्या अन्तर रहा है, यह हमें देखना है और उसकी सापेक्ष

तुलना कर देना, मेरे विषय में और इससे हम आगे के लिए कुछ कर सकते हैं। केरल में एक लाख व्यक्तियों द्वारा इस आन्दोलन में भाग लिया गया है उन में से बीस हजार व्यक्ति गिरफ्तार किये गये उन में से किसी को भी जो अधिक से अधिक सजा दी गई है एक महीने से अधिक नहीं दी गई। ज्यादातर व्यक्ति ऐसे थे जिन को एक ही दिन की सजा दी गई, कुछ को सात दिन तक की दी गई, कुछ को पन्द्रह दिन तक की दी गई और कुछ लोग ऐसे थे जिन को कि एक महीने की सजा दी गई। मैं यह नहीं कहता कि इतनी कम सजा देने का कारण यह रहा होगा कि कम्युनिस्ट हमदर्द बन गये हैं, हमदर्दों से काम करना चाहते हैं। इसका एक कारण यह भी हो सकता है कि उनके पास चार हजार व्यक्तियों को रखने के लिये स्थान था और लाखों व्यक्ति जेल जाने के लिये तैयार थे, इस वास्तविकता के कारण उनको दिन में गिरफ्तार करती थी और शाम को छोड़ देती थी या उनको तीन दिन अथवा सात दिन अथवा पन्द्रह दिन की सजाये दिलवाती थी। लेकिन उसी के साथ साथ हमें यह भी देखना होगा कि दूसरे स्थानों में क्या हुआ? उत्तर प्रदेश में जहाँ पर कि ३२,००० व्यक्तियों को रखने के लिये स्थान है और इससे कहीं अधिक व्यक्तियों ने अपने आप को गिरफ्तारी के लिये आकर किया, उसमें क्या हुआ, यह मैं आपको बतलाना चाहता हूँ। १९५७ में सोशलिस्ट पार्टी का आन्दोलन चला। वह आन्दोलन प्रेसी सरकार को हटाने के लिये नहीं था। केरल में आन्दोलन सरकार को जो कानून द्वारा बनी थी, जो चुनाव द्वारा अस्तित्व में आई थी, हटाने के लिये था। उत्तर प्रदेश में आन्दोलन कुछ मार्गों को ले कर चलाया गया था और उन मार्गों के बारे में बातचीत करने की बात भी चल रही थी लेकिन बाद में बातचीत करने में इन्कार कर दिया गया था हावाकिफ फिर जा कर वही काम किया गया। उस आन्दोलन में जो लेने वालों को एक महीने की सजा नहीं

वी गई, एक साल की सजा नहीं बी गई, दो साल की वहीं बी गई बल्कि २६-२६ महीने की सजा बी गई । ऐसे आन्दोलन को दबाने के लिये, सिविल डिस्ओबिडियेंस को दबाने के लिये, शर्याद्वह को दबाने के लिये जो कि सरकार को छटाने के लिये नहीं था, उचित मागो को के कर किया गया था, २६-२६ महीने तक की सजायें सुनाई गई थीं । इटावा में पिछले दिनों जो छाछास्र आन्दोलन चला था उस में १८-१८ महीने की सजायें हुई हैं और एक लाख सतर हजार रुपया इटावा के सोशलिस्ट लोगो पर जूना किया गया । इस सदर्भ में हमे यह भी देखना है कि केरल में जो आन्दोलन हुआ, उसको दबाने के लिये क्या आई० पी० सी० लागू किया गया या कोई और ऐसा विशेष कानून लागू किया गया या पुलिस एक्ट लागू किया गया ? वहा पर पुलिस एक्ट जो है, उस में नातहत ही सारी सजायें हुई और लोगो को गिरफ्तार किया गया और पाच दस रुपये तक जूना किये गये । वहा पर ऐसा नहीं हुआ कि जूना हजारो रुपयो तक हुआ हो और न ही ऐसा हुआ कि एक ही जिले से एक लाख सतर हजार रुपया जूना वसूल किया गया हो, जैसा कि उत्तर प्रदेश में किया गया । इस तरह की बातें सारे केरल में कही भी नहीं हुई होगी ।

अध्यक्ष महोदय, यह उत्तर प्रदेश का ही मसला नहीं है । राजस्थान और मध्य प्रदेश में कुछ दिनों तक आन्दोलन चले हैं । मध्य प्रदेश में एक वकील कन्हैया लाल दुगरवाल नीमच के, जो कि दफा १०७/११७ के एक मुकदमे की पैरवी करने जा रहे थे, उनको ही दफा १०७/११७ में पकड़ लिया गया और पैरवी करके नहीं जाने दिया गया । इस बात को सुन करके ताज्जुब हुए बिना नहीं रह जा सकता है । ऐसी बात भी कायेमी सूबे में हो सकती है कि वकील मुकदमे की पैरवी करने जा रहा हो दफा १०७/११७ के अधीन दायर किये गये एक मुकदमे की और उसको उती धारा के अन्तर्गत गिरफ्तार कर लिया गया हो

और अदालत में जाते वन्त ही गिरफ्तार कर लिया गया हो और यह कह कर कर लिया गया हो कि शान्ति भग का अदेश है । यही नहीं रतलाम के पास बामनिया में मामा बलिस्वर दयाल को जिन्होंने आजादी की लड़ाई में बहुत बड़ा हिस्सा लिया है, राजासो महाराजाधों के खिलाफ सत्याग्रह किया है, राजस्थान और मध्य प्रदेश में बहुत बड़ी लडाइया लड़ी हैं, उनको राजस्थान जाने नहीं दिया गया और दफा १०७/११७ के अन्तर्गत शान्ति भग के आरोप में उन्हें बहा जाने से रोक गया । कानून मंत्री यहा बैठे हैं, दूसरे वकील लोग बैठे हैं और वे जानत हैं कि जब तक कोई व्यक्ति उस क्षेत्र में रहता नहीं है, उस सूबे में नहीं रहता है, तब तक यह दफा लगाई नहीं जा सकती है । लेकिन यहा पर पूरे सूबे का भी सवाल नहीं है, एक दूसरे सूबे में रहता है, राजस्थान का सवाल है और मध्य प्रदेश में आदमी रहता है, उसके खिलाफ १०७/११७ लगा दी जाती है ।

ता में निवेदन करना चाहता हू कि जो कुछ केरल में हुआ है, उसी तरह की स्थिति हिन्दुस्तान के दूसरे सूबो में मौजूद है । जब मैं यह कहता हू कि उस तरह की स्थिति दूसरे सूबो में मौजूद है तो इसका यह अर्थ नहीं है कि हिन्दुस्तान के दूसरे सूबो में भी केन्द्रीय हस्तक्षेप हो । मैं ने शुरू में कहा था कि मैं केन्द्रीय हस्तक्षेप के विरुद्ध हू और इसलिये विरुद्ध हू कि मैं जानता हू कि केन्द्रीय हस्तक्षेप करके हम जनता की शक्ति को बरबाद करते हैं जनता को दबाते हैं । केरल के विषय में भी यही बात लागू होती है । यदि हम इस आन्दोलन को चलने देते और यह देखते रहते कि यह पीसफुल रहता, शान्तिपूर्ण रहता, तो इसका क्या नतीजा निकलता ? कल प्रधान मंत्री महोदय ने कहा है कि यहा तक स्थिति पहुच गई थी, उसके अन्दर कम्युनिस्ट दोस्त एम्बरेस्टेड फील करने लग गये थे, वे परेशानी में थे और उनको हम राहत दिलाना चाहते थे । केन्द्रीय हस्तक्षेप करके हमने कम्युनिस्टो को राहत दिखाई है । उन्होंने साफ कहा है कि इससे कुछ

[श्री ब्रजराज सिंह].

कांग्रेस वालों को परेशानी हुई है और कम्युनिस्टों को राहत मिली है। जब आप समझते हैं कि कम्युनिस्टों को राहत मिली है तो मैं पूछना चाहता हूँ कि आप क्यों जनतंत्रवादी उसूलों की हत्या करना चाहते हैं क्यों केन्द्र का हस्तक्षेप करना चाहते हैं। मुझे लगता है कि केन्द्रीय हस्तक्षेप करके आप ने कम्युनिस्ट पार्टी की मदद की है और किसी की मदद नहीं की है। आखिर कम्युनिस्ट पार्टी अपने आप को शहीद बनाना चाहती थी, और चाहती थी कि बड़ मार्टर बन जाये और चाहती थी कि मुल्क को यह दिखाये कि ये लोग हैं जो कि डेमोक्रेट बनते हैं, जनतंत्रवादी बनते हैं और उसकी खुद ही हत्या करते हैं। तो मैं निवेदन करना चाहता हूँ कि केन्द्रीय हस्तक्षेप कभी नहीं होना चाहिये था और इसके बिना दूसरी चीज भी हो सकती थी। हमें चाहिये था कि हम जनता की शक्ति पर विश्वास करते, जनता को सँका देते कि वह यहाँ तक नानकोमोप्रेट करती, यहाँ तक असहयोग करती कि सरकार का चलना असम्भव हो जाता। अगर केरल में आन्दोलन एक हफ्ते और चलता तो वहा पर हकूमत को जरूर छटना पड़ता। अपने आप छटना पड़ता। मजबूर हो कर इस्तीफा देना पड़ता और इस तरह से उनको शहीद बनने का मौका नहीं मिलता। लेकिन केन्द्र ने खुद हस्तक्षेप करके न सिर्फ जनतंत्रवादी उसूलों की हत्या की है उनके खिलाफ काम किया है बल्कि आगे आने वाले हिन्दुस्तान की राजनीति के लिये भी कुछ ऐसी विषम परिस्थायें बना दी हैं, कुछ इस तरह की स्थिति बना दी है कि जिसमे कभी भी किसी भी सरकार के खिलाफ केन्द्रीय हस्तक्षेप की बात की जा सकती हो। कहीं भी हो, मैं कहना चाहूँगा कि केन्द्रीय हस्तक्षेप का कोई सबाल नहीं उठना चाहिये। अन्धा यह होता कि जनतंत्रवादी परिष्परा को देखते हुए

Mr. Speaker: The hon Member should try to conclude now. I have already rung the bell thrice, but the

hon. Member is going on. Yesterday, he spoke for thirteen minutes.

Shri Braj Raj Singh: Only for seven minutes.

Mr. Speaker: He spoke for thirteen minutes yesterday, and today he has spoken for thirteen minutes already. The hon. Member must try to conclude now. I cannot go on extending the time for this debate. Hon. Members must limit their speeches only to fifteen minutes each.

Shri Braj Raj Singh should conclude within one minute.

श्री ब्रज राज सिंह : मैं निवेदन कर रहा था कि केन्द्रीय हस्तक्षेप के अलावा हम और कौन सा तरीका इस्तेमाल कर सकते हैं। हम अपने संविधान में परिवर्तन कर सकते हैं और कह सकते हैं कि राष्ट्र शाक रिपाल जनता को रहे। जो भावमी या जो जनता चुनती है किसी व्यक्ति को, चाहे वह असेम्बली का मेम्बर हो या पार्लियामेंट का मेम्बर हो, अगर किसी कास्टीट्यूएन्सी की ५० और १ यानी ५१ प्रतिशत वोटर जनता उस के खिलाफ हो जाती है, चाहे प्रथम मंत्री हो या छोटे से छोटा व्यक्ति हो उसके खिलाफ अगर जनता यह मत जाहिर करे कि इस भावमी ने अपने घोषणा पत्र के मुताबिक हमारी सेवा नहीं की है, तो उस जनता को उस व्यक्ति को बापस बुलाने का अधिकार रहना चाहिये। जब तक इस तरह की व्यवस्था नहीं होगी तब तक हमेशा हमें इस तरह की चीजों का मुकाबला करना पड़ेगा। मेरे पास बक्त नहीं है नहीं तो मैं बतलाता कि जिस तरह के भ्रष्टाचार के मामले और सुबों में मिलते हैं, बास तीर से उत्तर प्रदेश के सुबों में, जहाँ के गृह मंत्री के खिलाफ २ करोड़ ६० के ठेके लेने की बात की पिटीशन राजस्थान को जेबी जा चुकी है और असेम्बली में उस का जिक्र हुआ है या और भी जो इस तरह के मामले हैं, उन को देखते हुए कोई विशेष परिस्थिति ऐसी नहीं की कि हम कह सकें कि केरल में तो

केन्द्रीय हस्तक्षेप हमें करना चाहिये वा और दूसरे सुबो में नहीं करना चाहिये । मैं इस का विरोध कर के यह नहीं कहता कि उत्तर प्रदेश में ६० व्यक्ति कांग्रेस से धरलव हो गये हैं या ऊन्हों ने इस तरह का धपना ए लान कर दिवा है इस लिये बहों केन्द्रीय हस्तक्षेप हो सकता है । मैं केन्द्रीय हस्तक्षेप की बात नहीं कहंगा । मैं तो कहंगा कि बलत है कि हम कानून में परिवर्तन करें, बलत वा जब ३१ जुलाई को केन्द्रीय हस्तक्षेप किया गया । ३ अगस्त को पार्लियामेंट बैठ रही थी । पार्लियामेंट जैसे ही बैठती, जैसे ही हम कानून ला सकते थे कि धगर कही पर जनता का बहुमत खिलाफ हो जाय तो राइट थाफ रिवाल हो सकता है । उस के द्वारा धगर कम्युनिस्ट मिनिस्ट्री इस्तीफा न देती तो हम मजबूर कर सकते थे कि बहा से यह हटे । हम जनता को प्रधिकार दे सकते थे कि पुन चुनाव कर के यह बताये कि उस का कम्युनिस्ट मिनिस्ट्री में विमवास नहीं है । मैं महसूस करता हू कि केन्द्रीय हस्तक्षेप गलत था, मैं उस का विरोध करता हू, लेकिन इस के साथ ही साथ यह भी कहना चाहता हू कि कम्युनिस्ट हुकूमत का जो रवैया रहा केरल में, वह जन विरोधी था और उसे इस सूरत में इस्तीफा दे देना चाहिये था ।

Mr. Speaker: Now, Pandit Thakur Das Bhargava

Shri Jaipal Singh (Ranchi West—Reserved—Sch. Tribes) rose—

Mr. Speaker: I have already allowed two hon. Members from the Independent Group to speak. The time at our disposal is limited.

Shri Jaipal Singh: I have not quite understood what you said with regard to the Independent Group.

Mr. Speaker: I said that I had already called two Members from the independent Group.

Shri Jaipal Singh: Does that mean that in a discussion the number of speakers from the Independent Group is limited to two, or it is a daily quota of one?

Mr. Speaker: That is not the point. This is a matter where I had originally thought that it was between Kerala and the Central Government. Subsequently, I found that every group wanted to be represented. I am trying to distribute the time. I would welcome Shri Jaipal Singh taking part in this debate. But among themselves, they must have assigned priorities to the various Members

Shri Jaipal Singh: May I humbly submit that the hon. Minister of Parliamentary Affairs is very anxious to hear me speak?

Shri Vajpayee (Balrampur): Let the time allotted to the Congress Benches be reduced in order to accommodate Shri Jaipal Singh.

Mr. Speaker: There is already a complaint that I have not called many Congress Members.

पंडित ठाकुर दास भार्गव (दिसार)

जनाब स्पीकर साहब, दो तीन दिन से इस मसले पर बहुत चल रही है । इस बहुत के अन्दर बहुत सी ऐसी बातें कही गई हैं जो इस रेजोल्यूशन से ताल्लुक नहीं रखतीं । यह चीजें . . .

Mr. Speaker: Hon. Members want Pandit Thakur Das Bhargava to speak in English if possible.

Pandit Thakur Das Bhargava: Just as you order.

Mr. Speaker: All hon. Members will confine their remarks to fifteen minutes each. Otherwise, I shall not be able to find time for many Members

Pandit Thakur Das Bhargava: I have been hearing the debate on this resolution for the last two days, but I am extremely sorry to say that so many extraneous matters have come into the debate that the real point at issue has practically been clouded. It appears that one of the Members who spoke had a dig at our respected Finance Minister for happenings in Bombay which occurred a few years back. Now, we have heard Shri Brij

[Pandit Thakur Das Bhargava]

Raj Singh speak on many matters which happened or which are in the course of happening in U.P. Another hon. Member spoke about Orissa.

My humble submission is that to say article 14 of the Constitution is not applicable to a state of circumstances which happened in Kerala, but to a similar state of circumstances elsewhere, that in U.P. many things have happened and yet there is no Central intervention, that in Orissa, many things have happened and yet there is no Central intervention, that in Bombay, many things have happened, and yet there is no Central intervention, is all absolutely irrelevant.

An Hon. Member: It is Congress Government in those States

Pandit Thakur Das Bhargava: If there is mis government anywhere or the Government of any State cannot be carried on in accordance with the provisions of the Constitution, certainly there is an occasion for any Member demanding in this House that recourse may be had to article 356. But what is the use of saying all these things at the back of those Governments, and at the same time taking advantage of this and that and having a dig at this Minister and that. That is entirely wrong. I should submit that Shri Hare Krishna Mahtab is not here, Shri Morarji Desai will have no occasion to say even a word in his defence, the U.P. Ministry is not here, and yet we are hearing all these things. My submission is that we should confine our remarks only to Kerala.

Shri Punnoose (Ambalapuzha): Shri E. M. S. Namboodiripad is not also here.

Pandit Thakur Das Bhargava: I am extremely sorry that my remark has not been understood in the proper sense in which I uttered it.

Here, the main question is that we have to see whether government could be carried on in accordance

with the provisions of this Constitution in Kerala and not in any other State. All those things which happened in other States years ago are absolutely irrelevant, so far as the decision on this issue is concerned. (Interruptions)

Mr. Speaker: Hon. Members can reply when they speak.

Pandit Thakur Das Bhargava: This is my view. I may be wrong, but this is my view, that we ought not to allow any extraneous considerations to come in, so far as the debate on this question is concerned. We certainly are concerned with the question whether the administration could be carried on in accordance with the provisions of the Constitution in Kerala.

At the same time, I have heard some speeches relating to the provision of article 356 of the Constitution. May I humbly submit for the consideration of this House that we have to look into the entire scheme of the Constitution to find out if article 356 was applicable in the case of Kerala or not? Reference has been made by Shri Easwara Iyer to articles 352 and 353.

Shri B. Das Gupta (Putulia): On a point of order I find that there is some controversy regarding the mentioning of other States, in connection with this debate on Kerala.

Mr. Speaker: There is no controversy. It is open to an hon. Member to say that hon. Members must confine themselves only to those facts which led to the Proclamation in Kerala, while other hon. Members want to say that similar things have occurred elsewhere. But, of course, if we go into the details of what has happened in the other States, we may not find enough time to go into them in detail. Here and there, one or two references may be made, and, therefore, I allowed one or two casual references to what happened in the other States, where hon. Members wanted to say that similar steps had not been taken,

but steps had been taken in this case, though this has not been so serious. That was what they wanted to say, in order to compare. Therefore, to that extent, it was all right. But if an hon. Member feels that he must confine himself only to Kerala, let him do so. Why should there be a point of order on this?

Shri Taangamani (Madurai): Mention has also been made of other States previously.

Mr. Speaker: Hon. Members ought not to raise points of order unnecessarily. I have not asked the hon. Member who is on his legs to sit down.

Shri V. P. Nayar (Quilon): He was saying that it was totally irrelevant.

Mr. Speaker: Let him say so. I have not accepted it.

Pandit Thakur Das Bhargava: A perusal of Part XVIII of the Constitution would show that there are three circumstances which are of paramount importance in connection with the question of Central intervention. I will read out from article 355 which will elucidate the position:

"It shall be the duty of the Union to protect every State against external aggression and internal disturbance and "

the further portion has not been read so far—

"to ensure that the government of every State is carried on in accordance with the provisions of this Constitution"

Now this Union Government is charged with the duty of seeing that in every State the government of the State is carried on in accordance with the provisions of the Constitution. If this is not so, then article 356 comes into operation. A perusal of article 356 would show that only two of these circumstances have been taken into consideration there. Article 352 applies only if there is a case of external aggression or of internal disturbance. Only in these two cases it

applies, whereas article 356 applies in case the government cannot be carried on in accordance with the provisions of the Constitution, that is, fundamental rights etc. are being violated and so on. Article 356 applies only then. So to suggest that recourse should have been had to article 352 is absolutely absurd. It does not apply to the situation here (*Interruptions*).

Shri V. P. Nayar: What about the internal disturbance?

Pandit Thakur Das Bhargava: My hon. friend, Shri V. P. Nayar, refers to internal disturbance. I am coming to that.

Mr. Speaker: The hon. Member will kindly look at me.

Pandit Thakur Das Bhargava: He was feeling impatient there. I was only answering him.

Article 352 refers to only cases of external aggression or internal disturbance, whereas in the Proclamation itself it is stated that the government of the State of Kerala could not be carried on in accordance with the provisions of the Constitution. Therefore, article 352 has no application whatever. Only article 356 should apply, and no other article.

Then again, a complaint has been made that, as a matter of fact, there was internal disturbance and the Central Government did not come to the rescue of the Kerala Ministry. This is also one of the grounds advanced by some hon. friends here. May I submit that there are two words used in article 355. They are the 'government' and 'State'. What is internal disturbance in a State? Does it mean that the Central Government should have gone there and just to oblige the Ministry there pulled the Ministry's chestnut out of the fire? If a mass upsurge had been created there due to the actions of the Ministry there, should the Central Government have gone there to the help of the Ministry? My submission is that this is not a correct reading of article 355.

[Pandit Thakur Das Bhargava]

Their claim that they had not been helped is absolutely useless. The words 'to protect every State against external aggression and internal disturbance' do not mean that the Ministry there should be protected if the Ministry's own acts have provoked this kind of mass upsurge, if they themselves are responsible for that situation. That being so, should the Central Government have gone out of its way to quell that mass upsurge? Certainly not. The word 'State' does not mean the Ministry there. On the contrary, the words in article 355 are "to ensure that the Government of every State is carried on in accordance with the provisions of the Constitution"

May I submit, therefore, that as a matter of fact, it is the people of that State who have got an absolute right to be protected by this Union Government? The Ministry or the Government of that State has behaved in such a manner that there was internal disturbance. Then the people of the State ought to be protected under articles 355 and 356, and not the Ministry

Then reference was made by Shri Easwara Iyer to the provisions of article 163

Acharya Kripalani: Military aid was given to them

Pandit Thakur Das Bhargava: I know. At the same time, if this Government had not done it, it would have been all right. The Government here should not have gone out of its way to help them out of a situation that they themselves had created. That is my view. As a matter of fact, the people of the State had to be protected. Every State is to be protected, not the Ministry or the Government of the State. The people of the State have got certain absolute rights, e.g. fundamental rights, good social order under Articles 36 to 52 of the Constitution. Those rights are exercisable by them; if not, they have to be enforced by

the Union. That is the meaning of article 356 of the Constitution.

The House will remember that previously under the Government of India Act, 1935, we had section 93. It was on the basis of that section that article 356 of the Constitution was enacted. It meant that the Governor should report to the Central Government here and ultimately Governor's rule came under section 93. As a matter of fact, there was a controversy when the Constitution was being framed as to whether we should have a unitary State or a federal State. We arrived at a compromise, to see that, as a matter of fact, the Union is held responsible for good government in the States. So this provision was enacted. We do know that there is no such thing as a citizen of Kerala or a citizen of U.P.; we are all citizens of the Indian Union. We have got certain rights, fundamental rights and other rights, which have to be protected.

The scheme of the Constitution is as I have submitted. You go through the pages of the Constitution. The Constitution is not worth having without having articles 13 to 52. The fundamental rights and directive principles are the very soul of this Constitution and the Constitution-makers have taken good care to see that these provisions between articles 13 and 51 are enforced in this country. There is a guarantee of good government. We do not want that there should be bad government. If there is no good government, it is not worth having. We are a Welfare State. Unless these provisions from article 13 to 51 are in force in every State, my submission is that there is no use in having the Constitution

Shri T. B. Vittal Rao (Khammam): Suppose there is no good government at the Centre

Pandit Thakur Das Bhargava: I do not know what that interruption is. He himself should think whether the

interruption is well-founded or not. I leave it to the Chair to decide of such a question or intervention is valid one.

If there is any violation of any fundamental right, under article 32 we have a guarantee that the High Courts and the Supreme Court will certainly give relief. But suppose the Government of the State misbehaves and violates all those fundamental rights and principles enunciated in the Constitution, according to the provisions of the Constitution, what is the remedy? There is a remedy provided. It is all right for my hon. friend, Shri Braj Raj Singh and others to say that we should have a provision for recall. That may be all right so far as individual members are concerned, but so far as the entire State Government or Ministry is concerned, if the Government is corrupt, if it is responsible for violating the fundamental rights and privileges, the principle of recall is there in article 356 where there is provision for Central intervention to protect the rights of the people

Let us see if the fundamental rights and principles which constitute the very soul of the Constitution have been violated in Kerala or not

Acharya Kripalani: Is it his contention that the State Governments are not sovereign?

Pandit Thakur Das Bhargava: They are not sovereign. That is exactly what I am submitting

Acharya Kripalani: They understood that the Kerala Government was sovereign

Shri Nagi Reddy (Anantapur): It means that no Ministry other than a Congress Ministry can function in a State!

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): I feel there is a deliberate attempt on the part of the Opposition to obstruct Members speaking on this side

Shri Punnoose: On a point of order. Is it open to an hon. Member to say that there is a deliberate

attempt on this side to interrupt other Members?

Mr. Speaker: Order, order. I am sorry all this is happening. Whether there is a deliberate attempt or not, it has got that effect.

Shri Punnoose: That may be so.

Mr. Speaker: We have come to discuss here and ultimately take a decision. If an hon. Member is speaking, why should other hon. Members carry on a running commentary? How can we carry on parliamentary work at all in this way? I have repeatedly requested hon. Members there not to interrupt; but every one of them goes on interrupting in some way or other. If they have experience of courts, they will know that whoever interrupts and the Judge comes to the conclusion that he has nothing more to say after what he has said, he is stopped from doing so, because the Judge has already heard him. Some hon. Members over there are, unfortunately, not lawyers. That is the difficulty (*Interruptions*)

Shri Tangaman: Unfortunately, we do not get the right of reply here.

Mr. Speaker: Some other hon. Member has got the right of reply. We will call him

Pandit Thakur Das Bhargava: After all the Mover has got the right of reply

Mr. Speaker: The hon. Member may continue

Pandit Thakur Das Bhargava: We have heard everything through Shri Gopalan, through Shri Dange and through Shri Easwara Iyer. We do not agree with them; we have heard them. It is only fair that I may be allowed to be heard. I am only just speaking of the constitutional provisions. When I come to things which pain them then they may interrupt; I can understand that.

Therefore, I submit that the Kerala Ministry thought they were sovereign and they are yet under the impression

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that they are absolutely irremovable until 5 years are over. I would call your attention to the relevant articles of the Constitution which say that so far as the duration of the Assembly and Parliament is concerned, it shall be 5 years unless earlier dissolved. These are the very words of article 73 and the corresponding article. They shall continue for 5 years unless dissolved earlier. These words 'unless earlier dissolved' are not being attended to.

Who can dissolve them? The Governor can dissolve under a particular article of the Constitution without giving any reason. And, so far as the President is concerned, he can also bring about the same result under article 356. So, the Ministry has been under the impression that they must stay and have their way until 5 years elapsed. This would mean that this Constitution is hopeless and helpless so far as the rest of the people of India are concerned, if a particular number of people, say 65 members of Assembly, or 10 Ministers of a State took it into their heads that they will run the provincial administration for 5 years and bring chaos and maladministration and after 5 days or one month or 6 months, the President and the whole country discovers that they are benefitting at the cost of others, themselves and their party and not violating fundamental rights. Is there no remedy?

Do you mean to say that this Constitution is powerless? This Constitution is fully powerful and it invests the President with these powers. And if the President does not act, I will go further and say he can be made to act. Under article 61 there can be impeachment against him. The Parliament can decide whether he has violated the Constitution by not having recourse to article 356. If the President refused to act, the representatives of Kerala in this House could have brought a motion for impeachment. Therefore, this Consti-

tion is a complete one. The Constituent Assembly took great pains in enacting this Constitution.

Who are responsible? The Government could dismiss the Ministry. Ultimately, Parliament is responsible and the President is responsible. The Communist Party members treat the Governor as nothing, they treat his report as a scrap of paper. They think that he is not right, that he is not honest in what he wrote. They go on attacking Pantji as a clever fellow and they do not even spare the Prime Minister to whom they give lip service by saying that he was believed by them to be immortal and that he belongs to the category of devatas and yet bring him down to earth.

My submission is that if you care to study the Constitution you will find that it is complete and gives every right to the people of a State to act against their Ministry and against their Government. Where there is individual infraction, article 32 comes in. But here we find that article 356 comes in and it gives the authority to the President to act in these circumstances, so far as the infringement of fundamental rights are concerned.

Shri Easwara Iyer said that this report is not to be considered—this is a summary. In fact, he says that the Governor could not submit a report. He says that the Governor should have given this report on the advice of the particular Ministers against whom the report was submitted. He says that the Governor should have framed the report in accordance with the wishes of the Ministers and then submitted it. He says that this report is useless and that this summary has got no date and therefore it was prepared with a view to take advantage of article 356. Who asked for this report to be placed on the Table of the House? I am thankful to the members of the Communist party who wanted this report to be placed on the Table.

Shri Easwara Iyer (Trivandrum):
Not this but the original.

Pandit Thakur Das Bhargava:
What is the difference between this and the original? Then to say that this is again not a summary of the original is also mischievous. (*Inter-ruptions*).

Mr. Speaker: Let the hon Member go on.

Pandit Thakur Das Bhargava: So far as the Governor is concerned, he is a person who is appointed by the President and continues to hold his tenure during the pleasure of the President. And so far as the Ministry is concerned, according to the Constitution, it can only subsist during the pleasure of the Governor. And, here in the Union our Ministry has got a tenure during the pleasure of the President. This is the Constitution. We cannot go against it.

Shri Easwara Iyer made a reference to article 164 of the Constitution. He read only a portion of it and not the other or whole of it. It reads:

"There shall be a Council of Ministers with the Chief Minister at the head to aid and advise the Governor in the exercise of his functions, except in far as he is by or under this Constitution required to exercise his functions or any of them in his discretion."

Shri Easwara Iyer: Was it article 163 or 164?

Pandit Thakur Das Bhargava:
Further, it says:

"If any question arises whether any matter is or is not a matter as respects which the Governor is by or under this Constitution required to act in his discretion, the decision of the Governor in his discretion shall be final, and the validity of anything done by the Governor shall not be called in question on the ground that he ought or ought not to have acted in his discretion."

And, in another article, article 166, we find:

"The President may make such provision as he thinks fit for the discharge of the functions of the Governor of a State in any contingency not provided for in this Chapter."

My submission is that this report is, as a matter of fact, given to us. Nobody could think that the President will not act on a report like this. Even if the Governor also sided with the Ministry, this article 356 says that even on other information the President can act because the fundamental rights are to be protected.

Therefore, my submission is that a careful reading of the Constitution would show that article 356 clothes the Union or the President with plenary powers to see that in the entire State there is good Government and the fundamental rights are protected. If that were not so, I do not know how the Government of this country could be carried on.

Further, it has been said that the Central Government has been aiding and abetting all these agitations and has brought about this situation. I heard Shri Braj Raj Singh propounding a new theory. He said that the Central Government should not have intervened even if the communist party wanted it, even when Shri Gopalan and Shri Ajoy Ghosh said that if you wanted to intervene you should intervene soon. He takes objection to this. He says they should have been allowed to continue. What would happen? Shri Braj Raj Singh would come up and speak after that and a thousand persons would have been killed and another Jallianwala-bagh would have occurred if one lakh of people were allowed to march to the Secretariat. The Government was perfectly right in controlling the situation and in seeing that these people did not go to the Secretariat and that law and order was kept. I admire Shri Gopalan and Shri Ajoy Ghosh for going further and

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asking the Centre to do everything before the 9th I admire Panditji for his foresight that he agreed to it. Otherwise, there would have been another Jallianwalabagh. Shri Braj Raj Singh would have seen the experiment carried out how the Government in Kerala came to its knees and the Central Government would have been provided with further justification to say to the world Central intervention is justified but at what cost.

I make no secret of it. As a matter of fact, our Government had been remiss in not doing its duty to the people of Kerala as soon as the Government came to know that the Government of the State was not being carried on in accordance with the provisions of the Constitution and that fundamental rights were being crushed. Government had not only the right under article 356 but it had a duty to perform by the people of Kerala. It ought to have taken the entire administration to itself. The Government gave a long rope to the Kerala Ministry to hang itself. This Government is very cautious, it moves very slowly though it moves surely. I am glad of that.

Now, what has been done? We got the history from Panditji yesterday. He knew and the Governor knew, the report shows that they knew all these things. All this has now been demonstrated by the petition of the President of the KPCC and the memorandum placed before the President by the lawyers there as to what has been happening in the State. I cannot conceive of any worse State in the whole world where these things could have happened. Yet my friends take pride in saying that these things should have been tolerated. (Interruptions.)

Shri P. S. Daulta (Jhajjar): Take your own Punjab.

Pandit Thakur Das Bhargava: Punjab is no comparison to Kerala. I believe and I know the ins and outs of the Punjab Government and I can

also say that whatever happened in Kerala could never happen in Punjab.

Shri P. S. Daulta: What about the Karnal Murder Case?

Pandit Thakur Das Bhargava: I know of many murder cases. Why talk about them here? Are there two Inspector-Generals of Police in Punjab?

Shri P. S. Daulta: There are not two, but ten.

Pandit Thakur Das Bhargava: Anyway, this is not the issue. (Interruptions.) If situation in Punjab is so bad let my friends make a plea here asking the President to take recourse to Central intervention. (Interruptions.)

Shri P. S. Daulta: He will not kill his son.

Mr. Speaker: Order order. I am opposed to this kind of conversation across the Table. The hon. Member may turn a deaf ear to what others say. Otherwise all of us get into trouble. He may now conclude, he has taken more than 20 minutes.

Pandit Thakur Das Bhargava: With your permission Sir, I will just restrict myself to only one or two arguments. I have got in my hand a paper in which some figures are given. It is entitled 'The Balance sheet of communist atrocities'. There were 15 deaths due to firing, 15 in which no enquiry has been made, political murders numbered 9. (Interruptions.)

An Hon. Member: Why no enquiry in Bombay firings?

Pandit Thakur Das Bhargava: Bombay is out of question at present. (Interruptions.) What happened in Bombay? If these things go on happening, it is impossible to carry on the Government according to the provisions of

the Constitution. Therefore, this act of the Government is justified and I am only concerned with this sole issue . . . (Interruptions)

Shri Tangamani: How many were killed in Punjab?

Pandit Thakur Das Bhargava: The wounded numbered 6105. The total arrests numbered 1,77,850. The number of women arrested was 42,745 . . . (Interruptions.) That is in the chargesheet. Since this Government came to power, the number of crimes during the first three months amounted to about 1½ times as compared to the years 1953-56. On page 60 of this booklet entitled *Communist Rule in Kerala*, the details are given and I have no time to read them. After reading the report of the Governor, I am convinced that there is no department in Kerala which is not corrupt, more than corrupt—I should say . . . (Interruptions)

Shri Narayanankutty Menon (Mukandapuram): Is the hon. Member reading from the Governor's report or from some other document?

Pandit Thakur Das Bhargava: I have got many documents.

Shri Narayanankutty Menon: I refer to the one which you just now read out . . . (Interruptions)

Pandit Thakur Das Bhargava: I have got the lawyers' report; I have got the PCC chargesheet. I have got the reply of the Government of Kerala in regard to these allegations and I have also read this book: *Communist Rule in Kerala*. I have also gone through all the literature supplied by the other party . . . (Interruptions.)

Shri Nagi Reddy: I am only telling him to read it carefully.

Mr. Speaker: The hon. Member is not addressing the Chair. He should look at me.

Pandit Thakur Das Bhargava: The Governor's report is absolutely convincing and there is absolutely no doubt in one's mind that it was impossible to carry on the administration of the State in Kerala according to the Constitution.

Shri Kuttikrishnan Nair (Kozhikode): Mr. Speaker, it is with great relief that we saw the announcement of Central intervention in Kerala. People of Kerala were suffering from communist rule because even at the very inception they started regimentation, discrimination and liquidation. A few hours after the swearing-in-ceremony, there was an act of vandalism on the INTUC office. The first victim of the aggression of the Kerala communist party was Pathanamthirtha Eastern Estate Workers' Union Office. It was raided and furniture and papers were destroyed and the workers were assaulted. There were 27 political murders by the Communist Party in Kerala, one for each month of their reign. Labour contributed four lives in that attempt. One was a PSP worker and three, INTUC workers. Gangadharan, a toddy tapper, was murdered, Samidas of the Meloram Estate, Mudukayam was murdered and the last victim of the INTUC was Joseph. Three attempts were made on his life. The first attempt was made in March, the second attempt was made in August and the third, on 1st September, 1958. Innumerable attacks were made on the offices of the INTUC. The office-bearers of the INTUC unions were molested. The President, Mr. B. K. Nayar, and the Vice President, Mr. C. M. Stephen, were attacked, man-handled and were about to be murdered. Another aspect was that there was complete discrimination as far as the INTUC labour and the other labour were concerned. In the Sitaram Mills dispute, five INTUC workers were involved and about a thousand had to be sent to jail until it was settled on 27th July, 1958. In Arthala Estate, labour had to resort to picketing because till then they were picking 12 lbs. of tea and they were paid the

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minimum rate. But they were asked to pick 21 lbs. of tea which they resisted. The armed police was sent there; 300 persons were arrested and women who had been suckling their children in arms were separated. That was the agony of the women who suffered for their rights; that was the reason why you find womenfolk of Kerala joining the movement and fighting the communist rule in Kerala. Even in the application of the Minimum Wages Act, there was discrimination. In places or factories where the communists had the majority of workers with them, the enhanced rates were fixed as minimum wages. That is why, when this liberation movement started, it started with a hartal in Kerala on 12th June, 1959 and it was a complete success. It paralysed trade and industrial life in Kerala. It is futile for the hon. Member, Shri Dange to plead that this movement was engineered by capitalists.

The second major operation was made by them against the Harijans and the agriculture labour of Kerala. Nine families had applied for house sites in Kattampalli to the Madras Government. They made a personal representation to the Chief Minister of Madras, Shri Kamaraja Nadar and on the strength of this thinking that it will be allotted to them, they put up huts. Unfortunately, there was the reorganisation of States and when these people came to power, they were evicted with police aid on 10th October, 1957. The M.L.A. of that place was arrested, he was produced handcuffed before the Magistrate. They thought that they could threaten and suppress the movement in Kerala. On 11th November, 1957 there was a brutal lathi charge and about 300 were arrested. One of the M.L.As was removed to the hospital in an unconscious state. These people justify the action in Kattampalli with a leaflet in English called the Kattampalli Hoax. They are very well at their propaganda. At Nilambur, Sir, they sided with the Nilambur Raja and demolished 300 houses with police aid, with

the aid of armed police. A strong battalion was posted there. Shri Dange said that the police will interfere for the protection of the working class, but in Kerala, Sir, they interfered for the protection of the monied class; they cannot dispute it.

13 hrs.

At Kizhappali, an influential client of the Law Minister influenced him and armed Reserved Police was sent there to demolish 42 houses of which 40 houses were burnt. Eleven people were arrested there. That was on 17th November, 1957. On 19th November, 1957, at 11.0 A.M. there was a lathi charge and another lathi charge at 5.0 P.M. 27 people were arrested.

This was, Sir, according to them, a popular government supporting the poorer sections in Kerala. That is why the peasantry and the labour sided with the movement and tried their level best to oust this anti-popular government in Kerala.

Sir, the Government had prepared their grounds. Special powers were given to the police. They were even empowered to enter schools and do what they liked. All police officers including head constables were given such wide powers. They cancelled all licences. They transferred, as a preliminary step 854 police officers. That was admitted in answer to an interpellation. After that they transferred 7 D.S.P.s, 12 Dy S.P.s, 33 inspectors and 72 sub-inspectors. You must understand, Kerala is only a glorified district. It is called a State, but the area is only 1400 square miles, just double the size of Coimbatore District. That means, practically every D.S.P. was transferred, and we had an inkling that something terrible was going to happen in Kerala.

Sir, when somebody made a reference to the molestation of people at Anakkamali by the Malabar Special Police, Shri C. Achuta Menon, Home

Minister, said: "You will hear something bigger from Ankamali". The Whip of the party, Shri T. C. Narayanan Nambiar, in the course of his speech, said that Ankamali will be a battle field. On the second day of the liberation movement firing took place at Ankamali. That firing extracted the lives of seven people.

In spite of all these repressive measures the movement succeeded because it was a popular movement. The people were afraid of the methods adopted by the Communists. They felt that the situation was not safe, democracy was not safe, life and property was not safe if this continued.

An attempt is made to show that it is because of the Agrarian Relations Bill that this agitation has been put up. You must know, Sir, that according to the Malabar Tenancy Amendment Act of 1954 nobody could be evicted in Malabar. As per that Act ulkudi land and tenancies were secured permanently. Under the Cochin Verumpattam Act nobody could be evicted in Cochin. For the purpose of bringing in a legislation to give permanency to tenants the Travancore Holdings Stay of Execution Proceedings Act, was passed in 1948. After that nobody could be evicted. But under the Kerala Act of the Communists eviction is made possible in respect of landlords who own five acres and less. The result was that out of a total number of 26.7 lakh holdings 23.48 lakh holdings could be evicted. Holdings up to five acres and below come to 88 per cent of the total number of holdings. Therefore, Sir, the peasantry revolted against the Communists because they created a law by which the peasants were to be ousted and sent away from the property which belonged to them. They said that their policy was: "land to the tiller", but they enacted a law by which land was given not to the tiller but to the intermediaries and the landlords.

Ulkudi or households occupied by agricultural labour was secured in Malabar District, but they brought in

an amendment to the Act whereby certain provisions were inserted by which they could be evicted. The population affected by that amendment amounted to 21 per cent of the total population i.e., 31.5 lakhs are agricultural labourers living in ulkudies.

Sir, it is futile to argue that this movement was engineered by the capitalists and the monied class in Kerala. It was a popular upsurge. I may also be permitted, Sir, to say why students participated in this. The relationship between the students and the Kerala Government was strained. It has a history of breaking of promises, of teasing, of merciless oppression etc. On 24th February, 1958, Rajendran, a student of the St. Albert College in the senior B.A. class, got into a transport bus. The conductor asked him for his fare. He said: "It is a popular government, why should I pay?" The result was that he was knocked out and thrashed. The students agitated. The Deputy Superintendent intervened. He held an identification by students and he promised to punish the man concerned. The transport labour union is affiliated to the A.I.T.U.C. The Labour Minister was the President of the union before. He telephoned the Deputy Superintendent. Then they staged a strike. The whole student population of Ernakulam combined. On 26th February, 1958 the Collector again called them. Before that, on 24th February, 1958 these boys were sent for by the Transport Officer to his office. Some 15 students were asked to stay and the others were asked to go. These 15 boys were thrashed to such an extent that all their shirts were blood stained. Then they staged a procession with their blood stained shirts. That created a confusion. Some buses were burnt on that day. The Collector then interfered. The Law Minister also came in. Ultimately they were told that they will be prosecuted for the destruction of the buses and they will have to pay the cost of the buses destroyed. They also said that they will punish only one man. This led to a hartal, and on the 28th Government

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was compelled to come to an agreement.

In the boat fare case also the agreement was not adhered to. It was broken. On 10th July, 1958 the students staged another strike, 12000 persons were arrested. Shri Kelappan interfered. Shri Kuttikrishna Menon, previous Advocate-General of Madras wanted to square it up. The Chief Minister refused to have any talk with him. Shri Dange was saying: "Why not a round table conference be held to discuss things?" They are willing to talk with the Prime Minister of India, but they do not recognise Shri Kuttikrishna Menon, ex-Advocate-General of the composite Madras State. He was not respectable enough for them.

This is the type of attitude that they have. They want a link, but no patriotic Indian can be a link to the Communists; that is as sure as anything. In the boat fare case also, when it was ultimately impossible for them to function, Shri Kelappan interfered and an agreement was entered into. An enquiry was promised but nothing was done. Whenever any movement is started, the students think that the communists are their enemy No. 1; they rush about and burn the buses because they had suffered very much. They were molested and beaten and as such it was inevitable for them with their immature thinking, not to interfere in these things.

I have practically given all the reasons why this is a popular upheaval, and I do not wish to take much of the time of the House. It was a popular movement, and no argument from the side of Shri Gopalan can make it an agitation of vested interests. Shri Gopalan was saying with all pride that there was no preventive detention in Kerala. Seven persons were detained. You will find that they made certain points in this House but the facts are otherwise. I have got a copy of the *Mathru Bhoomi*. There were seven cases of detention. I will be able to give the House the details about them. On 19th June,

1959, the Preventive Detention Act was applied at Chalakudi. Six persons were arrested at Muringur and Chalakudi and two of them were members of the Panchayat Board.

Shri Narayanankutty Menon: It is entirely wrong information. I do not know wherefrom he got it.

Shri Kuttikrishnan Nair: The Preventive Detention Act was applied in respect of one Arjuna Menon of Ernakulam on 19th June, 1959. It is reported in the *Mathru Bhoomi* dated 20th June, 1959, page 5. Shri Gopalan was perhaps in Punjab then with the agitation there or he was in Calcutta in connection with the coming agitation. But these are facts and the people who live in Kerala know them. These cannot be contradicted.

I have nothing more to add. I thank you for having given me this opportunity to speak.

Dr. K. B. Menon (Badagara): Mr. Speaker, Sir, two days before the struggle was over I left Kerala and whatever facts I give, I base them on the experiences I went through and the facts that I gathered and the inspirations that I received in the course of the struggle. There is practically unanimity of opinion that the movement in Kerala was a mass upsurge excepting from the communists. Even there I feel there was a division of opinion, for, at the National Council meeting of the communist party held in Trivandrum, on July 13th Shri Namboodiripad is reported to have said that the movement was a communal one, while Shri Ajoy Ghosh claimed that it was political and all the angles of it should be discussed. But that is a very minor affair.

I would like to add that the movement was spontaneous and was created by the conditions of the misrule of the communist party in Kerala. It was spontaneous and it found its own leader, not a political man, and one who was not in any

of the political parties. I would also like to add—

Shri V. P. Nayar: Who is that?

Mr. Speaker: Let him go on. Let there not be any interruptions

Dr. K. B. Menon: I would also like to say that the movement did not come all of a sudden. It was not a bolt from the blue. The first registration of protest on the part of the people was in the hartal of July 29, 1958 while the students' struggle was going on. The hartal was complete and it woke up the communist government which called an all-parties conference and soon settled the students' strike. So, it is not right to say that the political parties and the people of Kerala were not willing for talks with the communist party or with the communist government. But in the later struggle that came up, the feelings were so embittered that the people were not in a mood to talk with the government but they demanded an unconditional resignation of the communist party.

The next warning was by the Prime Minister himself at the Calcutta Press Conference, and then there were two adjournment motions in Parliament. Both altered, I suppose, the Government. I myself moved a resolution or tried to move a resolution. I did it not because I wanted the Government to intervene and take over charge of the government of Kerala, but because from the adjournment motions we felt that discussions in Parliament have a checking effect on the conditions in Kerala. My object, therefore, was to bring about a discussion in the House so that it may come as a healthy check upon the mad career of the communist government in Kerala. But that did not happen. The Government did not respond. I understand the Congress. The Congress is in power in all the other States, and it therefore hesitates to interfere in the one State where there is no Congress government. They had to take care and

sense the public. They were also afraid of the communist attack on the government if a government did not take care or convince both the people as well as the party that the interference was justified. I understand all that. But, I must, at the same time, say that had a discussion taken place in Parliament, things probably would have been not so bad as they turned out subsequently.

In this connection, I would like to invite the attention of the House to the last telling remark made by Shri Dange, the leader of the communist party. He said: "This time the Centre has intervened but the people are going to intervene last". That is a very ominous warning and a challenge. I am not concerned with the challenge part of it, but I am sure that the Union Government and the people of India will know how to meet the situation. I would like to tell the communist party that in the struggle in Kerala it was not the Centre that had intervened first, but it was the people who intervened. The people of Kerala, in spite of the repeated warnings to the Centre, had become desperate and despondent and they started the movement, therefore, on their own initiative. The people never banked upon Central intervention when they did it. But they did bank upon the Centre to the extent that they were sure that the Centre would not intervene and suppress the expression of popular will. That is exactly where the communist party made a mistake. They thought that a liberation army could be marched as was marched in Hungary and in Tibet. We were confident that that kind of thing will never happen, and we were also sure that we will create conditions in Kerala which will compel Central interference, because in a democracy we should know that the interference, even provided for in the Constitution, is to give a *de jure* recognition to a *de facto* situation. That is exactly what has happened. We created the conditions in Kerala and the Centre interfered both at the

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request of the people of India and at the request of the Communist Party and took over charge. The situation is today much better off.

I wish to pass on to another subject. Some harsh words were said about the Muslims.

Shri Narayanankutty Menon (Mukandapunam): Nothing against the Muslims, but only the Muslim League.

Dr. K. B. Menon: I understand, as far as those remarks are concerned, they were made on the basis of the background of lingering memories of those unfortunate incidents and happenings during the unhappy days of the partition. But I would like to tell the people of the north, the people who made those remarks, that those memories are not there in the south. There is not that bitter feeling between the Hindu and the Muslim or the memories of the bitter past between the Muslims and the Hindus. I have heard in this House during this discussion the Communist Party jeering whenever mention was made of the minorities—either Muslims or the Christians. There is a motive behind all that jeering. It is to divide.

I would like to tell the House and those who are not aware of what the Communist Party has done to court the goodwill of the Muslims that for three years consecutively, the Communist Party carried on a propaganda trying to woo the Muslims and to seduce them to demand a Mopla State.

Some Hon Members: Shame!

Dr. K. B. Menon: I must tell you in this connection the important role the minority Muslims play in Malabar. There are 26 lakhs of Muslims in Kerala with heavy concentrations in some districts. In some villages, 99 per cent of the inhabitants are Muslims. The Muslim in Kerala is called the Mopla and because of this heavy concentration, the communists thought

that just as Pakistan was demanded, they could induce the Muslims of Kerala to demand a "Mopla State". Tons and tons of good newsprint was wasted for four years by the Communist Party in seducing the Muslims to make a demand for Mopla State. I am not reeling this from my imagination. There is a paper, a daily, called *Desabhimani* and the back title of that paper will bear testimony to my statement.

Then again, in the election of 1957-58, the Communist Party cannot deny that they pleaded with the President of the Muslim League, Janab Abdur Rahman, Bataki Thangal for an alliance and understanding in the election. After this wooing with the Muslims, when the name of the Muslims or minorities is mentioned, they jeer. We must remember that we should not have too long a memory in politics and in public life. We must remember that democracy does not mean the rule of the majority. We must also remember that if we wish to build up a strong democracy in India, I may remind you that the two giants in Asia are in two opposite camps—China and India. If we are not able to build up a strong democracy in India, democracy will be lost for Asia. If we are to do it, we must have contented minorities in this country—Muslims and Christians. If we nurse the back history too long and too bitterly, we will not be able to do it and we will be falling victims to communist strategy and tactics.

Let me pass on again to another aspect of the subject. I do not wish to take the time of the House in repeating what has already been said. I only wish to draw the attention of the House in correcting one or two statements and also to supplement what has already been said. Shri A. K. Gopalan, in connection with the Education Act, produced one of the text-books and said, Mahatma Gandhi's name is mentioned in that book. That is misleading. I have

here with me a copy of the real report submitted by the committee that was appointed to go into the indoctrination in text-books but not published by the Government. In that report, it says in so many words:

"It is surprising that in the chapter on world-famous persons introduced into the book which deals mainly with India, Mahatma Gandhi's life does not find a place."

In section 7, sub-section (a), the report says:

"In language text-books of 1958 and 1959, there are a few passages which tend to offend the religious sentiments of certain sections of the people."

In section 7, sub-section (1), the report says:

"There are certain lessons and passages in the social study-text-book and Malayalam text-books which tend to create in the pupils impressions favourable to the communist ideas."

In section 9, sub-section (1), the report says:

"Chapters 13, 14 and 15 give the impression of belittling the achievements of India in comparison with China."

Finally, in the recommendations, in sub-section (b) the report says:

"The present social study books 3 and 6 should not be used in 1959-60 even if there is delay in getting those books ready by June, 1959."

In sub-section (c), it goes on to say:

"Until the new text-book is prepared, the social studies book 2 may be used, provided that chapter 6 which gives the biographical

sketches of world famous persons is removed."

I have no time to quote more from the report of the text-books committee and I think what I have said is enough to show that there was indoctrination and there was a deliberate attempt to inject communist ideas and to praise communist countries at the expense of our own. I would like just to add that the Education Act was not to favour the teacher so much as for the Government to obtain control over education and to regimentise education through control over the appointment of teachers, control over the selection, publication, distribution of text-books, etc. and also through a strict regulation of the day-to-day life of the children in secondary schools. That, in my opinion, was the objective of the Education Act.

As I said, I do not wish to enter into the causes that brought about the mass upsurge. I agree with those speakers who said that the mass upsurge was the result of deliberate and determined effort on the part of the Communist Party to subordinate the Governmental machinery or the administrative machinery to party organisation at all levels. As a result of it there was a growing sense of insecurity in the State. I completely agree with that.

But very few people have stated how the Communist Party went about their job of subordinating the administrative machinery to the party organisation. I would like to say in that connection that three institutions were set up in the villages. One was the party cell. As soon as they came to power these party cells were set up in the village with party bosses. The party boss has free access from the lowest village officer to the top man in the Secretariat, including the Minister. It is easy to understand how under those conditions the party cell boss becomes the boss of the village. He would interfere, intervene and mediate in every dispute in the village and his award is final because

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no officer, however high, would dare to ignore him. That was one institution. The second institution to which reference has been made frequently, is the cell court.

The third institution, more dangerous to public interest and public safety was Agiprop, the voluntary corps. The name was invented by the Communist Party itself. "Agi" means agitation and "prop" means propaganda. So, "Agi-Prop" means agitation and propaganda. That is the name of the voluntary corps. I do not know whether that institution exists in Eastern Europe, or in the Communist countries, but it does exist in Kerala. This Agiprop voluntary corps is an invisible, underground, unorganised voluntary corps which can be mobilised at short notice and made to function as troops in times of emergency. This Agiprop has completely displaced and sterilized the police. This Agiprop would go to the villages in the police van and tell the policemen whom to shoot, how to shoot and when to shoot. They travel in the jeep with the policemen and tell them whom to beat, how to beat and when to beat. It is the same Agiprop that goes as agent provocateur in throwing stones at processions. I know that when I courted arrest on that procession was thrown from the Commonwealth factory a few carpenter's chisel. It was done by the Agiprop. All these things are done by the Agiprop. And it is this Agiprop that has completely, as I said, sterilized the police and took over the charge of the governance of the State.

In creating a situation of that kind, in my opinion the Government has completely abdicated its authority to the party. In a situation of that kind there is absolutely no safety for anybody. The village felt their life insecure; their houses could be looted, their property destroyed and their womenfolk raped. And no policemen would interfere. And if the court does punish the culprit the Minister

will immediately interfere and remit the fine or cancel the punishment.

Under those conditions, you can understand what amount of safety we had in Kerala. In this struggle in villages, as Shri K. N. Munshi has stated in a small brochure, the villagers were having an absolute civil war, if I may use such a term. I will cite only one instance. In Kallada village there was absolutely no safety. There were street fights going on, there were murders taking place. There were things going on there which cannot be imagined except by a person who was on the spot and who was going through all this kind of experiences.

In this connection, I would like to point out one more fact. There were seven shootings out of which four were brutal, blood-curdling, unprovoked, unauthorised, unnecessary and, certainly, avoidable. In these four firings the blame was thrown on the MSP. I have information—and I am sure nobody will contradict that information—that all these unprovoked firings were done, or carried on, by 50 MSP men who were recruited on the eve of the struggle by the Communist Party from 600 MSP men who were discharged in the 1946 strike by the Madras Government during Rajaji's administration. That strike was alleged to have been Communist-inspired. Whatever that be, 600 men from the MSP were either asked to retire or were discharged or somehow they had to go out of the MSP. From out of these 600, 50 men were recruited by the Communist Party on the eve of this struggle. And I have information that these 50 men were responsible for most of these firings and most of these lathi-charges on women.

Here I must mention one Sub-inspector, Shri Balakrishnan, who in the presence of the Collector, in the presence of the DSP, ordered lathi charge on thousands and thousands of women, who thronged the gates of Trivan-

drum Collectorate He opened lathi charge on women without getting the orders from either the Collector or the DSP. (Some hon. Members shame, shame) when the Collector and DSP of Trivandrum went to Government. (Interruptions).

Mr. Speaker: Let us hear what he says.

Dr. K. B. Menon: And when they went and represented matters to the Minister of Home Affairs, the Minister is reported to have told them—and it has also come in the papers—that if the Collector and the DSP did not like what the MSP did and if they thought that the MSP could not be controlled, they could resign and seek employment elsewhere. It is this Shri Balakrishnan that came in conflict with the palace guard when there was a free-for-all fight between the palace guard and the MSP in which more than 12 MSP men suffered serious injuries.

How under those circumstances can we say, or can we claim, or can any Government claim, that there was law and order and Government was being carried on under normal conditions when the Government itself could not control the MSP that was supposed to be under their charge? I do not blame the whole MSP, the whole force, but it was, as I said, a deliberate attempt on the part of the Communist Party and the communist government to recruit specially these 50 men who were their erstwhile sympathisers into the MSP in order to commit this kind of violence in Kerala. That is by the way.

Now I wish to conclude by giving my assessment of the situation. I have already said that it was a mass upsurge in which the mass found its own leader. It was, I must assert, extremely non-violent. Whether you agree with satyagraha as an instrument of expression on the part of the large mass of the people or not—I am not interested in a theoretical discussion on that topic—I still claim, and I claim it from my experience,

that in spite of the brutal lathi charge on women, in spite of the unprovoked firing on children which happened in Changanasseri by policemen without the orders of the magistrate, in spite of the throwing of chisels and stones at processions, in spite of all these provocations, people remained absolutely calm without moving a finger. Here we must remember that when our mothers and sisters are beaten up, it is not easy for anyone to control. You do not know the instance of Flori who was murdered. She was a pregnant woman, mother of five children, would have been the mother of a sixth one if she was not shot down, she was shot to kill and fell dead with her little child on her hip.

I have gone and seen those places. I have seen the House where a sleeping man was shot at. I saw the police firing through the window and the tile which was broken and is still broken by the shot. I could see that the man, just a few days back got married. It was past 9.30 in the evening when he got up on hearing the sound. As soon as he got up he was shot and he died on the spot. When I went there ten or fifteen days later I saw the mat on which he was sleeping, with the blood-stained cloth spread on it and the mother sitting and still weeping in that room—after ten or fifteen days. It is not easy for anyone to forget these kinds of experiences in life. It is not easy to forget that Flori, poorest of the poor and humblest of the humble. I went to her house. She has a thatched house, hardly ten feet square. It is made of bamboo and worn kaffan leaves. One has to creep into her small hut. It was that Flori, who was carrying the basket of fish from the sea-shore and who, when she was trying to escape from the shell showers, was shot in the abdomen. She fell and she died.

There is another instance that I have seen. Here again, a little boy, 16 years old, was shot dead. When I went and enquired I was told that his mother was not at home when

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this happened. She has gone off her head and is crying for her child roaming about the whole place and not knowing what to do and where to go. These are the memories which cannot be wiped out so easily. These are memories which will live and last with us for a long time. Are you then surprised when the hon. Prime Minister said that the country was divided into two water-tight compartments with no link in between? Not only the hon. Prime Minister but God Almighty even could not have brought them together. The people refused even to talk to the Chief Minister or to have any talks with the Party. Their only demand was that they would, under those conditions, consider only the draft resignation of the Government. One can understand how bitter the feelings must have been under those conditions when people were not prepared even to talk to the Chief Minister.

Now, if the Centre had not interfered, we probably would not have fallen at the feet of the Centre. As I said, we were only sure that there will not be a suppression of the popular will on the part of the Union Government. Rivers of blood would have flowed. There is a limit to *satyagraha*. There is a limit to non-violence. When people on a mass scale are provoked it is impossible to control—and I think it is a compliment to those who led the movement—that they were able to control mass emotions and expressions of mass passions.

Mr. Speaker: The hon. Member's time is up.

Dr. K. B. Menon: I will just finish

I wish only to say that Kerala today is free. People feel free and safe of their lives. But I would like to say that the issue of Kerala is not an issue of Kerala alone. It is not even an issue of India. The issue

goes even farther and is far greater. It is an issue of democracy versus dictatorship. We, in Kerala, have fired the first shot and we have won. Allow us to consolidate the position and we will do it. The only thing is to avoid unguarded remarks. Please do not try to create any division in Kerala. This is not the time to talk of Christians, Muslims, Hindus, Nairs and Ezhavas. We only want a consolidated opposition in Kerala, which, I am sure, we will have because the people, who have made this sacrifice, particularly, the women, who have played such a big role in the Kerala conflict, are not going to permit the politicians to fool them away or to play any foolery with them. But, as I said, our request to the world outside and to the country outside is: Please do not interfere and please allow us to consolidate the position. Now if Kerala is lost, India is lost. Therefore my last request is: bear with us, sympathise with us, understand us and help the cause of democracy. If I may speak for myself, my loyalty to democracy is greater than my loyalty to anything else and if democracy is lost, human civilisation is lost, all is lost.

Shri Narayanankutty Menon:
Mr Speaker, Sir, when the second and penultimate act of this sordid and tragi-comical drama of Kerala is being enacted, I was reminded of the classical story relating to Medieval Europe's justice, namely, when the man, who was charged with no offence, was convicted to be hanged and when he was mounting upon the gallows he was asked by the janitor, "What is your last desire?", he said, "Sir, my only desire is to know why I am going to be hanged". Today I feel that when the Presidential intervention in Kerala is sought to be approved by this House let the hon. Home Minister or the hon. Prime Minister tell us why they intervened.

On the first day the hon. Home Minister said that the intervention was supposed to be based upon the Governor's report. But the hon. Prime Minister, when he spoke, had nothing to say about the Governor's report. He said, "We were driven to a situation where there was no other alternative but to intervene" If it is on the ground of the alleged Governor's report that the intervention has been effected, I can point out to this House that every sentence of this report is a fabricated affair because it speaks against the figures that have been given by the Government previously.

Some of the hon. Ministers, especially, the hon. Deputy Minister, Shri Thomas, began to substantiate the allegations contained in the so-called summary of the Governor's report. I beseech that the Governor, the constitutional head of the State, when he gives a report to the Central Government, should have consulted the Ministry. I am not saying that the report should be framed in accordance with the advice of the Ministry but is it not fundamental when allegations are made against a ministry that the Governor at least gives an opportunity to that ministry to reply to them and take into consideration whatever that Ministry has got to reply? That was not done in this case. What was actually done was that the Kerala Pradesh Congress Committee President came to Delhi and gave a charge-sheet-turned-memorandum to the President which was sent to the Governor. The Governor did not show it to the Ministry. On the 29th morning, 48 hours before the intervention the Chief Minister was called by the Governor and was asked to reply to the charge-sheet that was seen in the newspapers. Of course, no reply could have been given as there was no time for a reply but a reply was given to him.

As far as the Central Government was concerned, I will take point by

point and prove that what the Governor is alleged to have said was totally untruthful. I maintain that the Governor has not said that it has been put into the mouth of the Governor at Delhi and every point that has been raised is untrue. I will refer to the case of the Coir co-operative. The Governor, the constitutional head of the State, says that there was a Congressman, who was a coir special officer. He was removed by the Communist Ministry because he was not a Communist. He was the proper officer and there was an allegation. Documents, which were given by the K.P.C.C. President himself just a few years before—until he became the political turncoat—speak for themselves that what the Governor says is not true. I will read it out. You have all read the Governor's report. The report says that a particular officer was there, he was a proper one, he was a Congressman; the Communist Ministry removed him and he was looking after the affairs of the Coir co-operatives.

13 50 hrs

[MR. DEPUTY-SPEAKER IN THE CHAIR]

well. Mr. R. Sankar, the K.P.C.C. President who signed the memorandum which was submitted to the President, and which has been quoted verbatim by the Governor and adopted in his report had in 1955 given a memorandum to the State Government, signed by himself. I shall just read out one or two sentences from that memorandum in which he alleges:

"The expenses incurred by Government on behalf of these Societies is out of all proportion to the results achieved."

These were societies belonging to the Congress.

"Government have given grants-in-aid in favour of these Societies. These grants have been squandered away for want of efficient supervision or

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misappropriated without being detected.

The Coir Special Officer was given absolute freedom in the matter of appointments to the staff of the Societies from the very inception of the Scheme. This has given rise to nepotism pure and simple on the part of the Coir Special Officer. Instances are numerous. We content ourselves by pointing out only some of them."

This was what Mr. Sankar said in 1955 just after he was shouting in Kerala that the Congress would have to be buried six feet deep. When he was borrowed as the head of the KPCC, he wanted some excuse; he wanted to devour what he said in 1955, and come before the President and say that this particular officer was suspended unjustly.

Another unfortunate thing happened. Immediately this officer was placed under suspension, a new officer was appointed. The very same organisation of which the KPCC president, Mr. Sankar, was the president, wrote a letter congratulating the Government:

"The Travancore-Cochin Coir Producers and Dealers Association rejoices at the steps taken by the Government of Kerala towards reorganisations of the coir co-operatives aimed at the protection of the industry and coir producers and congratulates the M(I) for removing Sri K. Karunakara Panicker from the post of coir special officer on the basis of the innumerable complaints received, including those from the association and extends felicitations to Sri P. K. Nayar on his appointment as coir special officer."

This was what Mr. Sankar said then.

Even though Kerala is notorious for this kind of political 'turncoatism', yet there is a limit to the Governor borrowing certain allegations made by people however responsible those people might have been passed on in 1955. The Governor, the Head of the State in Kerala sends a report to the President, on the basis of which action was taken to intervene, but he did not have even that respect for truth which the KPCC president had to truth, because immediately this officer was suspended, an act of which the Kerala Government is charged just now. the Governor says that it was just the diabolic tactics of the Communist Party, because that officer was not a fellow travelling officer.

The second thing which the Governor has said is in relation to the toddy co-operatives. Shri A. M. Thomas who knows well the toddy tappers and their communities just repeated the charges made by the Governor. How untruthful these allegations made by the Governor and Shri A. M. Thomas are will be evident when I show that none of these co-operatives have contributed a single pie to the Communist Party. And this has been vouchsafed by independent people who have gone there and testified to it. I shall just read out a few sentences from a special correspondent's report. The respected staff correspondent of *The Hindu* went and saw how the co-operatives were working. That itself is a glaring example to show how the picture about the working of these co-operatives has been distorted and what the intentions in the minds of those people sitting opposite are because they in their fold had only the erstwhile disappointed toddy contractors and did not like the co-operatives at all. Mr. Rangaswamy, the staff correspondent of *The Hindu* says:

"I visited Anthukkad Toddy-Tappers' Co-operative Society in

Trichur and the success which has attended its first year of working is truly phenomenal. . . . Two thousand and four hundred tappers in Trichur have been given the monopoly of tapping and selling toddy, for the toddy they collect twice what they used to get with difficulty from the contractor. The monthly wage of the tapper, which he draws regularly every week, is now doubled. Besides, he gets a month's wages as bonus and another three weeks' wages in lieu of annual holiday. He gets the maximum dividend of 7½ per cent. On the psychological front, it has brought a tremendous change. I asked a tapper how he felt now. He said his immediate gain was in his income. But he was more happy and felt relieved because he had no longer to go and appear before the private contractor for his wages and submit himself to all kinds of humiliation. Previously, he was obliged to remove his head-gear.

The co-operatives do not make any contribution to political parties."

In the face of this patent truth that no co-operatives made any contribution, how can such an allegation be made? Then again, the phenomenal success of the co-operatives which enabled this particular community of about four million people in Kerala, who were suppressed by the toddy contractors and the so-called Congressmen so far, to raise their heads and have their own living with an additional income, became an eye-sore in the eyes of Shri A. M. Thomas; this was an eye-sore in the eyes of the Congress who have been studded with the 350 disappointed contractors who were out to finance the entire agitation when it started, because the agitation started with picketing of the toddy shops run by the co-operatives, though, at the same time, they were

patronising the arrack shops which were run by the Congressman opposite. That was how it started.

An Hon. Member: Shame!

Acharya Kripalaul (Sitamarhi):
I thought the money came from America.

Shri Narayanankutty Menon: I shall presently come to the hon. Member and to his spirits.

Another classical example where the Governor did not have the semblance of a respect to truth is regarding the police officer story. The Governor who had access to the entire documents of the Government says that because a particular district superintendent of police was not just obeying their orders or dancing according to their tunes, his promotion was prevented. I ask at least the Home Minister to have some respect for truth. For seven years, because this particular officer was charged with the most heinous misconduct that a police officer and a citizen could indulge in, successive Congress Governments—so many were there in Kerala—did not recommend his name for the IPS.

When the Communist Ministry came, the Home Minister Shri G. B. Pant told the Chief Minister of Kerala that his name should be recommended; and in pursuance of that pressure of the Home Minister, the Chief Minister had to recommend his name. It was the Communist Chief Minister who recommended the name of this particular gentleman; if you call for the confident records of this man, you will know that every sentence of what the Governor has said is untrue, because it was your Government which did not recommend his name, and it was the Communist Government which recommended his name. These are the three cases.

Now, I come to the last part of the Governor's report.

Mr. Deputy-Speaker: There is one thing on which I have just to appeal to the hon. Member. I have been listening to the hon. Member and I

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find that the language that he uses is rather violent.....

Shri Narayanankutty Menon: I shall be mild.

Mr. Deputy-Speaker: That is not fair, and most particularly, in a House of Parliament, the ingredients of democracy do require that he has to be moderate, and he has to show toleration. He has alleged falsehood on the part of the Governor by saying that his report was false, this was untrue, that was untrue and so on. I was just waiting to see what he was bringing forward to prove that untruth, and he said that some respected newspaper agent had said that. I shall have no objection if he believes that man and feels that his report was true. I have no objection to that, but there will be other people also whom I believe, who say that the Governor's report is true and who say that what the Governor said was correct and not what the newspaper agent said. Opinions can differ. We cannot be sure of the one thing or the other. The hon. Member might put forward his viewpoint. I have no objection. He may say whatever he likes, but at least the language used should be in keeping with a House of Parliament.

Shri Tangamani: What about the district police superintendent?

Shri Narayanankutty Menon: I was not referring to the Governor's report, when I quoted the correspondent. I was only replying to Shri A. M. Thomas.

The Governor has said in his report that there is a loss of Rs. 4 lakhs because these contracts have been given. I am contradicting him by the figures given in the budget of the Kerala State.

Mr. Deputy-Speaker: He might say that. I do not object to that.

Shri Narayanankutty Menon: In 1956-57, the total Demand in respect of excise collection was Rs. 1,17,64,878; that was in the previous year when the contractors were running the show. In 1957-58, for the first time, they were handed over to the societies, and the budget figures show that the demand was Rs. 1,24,81,214, out of which Rs. 2,10,523 were collected, whereas in the previous year only Rs. 87,903 were collected and the rest was default. In 1958-59, the total demand was Rs. 1,28,64,589. That is the figure. But even the Governor says....

Shri A. M. Thomas: Since my statement is sought to be contradicted, I may just say that it was only some shops that were entrusted to the co-operatives; the other shops which were not entrusted to the co-operatives fetched a higher amount. It was admitted by the Kerala Government in the Legislative Assembly that got Rs. 4 lakhs less from previous year by entrusting these to the co-operative societies.

Shri V. P. Nayar: Let my hon. friend produce that statement; and let him read the budget papers.

Shri A. M. Thomas: That is an excellent method!

Shri Narayanankutty Menon: The imagination of the Governor has travelled beyond the imagination of Shri A. M. Thomas. He also says that in the coming year, when the whole of the toddy business will be handed over to the co-operatives, there will be more loss. But one has to admit that till 1957 the demand was only Rs. 1,17,64,878, and the collection was small; but in 1957-58 and 1958-59, there has been a steady increase as far as excise revenue is concerned. That cannot be denied. I have already submitted the basis on which this has been handed over to the co-operatives.

I will come to the other side of the Governor's Report.

14 hrs.

Shri Kuttiba Singh (Azamgarh): Does he deny that the income from the toddy tappers' co-operatives has gone to the Communist Party?

Shri Narayanankutty Menon: I will deal with the Governor's role in submitting a report as the constitutional head of the State. He can make all allegations he has to in the Report. But everybody legitimately expects, and truthfulness and fairness demands, that the other side of the picture also should be given in the Report. If you look into the state of affairs which prevailed in Kerala, you will find that the Governor had not even one word to say against the agitation the way in which the agitation was built up, how law and order was violated, what were the difficulties that the Government was envisaging and what answer the Government had to give to the charges. One sentence is, of course, there in the Report to the effect that it is possible that the Government might be able to answer and explain away all these allegations in a plausible way. But he just relies upon surmises and he had not even the courtesy to ask the Chief Minister to answer that. Considering the type of agitation that was built up against the Constitutional authority, with the declared aim of overthrowing the Government, if the Governor as the constitutional head of the State had not a word to say against it, certainly he cannot be expected to have acted impartially as far as the situation in Kerala State was concerned.

I will cite one instance—because much has been said about it—concerning the police firings and violence that was “incipient” there—what the Prime Minister himself called ‘incipient violence’. Here is an editorial of a paper *Deepika*, a Catholic paper which was supporting the agitation, and which was the spokesman of the Liberation Front. It is dated 12th May, 1959, 30 days before the firing

in Ankamali. Let honest-minded democrats, let those who oppose the Communists, read that editorial and decide what was the shape of things emerged and what were the circumstances under which the police fired. *Deepika*, the organ of the Catholic Church, said:

“Is it wrong in these circumstances if we think in favour of being prepared even for shedding blood?”

Then it says in the last paragraph

Shri Kottukapally (Moovattupuzha): Was the article in Malayalam?

Shri Narayanankutty Menon: It is a translation I will place it on the Table of the House.

“Ankamali is the place where on the spur of the call for the formation of a volunteer corps, five thousand young men instantaneously came forward and lined up. Consequently, it is the place where the Government have initiated measures for suppressing the school-closure agitation. Last Friday when most of the menfolk had been away at work in the fields and other places, a posse of MSP and local police entered the houses at Pulliyanam, a place near Ankamali, started intimidating women and children. The Church bells began to toll and people collected like flood waters when the police party left the place taking with them those whom they could lay hands on. As a case is pending against them, we do not want to say more about it. But the beating they were subjected to does not form part, however, of the case of the law. That was part of their tactics to intimidate the people generally and to crush the volunteer organisation. But Ankamali people proved that such measures really unify and enthuse them. A big crowd armed with spades, knives,

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pick-axe and other implements surrounded the police station and consequently there was no further beating. What is more, the arrested persons were produced in the court without loss of time and at once left on bail..”.

Shri A. M. Thomas: What is there in that?

Shri Narayanankutty Menon: I will place it on the Table. This document, the translation with the original, was given to the Prime Minister when he visited the State

Shri Kalika Singh: Was it written by the Communist Party? (Interruptions)

Shri V. P. Nayar: The Communist Party cannot change the original.

Shri Narayanankutty Menon: Facts are sometimes unsavoury. In their own anxiety to start the liberation struggle and overthrow a constitutionally elected Government, they forgot that these things would see the light of day and come before the light of reason and the light of the people. That is why they were so much agitated.

Shri Keshava (Bangalore): Who is the author of that book? A question was asked to that effect. It was not answered.

Mr. Deputy-Speaker: If he does not answer, can it be forced out of him?

Shri Kalika Singh: Yes

Mr. Deputy-Speaker: No, the hon. Member should remain content with what he has said.

Shri Sadhan Gupta: You extend his time. He will answer.

Shri Kalika Singh: Let it be placed on the Table. (Interruptions).

Shri Narayanankutty Menon: Only the people of Kerala knew what was

the type of agitation, what was the proclaimed object of the agitation and what was its intention. I will quote the supreme commander of the Liberation Front....

Mr. Deputy-Speaker: And then conclude.

Shri Narayanankutty Menon: And then I will conclude. The supreme commander, Shri Mannath Padmanabhan, in whose company the Prime Minister's Party is now, speaking at Thiruvalla, is reported to have made a reference to the Kerala Agrarian Relations Bill and said:

“It is not possible to send back alive whoever comes saying that excess land will be taken away. That is why I am sorry. My wish is that all including these Communist Ministers should be alive.”

That is the view that has been taken by the leader of the liberation struggle concerning the Agrarian Relations Bill.

Shri A. M. Thomas: By whom was it reported?

Shri Narayanankutty Menon: It is reported in *Desabandhu*, their own paper. (Interruptions).

Mr. Deputy-Speaker: I would appeal to all sections of the House that they should have the patience to hear. One may not like one speech or the other, but this is for all sides. I am sorry that these interruptions are continuing.

Shri Warior (Trichur): Ministers are included in it.

Mr. Deputy-Speaker: Hon. Members to my left cannot complain on this score.

Shri Narayanankutty Menon: In conclusion, I will refer to what the Prime Minister said about Congressmen participating in token satyagraha.

How they conducted the satyagraha has been reported in all the papers throughout India. They were organising a liberation struggle with the horse of Shri Mannath Padmanabhan with 50,000 or 1,00,000 people marching to Trivandrum, capturing the collectorate and the Secretariat, removing the Ministers from their chairs, planting torches on their heads and making them run in the streets, and then capturing power. That was the intention. But as far as the answer to the Prime Minister is concerned, I leave it to the people of Kerala to decide what was the type of satyagraha that was carried on, what was the way in which the struggle was carried on, how many buses were burnt and how many people were beaten. I pose this question to the Home Minister: assuming that all the arguments advanced by the other side are taken for granted, in a democratic country with a Constitution, when a party has won the elections—you may accuse that party, you may accuse the Communist Party that they have committed the worst crimes,—when a Party has been elected and it has got into power, is it possible for anybody to declare a war on that Party and remove that Government by unconstitutional means? Are you prepared to follow the same logic as far as the interpretation of the Constitution is concerned?

I conclude by saying that this is only the second chapter of the drama I agree with Dr. K. B. Menon that by Central intervention alone the affair of Kerala is not finished. The other side may laugh on behalf of Government when we speak, but I only wish the laughter lasts till the last nomination paper is filed for the next elections I am sure the people of Kerala, in spite of the 'mass upsurge', in spite of the fact that the Communist Party got only 30 per cent. votes—that is what they say—will know whom to vote for. Now, the Governor says that all those who have voted for the Communists have weaned away. But then why is there this frantic scare on the part of the Congress Party, going and embrac-

ing the Muslim League and the P.S.P. and all and sundry and trying to make a hotch-potch of political turncoats to face the Communist Party in the next elections? Why this quandary if the Communist Party has lost popular support? If the Communist Party is not going to win the elections, why the frantic search to embrace the Muslim League, which the Prime Minister characterised last year in Kerala as a 'dead horse' which had to be put only in a historical museum?

The real decision, whether this Resolution is passed or not, will have to be taken not by arguments in this House; the decision will be taken by the people of Kerala, and the people of Kerala know it

Whether those parties who set fire to the pages of the Constitution were right or not—that decision must be finally taken by the people of Kerala. Let us wait for that day of judgment, when the people of Kerala will give their judgment

श्री बाजपेयी . उपाध्यक्ष महोदय, विश्व के इतिहास में पहली बार कम्युनिस्ट पार्टी केरल में लोकतन्त्र के मार्ग से सत्ताखंड हुई थी। उन के लिये यह एक महान प्रयत्न था कि वे लोकतन्त्र-विरोधी होने के अपने आरोपों को, जो कि विदेशी पूर्वजों के कारण उन्हें प्राप्त हुए हैं, धो कर बहा देते और अपने आचरण से यह साबित करते कि लोकतन्त्र उन के लिये लोकतन्त्र को समाप्त करने का एक साधन नहीं है, अपितु सामाजिक इति में एक क्रान्तिकारी परिवर्तन करने का एक सशक्त प्रभावी और स्थायी माध्यम है। लेकिन २७ मास के केरल में कम्युनिस्टों के शासन में यह स्पष्ट हो गया है कि लोकतन्त्र और कम्युनिज्म साथ साथ नहीं चल सकते। यह भी प्रकट हुआ है कि कम्युनिस्ट अपरिवर्तनवादी हैं—सब से बड़े दकियानूसी हैं। दुनिया कहीं से कहीं पहुँच जाये, परिस्थितियाँ कितनी भी बदल जायें, मगर कम्युनिस्ट पार्टी

[श्री काजवेयी]

डिप्टेरिऑन भाग दि प्रालिटेरियट की बुझाई देना कब नहीं करेगी। और डिप्टेरिऑन का दि प्रालिटेरियट का मतलब है डिप्टेरिऑन भाग दि पार्टी का दि प्रालिटेरियट और प्रालिटेरियट की पार्टी तो कम्युनिस्ट पार्टी ही हो सकती है, और कोई पार्टी नहीं।

उपाध्यक्ष महोदय, मेरा आरोप है कि केरल में कम्युनिस्ट पार्टी तानाशाही स्थापित करने के लिये काम कर रही थी। लोक तन्त्र का अर्थ है जनता का शासन, जनता के लिये शासन, जनता द्वारा शासन, अगर मैं आन्दोलन के दिनों में केरल गया था। मैं ने जो कुछ देखा और सुना, मैं उस से इस परिणाम पर पहुंचा कि केरल में जनता का शासन नहीं है, कम्युनिस्ट पार्टी का शासन है, जो कम्युनिस्ट पार्टी के लिये चलता है और जो कम्युनिस्ट पार्टी के द्वारा चलाया जाता है। मेरा आरोप है कि कम्युनिस्ट पार्टी ने भारतीय संविधान को उस को सम्पूर्ण मान्यताओं के साथ अभी तक स्वीकार नहीं किया। केरल के मुख्य मंत्री जब राजगढ़ी पर बैठे, तो उन्होंने ने केरल की जनता के नाम एक संदेश प्रसारित किया, जिस में उन्होंने ने अपनी मजबूरी प्रकट की कि जो कुछ भी वह करना चाहते हैं, वह नहीं कर सकते। क्यों नहीं कर सकते? मैं उन के शब्दों को क्वोट करता हूँ —

"The administration of the problem State is a job; it is indeed difficult. The real difficulty is the fact that he and his colleagues have to work within the framework of the system which includes several regulations and procedures which are not to their liking."

भारत का संविधान जो नियम लगाता है, जो बंधन लगाता है कि जिस से लोकतन्त्र तानाशाही में न बदल जाये, केरल के मुख्य मंत्री को ये बंधन लागतकते थे। वरधि उन्होंने ने लोकतन्त्र की घोषणाओं की,

अगर आचरण लोकतन्त्र के सर्वथा विपरीत किया। कौन से बंधन हैं, जो कि हमारा संविधान शासन पर लगाता है? पहला बंधन यह है कि पार्टी और सरकार के बीच में एक रेखा होनी चाहिये—एक लक्ष्य-रेखा होनी चाहिये, जिसको और कर अगर कोई पार जायेगा, तो लोकतन्त्र को सीता की अविनायकबाद का राक्षस हरण कर के ले जायगा। केरल में इस लक्ष्य-रेखा को मिटा दिया गया। न्यायालय की स्वतन्त्रता में हस्तक्षेप किया गया और यह हस्तक्षेप केवल स्वतन्त्रता तक सीमित नहीं रहा, अगर सैल-कोर्ट्स कायम किये गये, जो कि सम्मन जारी करते थे।

अभी हमारे कुछ मित्र कांग्रेस राज्यों की आलोचना कर रहे थे। मैं भी कांग्रेस का कोई बहुत बड़ा प्रशंसक नहीं हूँ और मेरे कम्युनिस्ट भाई भी जानते हैं कि इनो दिल्ली में बैठ कर कांग्रेस को हराने के लिये वे हमारे साथ हाथ मिला चुके हैं। लेकिन कांग्रेस का आलोचक होते हुए भी मुझे यह बात कहने में बिल्कुल संकोच नहीं है कि केरल के कम्युनिस्ट शासन में जो कुछ हुआ, वह कांग्रेस के तेरह राज्यों में अभी तक नहीं हुआ। किसी भी कांग्रेस के राज्य में सैल-कोर्ट्स नहीं कायम किये गये, चौदह वर्ष के बच्चों को गांव से निर्वासित नहीं किया गया, किसी के माता पिता को यह नहीं कहा गया कि आप अपनी लड़कियों की शादी कम्युनिस्ट से कर दीजिये, और अित ने सैल-कोर्ट के कहने को नहीं माना, उस को खुरे का निशाना नहीं बनाया गया। यह किसी तानाशाही देश में ही सम्भव है और कम्युनिस्ट पार्टी इस मार्ग से केरल में अपने बढ़ रही थी।

यहां पर कम्युनिस्टों की नई पुलिस पाविसी की बड़ी तारीफ की गई है। मैं समझता हूँ कि लेनिन ने जो एग्जिड कीकित बनाई थी, उस आधार पर यह नई पुलिस

पालिसी नहीं गई है। कहा गया है कि हम ने मजदूरों और किसानों के हित के लिये इस नई पालिसी का निर्धारण किया, लेकिन मैंने केरल में देखा कि जहाँ कहीं ऐसे मजदूरों का सवाल आता था, जो कि कम्युनिस्ट पार्टी से सम्बन्ध नहीं रखते थे, या कम्युनिस्ट पार्टी के विरोधी थे, वहाँ पर पुलिस दखल-अंदाजी नहीं करेगी, यह नीति ताक पर घरी रह जाती थी और पुलिस हस्तक्षेप करती थी। केरल की कम्युनिस्ट पुलिस ने विचारियों पर साठियाँ चलाई और मजदूरों पर गोलियाँ चलाई। स्पष्ट है कि यह नई पुलिस पालिसी कम्युनिस्ट पार्टी को मजबूत करने के लिये बनाई गई। ऐसे उदाहरण हैं, जिन से यह प्रकट होता है कि जिस किसी कारखाने में अगर कम्युनिस्ट-विरोधी मजदूर-संगठन काम करता था, तो सरकार उस की भागों को नहीं मानती थी। और वे कारखाने केवल पूँजीपतियों के ही नहीं हैं, हमारी केन्द्रीय सरकार का भी एक कारखाना केरल में चलता है। उसमें कुछ गड़बड़ हुई। कम्युनिस्टों ने वहाँ घरना लगाया कि मजदूरों को जाने नहीं देंगे और पुलिस देखती रही। क्या वह कारखाना किसी पूँजीपति का था? वह तो पब्लिक सेक्टर का कारखाना है—केन्द्रीय सरकार का कारखाना है और मजदूरों को जब रोका गया घरना दे कर, तो पुलिस ने हस्तक्षेप नहीं किया। सीताराम मिल में क्या हुआ? गवर्नमेंट प्रैस में क्या हुआ? पुलिस हस्तक्षेप करती थी, जहाँ पर कम्युनिस्ट पार्टी के हितों पर चोट आती थी और जहाँ विरोधी दबाये जाते थे और विरोधी संगठनों को कुचला जाता था, वहाँ पुलिस को निष्क्रिय और निष्-आधी बना दिया गया। मैंने अपने दौरे में एक मजदूर से पूछा कि यह तो मजदूरों की सरकार है, तुम मजदूरों की सरकार के खिलाफ कैसे हो गये? उसने कहा कि मैं कम्युनिस्ट संगठन में नहीं हूँ, इसलिये मैं एक फुटपाथ पर सोता था और एक रात को मुझे उस फुटपाथ से उठा कर खुरा दिखाया गया और कहा गया कि यदि तुम कम्युनिस्ट

यूनिशन में शामिल नहीं होंगे, तो यहाँ नहीं आ सकोगे और अगर सोये, तो यह खुरा है। यह एक मजदूर की बात है। केरल में सब मजदूरों की रखा नदी की गई और अगर सब मजदूरों की रखा की जाती, तो इतना बड़ा आन्दोलन खड़ा न होता।

इस बात को दोहराया गया है कि आन्दोलन किसी पार्टी ने खड़ा नहीं किया—यह तो जनता का आन्दोलन था और पार्टियाँ उस में बाद में आईं। अगर पार्टियाँ न आतीं, तो जनता का ज्वार उन पार्टियों को भी बहा देता। जनता जाग्रत हो गई भारत का संविधान की रक्षा के लिये जमींदारी की रक्षा के लिये नहीं। उत्तर प्रदेश में, उपाध्यक्ष महोदय, बीस लाख जमींदार कांग्रेस सरकार ने खत्म कर दिये।

एक माननीय सदस्य : केवल बातों में खत्म किया है।

श्री बाजपेयी : वहाँ तो कोई आन्दोलन नहीं हुआ। कम्युनिस्ट पार्टी जनता को साथ ले कर नहीं चल सकी और फिर प्रधान मंत्री से यह प्रार्थना की गई कि वह जनता को राय देते कि वहाँ अपना आन्दोलन बन्द कर दे। कम्युनिस्ट पार्टी यह भूल जाती है कि हमारे प्रधान मंत्री बड़े लोकतन्त्रवादी हैं। जब जनता जाग्रत हो जाती है, तो कोई भी लोकतन्त्रवादी उस जनता को—अगर उस की मांगे सही हैं—शान्त होने के लिये नहीं कह सकता। उन्होंने कम्युनिस्टों से कहा कि इस्तीफा दे दीजिये। बहुत से कम्युनिस्ट सदस्य बोले हैं, परन्तु किसी ने यह नहीं बताया कि आखिर वे कुर्सी से क्यों चिपके रहे। मुझे कभी कभी शक होता है कि वे कुर्सी से चिपके रहे या कुर्सी ही उन से चिपक गई, जिस को छुड़ाने के लिये राष्ट्रपति को घोषणा करनी पड़ी। अगर प्रधान मंत्री के लिये उन के हृदय में आदर था, तो वे कहते कि इस्तीफे की बात है तो गलत, लेकिन आख

[श्री वाजपेयी]

कहे हैं, इस लिये हम मानते हैं। इस से कम्युनिस्ट पार्टी की कीर्ति बढ़ जाती, उन के बश में चार चान्द लग जाते, मगर उन में वह नैतिक मनीबल नहीं था कि वे गद्दी को खात भार कर जनता-जनार्दन की अधालत में जा कर कहते कि अगर हम ने तुम्हारे लिये कुछ किया है, तो हम को चुन कर दिखाओ। इसलिये उन्हो ने इस्तीफे की बात नहीं मानी। अब केन्द्रीय सरकार क्या करती। भारत का सविधान बड़ा दुष्प्रभावी, निष्प्रभावी होता, बहुत कमजोर साबित होता अगर केरल में सविधान की, लोकतन्त्र की हत्या देस कर भी हमारी केन्द्रीय सरकार हाथ पर हाथ रखे बैठी रहती। लेकिन मुझे खुशी है कि भारत का सविधान सशक्त साबित हुआ है, प्रभावी साबित हुआ है। अगर लोकतन्त्र पर कहीं भी कुठाराघात होगा तो हम उस आक्रमण का सामना कर सकते हैं केरल में केन्द्रीय हस्तक्षेप से यह साबित हो गया है। लेकिन जो देर लगाई गई उस से कम्युनिस्टो को जनता के मन में भ्रम पैदा करने का मौका मिल गया।

में समझता हूँ कि अभी यह स्पष्ट होना बाकी है कि केन्द्रीय हस्तक्षेप कम्युनिस्ट जो सविधान को तोड़ने की कार्रवाई कर रहे थे, उस के कारण हुआ है या जनता के आन्दोलन के कारण हुआ है। मेरा निवेदन है कि केन्द्रीय सरकार को जनता के आन्दोलन के लिये राह नहीं देखनी चाहिये थी। जब कम्युनिस्ट सविधान का उल्लंघन कर रहे थे, लोकतन्त्र की हत्या कर रहे थे, भारत के नागरिक और नागरिक के बीच में स्वतन्त्रता को समाप्त कर भेदभाव कर रहे थे, जब लोकतन्त्र का पहारा ले कर के अधिनायकवाद कायम कर रहे थे तो केन्द्रीय सरकार को हस्तक्षेप करना चाहिये था। अगर मैं केन्द्रीय सरकार की कठिनाई को समझता हूँ। केन्द्रीय सरकार कांग्रेस की,

केरल की सरकार कम्युनिस्टों की, फिर अन्तर्राष्ट्रीय प्रतिस्पर्धा का भी कुछ डर होगा, जनता क्या कहेगी, इस का भी कुछ सकोच होगा, लेकिन कार्रवाई देरी से की गई, मगर सही दिशा में की गई और मैं उस का समर्थन करता हूँ।

श्री डॉने ने कहा हमारे प्रधान मंत्री जी का रथ धरती से ऊंचे चलता था अब वह नीचे धा गया है। मेरा निवेदन है कि प्रधान मंत्री जी का रथ धरती से ऊंचे चलता था इसलिये कम्युनिस्ट पार्टी को देश की धरती पर पैर जमाने का मौका मिल गया। अब अगर सचमुच में वह रथ नीचे लग गया है तो कम्युनिस्ट पार्टी देश की धरती पर पैर नहीं जमा सकती है, उस की धरती के नीचे जाना होगा, अडर-भाउड जाना होगा। हमारे प्रधान मंत्री से बढ़ कर कम्युनिस्ट पार्टी का और कोई मित्र नहीं हो सकता है। लेकिन जब कम्युनिस्ट पार्टी के हित में होता है तब वह प्रधान मंत्री को बड़ा बनाती है, अगर कहीं उस के विरोध में बात चली जाती है, तो वह छोटे हो जाते हैं। केरल के गवर्नर ने भ्रकमाली की गोलीबर्षा के बाद जो वक्तव्य दिया जिस में विरोधियों पर हिंसा का भी प्रत्यक्ष रूप से आरोप लगाया गया है, तो कम्युनिस्ट बड़े प्रसन्न थे, तब केरल गवर्नर उन के लिये आदर्श गवर्नर थे, आज जब केरल के गवर्नर ने रिपोर्ट में कह दिया कि कम्युनिस्ट पार्टी सविधान को तोड़ने की दोषी है तो वही केरल के गवर्नर अब उन के लिये पतित हो गये हैं। अब केरल के गवर्नर पर वे विश्वास करने के लिये तैयार नहीं हैं। मेरा निवेदन है कि इस तरह के दो मापदंड नहीं चल सकते हैं, दो गज नहीं चल सकते हैं। कम्युनिस्टो ने केरल के शासन में यह प्रमाणित कर दिया है कि कम्युनिस्ट पार्टी लोकतन्त्र के मार्ग से काम नहीं कर सकती है और अगर वह करना भी चाहे तब भी नहीं कर सकती है। दुर्बोधन

ने महाभारत में कहा है कि मैं समझता हूँ कि काम गलत है अगर मेरी प्रवृत्ति ही ऐसी है कि मैं सही काम कर नहीं सकता हूँ। जब तक कम्युनिस्ट पार्टी डिक्टेटोरशिप आफ द प्रालिटेरिएट को तिलांजलि नहीं देती है, जब तक बर्गयुद्ध में से अपना विश्वास नहीं उठाती है, जब तक देश के बाहर से प्रेरणा लेना बन्द नहीं करती है तब तक वह भारत के संविधान के भ्रन्तर्गत काम नहीं कर सकती है। केवल केरल ही नहीं भारत के किसी भी प्रान्त में कम्युनिस्टों की सरकार यदि बनेगी तो वह भारत के संविधान के प्रतिकूल जायेगा। वह बात श्री डांगे ने साफ तौर से कह दी है। उन्होंने न पश्चाताप नहीं किया है उस पर जो कुछ केरल में हुआ है। उन्होंने न चुनौती दी है, केन्द्रीय सरकार को जिस ने केरल की कम्युनिस्ट सरकार को बर्खास्त कर दिया है और उन्होंने न चुनौती दी है, इस सदन को कि हम अगर फिर चुन कर आयेगे तो फिर ऐसा ही करेंगे। मेरा निवेदन है कि इस सदन को गम्भीरता से इस पर विचार करना चाहिये कि जो पार्टी खुलेआम भारत के संविधान को तोड़ना चाहती है और केवल तोड़ना ही नहीं चाहती बल्कि अपने आचरण से तोड़ भी चुकी है, क्या उस पार्टी को इस बात की स्वतंत्रता होनी चाहिये कि वह भारत के संविधान के भ्रन्तर्गत चुनाव जीत कर सत्ता पर कब्जा कर सके।

मैं दो बातें कह कर समाप्त कर दूंगा। श्री डांगे ने महाभारत की चर्चा की थी। मुझे भी महाभारत का एक प्रसंग याद आता है। कौरव और पाण्डवों में लड़ाई हो रही थी और कर्ण का रथ धरती में धंस गया। अर्जुन मारने के लिये तैयार हो गये लेकिन कर्ण ने कहा कि धरे धरे यह क्या करते हो, धर्म क्या है, न्याय क्या है, नीति क्या है? अर्जुन ने कहा जब दुर्योधन के दरबार में द्रौपदी के तन के बरसो का अपहरण किया जा रहा था, तो उस समय धर्म क्या था, जब आत्मानुह में पांडुओं को जला कर मारने

की साजिशों की गई थीं, तब धर्म क्या था? याज कम्युनिस्ट जो लोकतंत्र की बात करते हैं, न्याय की बात करते हैं, मैं उन से पूछना चाहता हूँ कि भारत की आजादी के बाद जब वे तेलंगाना में हथियार ले कर लड़ हो गये थे, तब लोकतंत्र कहाँ गया था, तब संविधान कहाँ गया था? तेलंगाना दूर है, अभी अभी पंजाब में, उपाध्यक्ष महोदय, आप जानते ही हैं, कि बेटरमेंट लेबी के मामले को ले कर, एंटी बेटरमेंट लेबी के भ्रन्तर्गत कम्युनिस्ट पार्टी ने हिंसा को प्रोत्साहन दिया है यह प्रमाणित हो चुका है। भदालतों में घुस कर उन पर कब्जा किया गया और कहा गया कि हम स्पेसिफिक इश्यु के लिये लड़ते हैं। मैं कहना चाहता हूँ कि केरल की जनता भी स्पेसिफिक इश्यु को ले कर ही लड़ी थी और उस ने कहा था कि जो लोकतंत्र में विश्वास नहीं करते उन को जाना चाहिये। केरल की जनता हमारी बधाई की पात्र है। केरल की वीर जनता ने सारे देश का मार्गदर्शन किया है। केरल की जनता धार्म भी मैं समझता हूँ कि कम्युनिस्ट पार्टी को उचित उत्तर देनी। लेकिन इस सदन को और केन्द्रीय सरकार को इस बात पर गम्भीरता से विचार करना चाहिये कि जब कम्युनिस्ट पार्टी लोकतंत्र का मार्ग ग्रहण नहीं कर सकती है, उस मार्ग पर चल नहीं सकती है, वी क्या उस को लोकतंत्र द्वारा वी जाने वाली सुविधाओं का उपयोग करने की छूट दी जाय या नहीं।

एक और बात कह कर मैं समाप्त करता हूँ। जब राष्ट्रपति शासन वहाँ लागू हुआ है, केरल के हमारे कम्युनिस्ट मित्र आरोप लगा रहे हैं और उस दिन श्री नारायणन्-कुट्टि मेनन ने आरोप लगाया कि मन्दिर तोड़ दिया गया है। जब उन से पूछा गया कि कहा तोड़ा गया है, तो पहले उन्होंने ने कहा कि त्रिचूर डिस्ट्रिक्ट में तोड़ा गया है और बाद में उन्होंने ने इस का सडन किया और कहा कि एनाकुलम् में तोड़ा गया है।

[श्री वाजपेयी]

उन्होंने जिन स्थानों का नाम लिया, मैं ने वहाँ के अपने पार्टी के लोगों को लिखा कि आप जाँच कर के बतायें कि क्या सचमुच में एक मन्दिर तोड़ा गया है। उपाध्यक्ष महोदय, मेरे पास जिस स्थान के आरोप लगाये गये हैं कि मन्दिर तोड़ा गया है, उस के बिना मौजूद है और कोई भी मन्दिर तोड़ा नहीं गया है और यह सरासर गलत बात है। मगर आज कम्युनिस्ट हिन्दुओं के हिमायती बन कर खड़े हो गये हैं, कम से कम राष्ट्रपति की घोषणा का यह तो लाभ हुआ है, बेभान हो कर तो निकले हैं। लेकिन मैं कहना चाहता हूँ कि हिन्दू मन्दिरों के बारे में अभी तक केरल में जो आरोप लगाया गया है वह गलत आरोप है और मुझे विश्वास है कि इन गलत आरोपों से कोई भी भ्रम में नहीं पड़ेगा।

इन शब्दों के साथ मैं प्रस्ताव का समर्थन करता हूँ।

Mr Deputy-Speaker. Not more than ten minutes

Shri Punnoose Sir, at the fag end of this debate, I am trying to race against time to say just a few words especially with regard to the very valuable observations made by the Prime Minister yesterday. It is not as one who wants to win a debating point that I am saying this but as one who has been distressed throughout this distressing experience in the last few months, as one who has watched with extreme care, the words and deeds of the Prime Minister, his Party and the Central Government, that I raise these questions. It would appear from the Prime Minister's speech yesterday—at least that was the expression that I had—that he wanted to make out that he had always behaved in a manner favourable to the Kerala Government. He always had his consideration for the Kerala Government and even for the Communist Party. I beg to differ from

him, however much I am prepared to take him at his word. I have every respect for him. I am completely unconvinced because from the very beginning to the end, you will see that the Prime Minister has not been able to rise to the occasion. He says that he discouraged picketing, destruction of property, school picketing, etc and he made several statements. But he did not make one statement and that was the only statement that was expected of the Prime Minister, from a leader of his stature. He never said that "As long as this struggle continues, as long as laws are violated with the objective of paralysing an elected Government, the Central Government will not move." What prevented him from making such an announcement? I do not, for my life, understand. Speaking yesterday, he said he was helpless. He did not use that word. But that was his explanation. May I present a parallel case when his great leader, the great leader of this country, the Father of Nation behaved in a different way in a somewhat similar situation. In 1938 in Travancore, the national movement came like a storm. It came like a bolt from the blue. In fact, it affected all of us. Those of us who were in schools, we did not join the movement but we fell into the current. After three or four weeks we were told that a memorandum was submitted against the then Dewan, Sir C P. Ramaswami Ayyar. The Dewan demanded that the memorandum should be withdrawn. We did not agree. We said that we did not like the Dewan and every specific act of the Dewan. Many of us of the younger generation never knew what exactly was contained in the memorandum, but we knew that it should not be withdrawn. All sorts of people shouted that the memorandum shall not be withdrawn. The Dewan contacted Wardha, and from Wardha came a voice, soft but sharp, that the memorandum should be withdrawn. We were taken aback. Even today, I cannot forget the shock of my life.

that I had then. Well, the whole younger generation turned against the Congress saying that they were cheating us. The Christian communalists also said so, of course in a subdued voice, they said that, after all, Sir C. P. Ramaswami Ayyar and Gandhiji are Hindus. All people said, nothing doing. The bankers, planters and others who were against the Dewan said that it should not be withdrawn. They began to tie up their bags and walk away. But Gandhiji said that it shall be withdrawn. Sir C. P. Ramaswami Ayyar, a shrewd statesman that he was, arrested all Congress leaders and put them in jails. From the jails, the Congress leaders said: "Bapuji, see we are arrested and what can we do now?" Gandhiji said: "All right Withdraw and come back."

Everybody said that the national movement was down and out. But the movement was down and out for the time being only. Those of us youngsters in the movement, younger generation prepared another memorandum, much more vituperative, got it signed by thousands of people and sent it on to the Maharaja. We read it out throughout the country. We were arrested and put in jails. After a few months, it was found that the withdrawal of the memorandum gave place to a national movement, strong, virile and pure.

In the same way, Sir, here was a situation. It was not a question of the survival of the Communist Government. It was not a question of Shri Nambodripad remaining in power. It was not a question of this party or that party winning. It was a question as to whether in our dear India, different parties can exist, whether there can be a government formed by one party in a particular State and a different party's government at the Centre. This crucial question was there. I am sorry to say that the Prime Minister could not rise to the occasion. He said he could not help it. If he had said that we are not

going to encourage this violent movement, this movement to paralyse the Government, we will discourage it and the Central Government will not move in their favour, we on our part were prepared to co-operate with him; not to suppress the movement, not to throw their demands away, not to suppress even the communalists, but we were prepared to meet all of them half way.

We asked the Prime Minister to take up all the disputed things and give us his verdict. It was not because we wanted to hang on to power. Just as he mentioned yesterday, we are not children in politics to think that we can continue in Government simply because the Prime Minister permits it. Then, he said about disengagement. I would request him to clarify one thing, if not now at some later stage. If we had agreed to mid-term elections, what would have happened was that the cold war would have become hot. There was an instance of that. At the time, the National Council of the Communist Party of India was meeting in Trivandrum, there was also a meeting of the Council of the non-Communist Parties. Over the radio, it was announced that the National Council had decided that the Ministry shall resign. I do not know whether it was wrongly given over the radio or it was wrongly understood, but we knew what happened after that. Within half-an-hour after this announcement in many towns of Kerala, conditions of street fighting developed. The police and the parties concerned had a very very hard time. Therefore, if we had actually agreed to mid-term elections that would have immediately led to nothing short of a civil war. Of course, the Indian military will march in.

But the fact of the matter is that in Trivandrum, the Prime Minister of India proved himself too weak. Therefore, when he suggested to us in a serious way in Simla that we should have mid-term elections, we knew that he could not deliver the goods,

[Shri Punnoose]

that he was no more the master of the situation. He has got the Kerala leaders here. The leader of the Opposition is here listening to us. Let the Prime Minister ask them. They have made repeated statements that even if the Communists win in the mid-term elections, they will have a show down. They have said that they will use the same weapons to fight the Communists. This is the sort of attitude that has developed. Sir, I wish the Congress all success, because it is an organisation for which I have spent a good portion of my youth. I would like to see it going up.

Sir, what will happen is this. A duck lays eggs but it never incubates. It is the lot of the hen to sit over the eggs. The hen sits over the eggs. The kids come out. The poor hen thinks that they are chicks, but after three or four months, they go into the water and the poor hen sits back. In the same way, the Prime Minister has been a party to this, but after three or four months he will find that these communal ducklings will go their way.

The Congress movement was a part of the national movement. It was the result of the aspirations of the people. But that has been spoiled now, completely spoiled. I find that Acharya Kripalani is laughing. Yesterday, he was praising Mr. Mannath Padmanabhan. He stays only five miles away from my village. Most of the boys in that part of India during our time fought communal organisations and movements. But Shri Mannath Padmanabhan is one who has never throughout his 80 years of life thought in terms of the nation. He has always thought and acted communally. It is impossible for a man of his age to think in any other way. It is not his fault, anybody in his walk of life will be like that.

Therefore, by this failure by the failure of the Prime Minister they have created a situation in Kerala which is going to be harmful not only

to the people of Kerala but, in the coming days, to the whole of India. They are now roping in all the parties. They say that we have been isolated. They say we have been weakened. Then why this panic, Dr. K. B. Menon? Why do you hug the Muslim League? We have no grouse against any particular group. Acharya Kripalani said that the Catholics wanted to have a conference to which we did not agree. It would appear as though we have some grouse against them. Not at all. We have no grouse against the Catholics. We never wanted to hurt their feelings. But, Sir, they have taken a position to which I think no national party can agree. Chavalier Joseph, President of the Catholic Congress said that they want that education should be given to Catholic children in Catholic schools by Catholic teachers and through books prescribed by Catholic priests. Is such a sort of education possible in any country which claims to be secular?

Shri Kottukapally (Moovattupuzha). In the Catholic schools, the Government curriculum is being followed.

Shri Punnoose. Sir, it has been said that all sorts of unreligious things have been put in the text books. It was said that it has been mentioned somewhere that Christ is the son of a carpenter. Well, the Christians were offended very much.

Shri Maniyangadan (Kottayam). The Enquiry Committee does not consist of Catholics.

Shri Punnoose. Mr. Pappini, the famous author, begins his book by saying that Christ was born in a stable. Rich Christians are today a bit ashamed of it. They make golden stables to put Christ. In Kerala, Sir, it is quite likely that the bankers and planters might desire Christ to be the son of a banker or a planter. My hon. friend, Shri Thomas might think why Christ could not be the son of a Deputy Minister. Sir, Christ was

corn to a toiler, but the Catholics in Kerala and the church dignitaries have taken a step which will prove very futile to them in the long run. They are out in politics. Pray, for Heaven's sake, keep the peace. Hands off behind the curtain as they used to. Otherwise, it will be ruinous to them.

Shri V. P. Nayar: Before the Home Minister begins the reply, may I seek a clarification from you. This point was not raised and I have no opportunity otherwise. Now that the Law Minister is also here, may I just point out to him that the proclamation, as it is worded, suspends the operation of article 201 of the Constitution. I understand that several Bills which have been passed by the Kerala legislature before it was dissolved are pending approval of the President or the assent of the President. If, according to the proclamation, article 201 is suspended, it becomes impossible for the President to invoke the article to give his assent, in which case, if the matter is agitated in a court, it will clearly be declared *ultra vires*. I want this position to be examined and to be told what Government proposes to do in this matter. For, there are several Bills which have been passed by the legislature and which can be assented to by the President only if this article is not suspended. This is a matter which I discussed with the Law Minister also in the lobby. So, I did not want to take the Government by surprise.

पंडित ब्रज नारायण 'ब्रजेश' (शिवपुरी) उपाध्यक्ष महोदय, क्या मुझे समय नहीं मिलेगा ?

उपाध्यक्ष महोदय अब तो समय है नहीं, इसलिये मैं माफी चाहता हूँ।

पंडित ब्रजनारायण 'ब्रजेश' यह तो मुझे ही केरल बना दिया गया। सब को अवसर मिला, मुझे ही नहीं मिला।

उपाध्यक्ष महोदय इरादा तो ऐसा ही था। हाँ अगर स्वाभाविक रूप में ऐसा हो गया है तो मैंने माफ़ कीजिये।

Shri Easwara Iyer: I have got point for clarification.

Mr. Deputy-Speaker: If there is any doubt that could be answered later.

Shri Easwara Iyer: Not that I want to take the time of the House. Only one point for clarification. Where the proclamation has suspended the operation of article 201 of the Constitution, it will be impossible, constitutionally, for the President to give his assent in respect of Bills that have already been passed by the Kerala legislature. So, I would suggest that the resolution can be so modified by the Government as to enable the President's assent being given.

Shri V. P. Nayar: Unless it be the wish of the Government not to give assent to those Bills.

The Minister of Home Affairs (Shri G. B. Pant): So far as the question put by Shri Punnoose and by Shri Easwara Iyer is concerned.

Shri V. P. Nayar: Not Shri Punnoose.

Shri G. B. Pant: I did not know that they disown each other! Well, it was Shri V. P. Nayar. The matter is engaging the attention of Government and, in fact, it had struck us even before the point was raised here. If necessary, a supplementary proclamation will be issued with regard to this particular aspect of the question.

Sir, I do not propose to take much time of the House. In fact, I do not feel that it is at all necessary. I am grateful to hon. Members for the support that they have accorded to this resolution. In fact, such occasions have been very rare in this House. The volume of opinion which has been expressed here in support of this particular proposition is seldom seen in the House. Hon. Members belonging to the important organised bodies, excepting the communists who are naturally of a different opinion, have given their unreserved support to it. I do not think that the arguments that were advanced on the other side remain unanswered. Especially after

[Shri G. B. Pant]

the authoritative speech made by the Prime Minister yesterday, little more is left for me

We here see the working of our Constitution in its full glory. Here, we see people of different shades of opinion expressing their views, free from any fear, any sort of regimentation or any other reservation about the matters that come up before the House. That is the essence of democracy.

I came across an article by Dr Mukerjee recently published in a magazine—"Pushpanjali" or something, I do not exactly remember—in which he has stated that while working for socialism no opposition need be allowed to function, and that it would be better to have only those who would subscribe to those views to enter the legislatures and occupy the places within the legislatures. I think I am not summarising wrongly what he has said in that article. Our Constitution however is of a different type. It allows all citizens an equal share in the affairs of the State. The noble preamble enshrines the objectives for which we stand, that is, justice, equality, liberty and fraternity along with the dignity of the individual. So, harmony is to be one of the main objectives. We do not want any sort of class conflict in our country. But, all the same, there are special provisions in the Constitution for giving assistance to the backward people and to those who need some special aid, but so far as the law is concerned, so far as the fundamental rights are concerned, they are equally meant for the protection of every citizen, to whichever class he may belong, and whatever be his profession or calling. So, we have to keep that basic principle of democracy and of our own Constitution in view. I am not sure if that quite agrees with the outlook of those who have sworn by communism. I have no quarrel with communism myself. I may not quite agree with it—I am a very humble person—my agreement or dis-

agreement does not matter, but their approach to these problems is different, and they stand essentially for the dictatorship of the proletariat. The communist countries themselves are perhaps getting out of the old groove, but in other places, there is a tendency to follow outmoded policies and principles (*Interruptions*)

By communist countries, I meant those countries which are showing signs of progress and readiness to negotiate and to find a common ground, so that the differences may be minimised and tension may be relaxed.

I submit that our own guiding principles are there in our Constitution. So, we have to follow them not only here in Parliament at the Centre, but also in the States. We are as much bound by the Constitution as any State or any local body. If we make any departure from it, we would be doing something which would be extremely, I would say, not only undesirable, but also dangerous, because we have not only to work for the present, but we happen to be in a position also to influence the future course of events. In the circumstances, we have to take good care before we take this step. So, in this particular case too, we did do our very best to avoid what might possibly be abused in future by those who want to abuse or to make a misuse of the Constitution.

The other day, Shri Easwara Iyer, I think said that I had uttered a lie or said something that was wrong when I made a certain statement. I do not exactly remember what it is.

Shri Easwara Iyer: I never said you were speaking a lie.

Shri G. B. Pant: What did you say?

Shri Easwara Iyer: I said, you were not speaking the whole truth.

Shri G. B. Pant: Will you kindly let me know where I was not speaking the whole truth?

Shri Kaswara Iyer: In saying that the Chief Minister of the Kerala State has not asked for action to be taken by the Centre, I said you have not spoken the truth, in so far as, I said, the Chief Minister might not have requested the help of the army, but he wanted a categorical statement from the Prime Minister and the Home Minister to the effect that you disapprove of the direct action and also say that you would not intervene centrally.

Shri G. B. Pant: So far as that goes, I made it perfectly clear in the course of my speech that the Central Government can help through the State apparatus. In so far as moral precepts are concerned they may be the concern of individuals. But so far as Government is concerned, it can help only through such means as it always has under its control and which it can utilise. So, as I said a reference has been made to the Centre, by the State Government, a letter was received by me; a letter was received by the Defence Minister and similar letters, I think, were also received in the Home and Defence Ministries about the help of the army that might be needed in future. We readily gave an answer and I think the answer was quite satisfactory.

When flag marches were desired, they too were arranged. The army was placed very near Kerala for the use of the Kerala Government. So, we were always ready to render whatever assistance we could in the manner that a State can render assistance. So far as moral precepts go, I do not know if the Prime Minister had left any room for doubt about his own attitude or that of his colleagues. I am a very small fry and I am not sure if any reference was made to me in this connection. But the Prime Minister more than once said that he is against unconstitutional methods, he is against picketing in any shape or form, he is against picketing of schools and of transport vehicles. He said again and again he was against boys being

brought into this affair. This statement he made not once or twice; Shri A. K. Gopalan also read out some of those passages from the interviews that he had with the Press and he has confirmed what I am saying.

I have myself left no room for doubt in this House that I am entirely opposed to direct action being resorted to in any shape or form for political purposes. This question has arisen in this House more than once and I have expressed my own view unequivocally. But my friends sitting on the other side vehemently opposed me and they said that direct action is essential and they cannot do without it. Not only has direct action brought misery to large numbers, but it has resulted in the destruction of public property, in the burning of tram cars, buses, post offices, railway stations, cutting of wires and so many other things. I have always been opposed to it and I am in a way relieved that though this Kerala affair has caused difficulties in many ways, it has also had this wholesome effect that my friends opposite now agree that direct action should not be resorted to in such matters. (*Interruption*). I hope that in future we can at least expect that whatever be our own deficiencies, they will act up to their professions. That will be of great help to the country.

15 hrs.

In fact, even when the Preventive Detention Act was under discussion here, I said at one stage that if the organised political parties were to agree to the dropping of this item of direct action, then we would withdraw the Preventive Detention Act too. But that offer was not accepted. There are many things in which contact with the Government—even if it be only a State Government—for a little while produces a wholesome effect on the minds and thoughts of people. Formerly we were told that if there is a firing in any State, then

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the Ministry should resign, because firing means lack of contact with the people. We were told that section 144 should never be used. We were also told that nothing should be done that is against the wish of anyone in the State, of whichever party he is. But I do not know whether the party, especially the Communist Party, which was in charge of the Kerala Government for about two years and a quarter, perhaps half, has now realised that what they said when they were out of office was entirely different from what their responsibilities in office forced upon them and to which they had to take recourse. Not only once or twice, but even before this movement there were many occasions when in Kerala the Government had to take recourse to firing. I am not discussing the merits of this case at all.

Shri Nagi Reddy: The Congress has refused judicial enquiry in all States.

Shri G. B. Pant: Perhaps, except on one occasion, that is, the firing at Munnar when the people on strike belonged to the Communist Party, and not to non-communists, the Communists condemned the firing and they had reasons too. Except on that one occasion, they did not see anything wrong about these firings. But in this particular case of Munnar they were of the view—and this view was expressed even, I understand by some of the Ministers and also by the leaders of Kerala, including Shri Gopalan, I think—that that firing was altogether unjustified. And in that particular case officers were appointed to see if the police had made any mistake apart from this firing, and also I think an enquiry was ordered into the firing. In both it was found that the police was not to blame. So, I do not know now if the hon. Members sitting opposite....

Shri Pannoose: The Government ordered enquiry in both places—Chandanathope as well as Munnar.

Shri G. B. Pant: I did not say that enquiries were not ordered. I never said so. I said that in this particular case the people in authority had declared even before a board of enquiry was set up that the firing was unjustified, because the strikers belonged to the Communist Party—that was what I said—while in other cases where the enquiries were ordered without any sort of bias in favour of or against the police, perhaps the strikers were more to blame there because they did not belong to the Communist Party.

Well, that is what happened in one particular case. Shri Easwara Iyer reminded me of it by referring to a certain telegram which I had sent in respect of that strike to the Chief Minister. A number of telegrams were exchanged between the Government and myself on that occasion and I had suggested that as INTUC, which was supposed to represent the majority of the workmen there in the plantations ...

Shri V. P. Nayar: Is it your figure?

Shri Tangamani: Your own Government figures show that AITUC has got a membership of 78,000 whereas the INTUC has only 12,000. It has been verified by the Central Government.

Shri G. B. Pant: I do not know to which year these figures relate.

Shri Tangamani: They relate to 1957-58.

Shri G. B. Pant: They relate to 1957-58 but not to 1958-59.

Shri Maniyangan: The Labour Officer of Munnar has certified that the membership of INTUC is more than that of others.

Shri G. B. Pant: Anyway, I had then suggested that as the management and the labour union of INTUC were willing to have the matter referred to adjudication, it would be in the interest of all concerned to do so, because there has been a long strike

and there had been many firings, and there had been many occasions when there had been clashes between the strikers and others, between one section of the labour and the other, between the INTUC and AITUC and I thought that this state of affairs should be brought to an end Originally the planters were not prepared to refer the matter to adjudication So, when they also agreed, I said as they too had agreed, it would perhaps be a good solution The Government thought that it would not be They would try to bring about some settlement by negotiation Well, I understand that there have been no negotiations since, but the strike was then withdrawn Anyway, I was reminded of that affair by Shri Easwara Iyer's reference to my telegram I think he has not seen all the telegrams If he had seen them, he would have no doubt

Shri Easwara Iyer: I saw a press report

Shri G. B. Pant. Well, he referred to the telegram and not to the press report There are many telegrams

Then, Shri Easwara Iyer also gave a quotation from Dr Ambedkar's speech Only, he quoted half of the paragraph and left out the other half
15 09 hrs

[MR SPEAKER in the Chair]

He read only up to a particular portion He read only up to

"I hope the first thing he will do would be to issue a mere warning to a province that has erred that things were not happening in the way in which they were intended to happen in the Constitution"

He ended with "in the Constitution", but did not follow up with the rest

The next sentence runs thus

"If that warning fails, the second thing for him to do will be

to order an election allowing the people of the province to settle matters by themselves. It is only when these two remedies fail that he would resort to this article. I do not think we could then say that these articles were imported in vain or that the President had acted wantonly."

There was a suggestion made by no less a person than the hon. Prime Minister, after a study of the situation on the spot, that general elections should be held in Kerala by the Kerala Government But though at that time there was some hope that the Kerala Government might agree to this arrangement, the Party Executive did not approve of that idea So, no elections could be held which was the second step provided here

When the elections failed, according to the quotation given by Shri Iyer, necessarily the next step had to be taken under article 356

Shri Sadhan Gupta (Calcutta—East) Warning?

Shri G. B. Pant: He also referred to one other matter I think he said that the report that has been sent by the Governor was not valid because the Governor had no authority to do so except with the concurrence of the Government I think if he had only kept in mind what I have just read out, it would have been clear that the Constitution never contemplated this because it says Give a warning first If the warning is not accepted then you proceed further Of course, no ministry is going to accept that it is out to commit suicide itself So, this single article, I think, by itself is conclusive in the matter that this step is to follow warning But this matter, I understand, has been discussed here at great length We have been receiving reports from the Governors very frequently and so far as Kerala is concerned I have been in constant touch with the Governor and also with the Ministers.

Raja Mahendra Pratap (Mathura): On a point of order, Sir. May I just ask one question?

Mr. Speaker: No, not now. No Interruption now.

Raja Mahendra Pratap: It is a very important question regarding the Governor.

Mr. Speaker: At the end of the reply.

Shri G. B. Pant: I am not going to answer important questions. Unimportant things I may.

Raja Mahendra Pratap: Governor got complete control, he became interested party, so his opinion cannot be accepted.

Shri G. B. Pant: There was the question of warning here. I can only submit that we have taken the liberty of placing our views. At least I have taken the liberty of writing to the Government from time to time. I think we have to adopt a code of conduct and whatever we suggest has to be in a polite form. We cannot say "You, So-and-so, are hereby warned." That is not the way how Governments are conducted, how the affairs of the States are to be administered. There are methods by which views are expressed.

You might be remembering that last year there was a suggestion that there should be an enquiry into the affairs of Kerala. We did not encourage it, but I then saw a report in the Hindu in which some questions were put to Shri Nambudiripad and he said that he will not agree to any such enquiry. I could appreciate those sentiments. I also feel that it is difficult to hold an enquiry against the Government when the Government is in office because it affects the morale of the services and it also comes in the way of the proper and effective functioning of the Government itself. So, I appreciate that. But he also said in that report, "If it was only a question of clearing then

the Central Government can ascertain all facts. It was not as if only a judge can assess the situation. There was public opinion which counted and which one has to recognise." So, the arbiter in all these matters is the opinion of the citizens of the State. He laid emphasis on that.

I may also submit that there were many allegations made and sometimes we also received reports which were of an authentic character about certain acts being done which were not altogether in accord with the spirit or the letter of the provisions of the Constitution. We did not take any step under article 356 or under any other provision because we felt that it is a Government of a different political complexion and if we took any action we will be misunderstood and also that the best way of solving the thing would be to let public opinion there in the State see if things can be done in the proper way and if they are satisfied. But two things are necessary before a decision to take this action can be taken. Not only should there be a breach of the provisions of the Constitution but there should also be a feeling in the State that things are being done which are improper and intolerable. So, unless there is some such index any interference on the part of the Centre would be misunderstood, specially in a case like this. We are even now being told that this action is the result of a conspiracy on the part of the Congress. It is too late for us now to take to conspiratorial methods. We have had no experience of these things and we cannot start afresh now. But really can there be any doubt that the present situation made it inevitable for us to take the action? This has been accepted by all.

Shri Khadilkar, who has criticized to a certain extent the action taken by us has also said that at the time the action was taken it had become

inevitable and that there was no escape from it. I may also state here that no action can be taken simply because there is a movement or there is an agitation. It is when it has been preceded by acts which amount to a breach of the provisions of the Constitution and which have culminated in an upsurge that such action becomes altogether inevitable. But merely by creating a stir we do not think it would at all be proper for anyone to take action (*Interruption*). I did not hear the question, but, as I said, I had no desire to take a long time. Unfortunately, I get involved in many other things while speaking. Then, I was saying that it was a chain of events which started much before the time when this movement started, which ultimately culminated in the form which the movement took. At that time, it was admitted—and Shri Khadilkar has said that it was not only his view that he had talks with many of his Communist friends who had also told him—that such action was necessary, and it could not be avoided. The Prime Minister also placed before the House what he had been personally told by the leaders of the party.

But this charge of conspiracy is really deplorable. After all, nothing more is to be done except elections, within six months, if possible. There is no intention of extending the time, unless it becomes absolutely necessary. But can anybody say that in the face of all that has happened, the Central Government would not have been guilty of dereliction of duty if it had not taken the action which it has taken? I think everyone agrees that it was essential, it was inescapable, and it was inevitable.

There were many incidents before this. I heard Shri S. A. Dange, and later on, also Shri A. K. Gopalan—I saw the reports of their speeches. But before proceeding to that, so far as the Governor's functions go, I would like to refer to what we were told by a Chief Justice who had been

in charge of the office of the Governor for some time, and who on retiring from his office gave us his views or his advice. He said:

“Although the Governor may not have power and responsibility, he is all the same under the Constitution the head of the State and independent of Government. He is also the sole agency through which the President can gather what is happening in the State of which he is the Governor, and, therefore, in his letters to him, he should give a frank and objective appraisal of what is happening and what people are thinking in the State. He should be the eyes and ears of the President. It is sometimes apt to be forgotten that the Constitution envisages the possibility of a Governor having to administer the State in the case of an emergency. Emergencies have not a habit of announcing themselves beforehand, and, therefore, unless the Governor is fully seized of all aspects of administration, he would not be able to discharge his functions adequately, if at any moment, he is called upon to administer the State.”

I think this will give an idea of the position that a Governor should occupy. This note was sent to all the State Governments, and these views were expressed before the Kerala Ministers assumed charge of the office. They were there, and perhaps, they may have been repeated even afterwards.

The point of conspiracy has been dealt with here at some length. After all, what particular interest did the Congress have in getting control of one particular State? I shall not repeat what I had to say in this connection, as I have heard what others have said. But I would like this sort of idea to be altogether dropped. I feel sorry over it because the names of many esteemable persons for whom we have the highest respect, men as

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well as women, have been dragged in in this connection. They are persons of the highest integrity and impartiality, and devoted to the service of the country and actuated by no other motive except the desire to do their very best. One may agree with them or one may not agree with them. That is a different thing. But if this notion of conspiracy were not there, I think such sort of misconceptions would not have arisen. I may also state that even though as member of the Central Government, my position is entirely different from that of a Member of the party, we function here as the representatives of the entire country, to whichever party we may belong.

But I may submit that when this matter came to the Congress Parliamentary Board, the Board suggested mid-term elections, but also said that there should be no picketing of buses, no picketing of schools, it hesitatingly, however, permitted token or symbolic picketing by the Congress. The reasons have been explained. And it was our wish that within a few days even this token picketing may be abolished rather it may be withdrawn. I do not see where this conspiracy comes in.

The Governor's report shows that there have been releases of persons who have been guilty of heinous offences. Well, the Government may have the power to do so. I am not going into that question. But that created a suspicion in the minds of the people that Communists were going to have the upper hand. After that, there were many withdrawals and many remissions, in cases involving violence, and that further confirmed the suspicions of this type.

Yesterday, Shri S A Dange had said that if workers went on strike, then no protection whatsoever should be given to those among them who went to work or to such workmen as the management might be able to secure for running their factory or

their business. That is entirely against the Constitution. If the law is to be changed, then the law may be changed. A law as long as it exists can not be suppressed by extraneous directions. There are other ways of helping our workmen, and those are given in the Industrial Disputes Act. We have passed here a number of laws for their protection and for safeguarding the interests of workmen. We are interested in doing whatever may be feasible for the protection of the interests of the people who belong to the weaker classes. But so far as law is concerned, our fundamental rights give equality to all. In the eye of law, all should be treated equally. If a workman has a right not to work, a workman has also a right to work. So to say that if some of the workmen or the majority of them even, choose not to work, then those who choose to work will not be allowed to do so, will not have any assistance though they may be wrongfully dealt with, though there may be wrongful restraint, though there may be wrongful confinement though there may be other offences, is not correct. Similarly, the laws that are in the statute-book have to be obeyed. The Criminal Procedure Code lays down certain laws for prevention of offences. It also prescribes that not only the custodians of law and the guardians of law but also the ordinary citizens will be bound to render help for preventing the commission of offences. So any sort of direction that certain sections of the Criminal Procedure Code should not be put in operation against the Constitution, it is against the precise direction contained in the fundamental rights themselves.

So these things do not fit into the scheme of our Constitution and when such acts are done, then necessarily difficulties arise. But it is not only that. If all workmen had been treated in the same way, that would perhaps have been understandable. But again, among workmen, only those belonging to a particular class or owing allegiance to a particular party

were treated in this manner, while others were dealt with perhaps as harshly as they would be in other circumstances

Similarly, in the matter of evictions and other things, there was discrimination and there were also strikes. In one place where only 9 Harijans were involved, a number of persons had to be taken in to prison, but ultimately some sort of adjustment was made. It was perhaps found—I cannot say very definitely—that out of the 9, at least 7 were entitled to the lands that were in their possession. As I said, I am not quite certain, but that is my impression.

Shri A K Gopalan (Kasergod): May I clarify? It was government land and there was encroachment on the land by those who had no land. It was not eviction (*Interruption*)

Shri G B Pant: The Government had issued an Anti-Eviction Ordinance, I think, on or about the 11th April. Therefore, another notification was issued that those persons who had occupied peramboke or forest land upto 26th April would not be evicted. Who should be evicted and who should not be evicted? Those whom you do not want to evict had occupied the land before the 26th April and those whom you want to evict, came and occupied the land after the 26th April.

It was also said that there have been lakhs of evictions since 1947 in UP and other States but very few in Kerala. I may state that in UP there is hardly any ground for eviction now, because no tenancy is allowed under the Land Act of UP. All hold permanent rights in the land which they till and occupy. So such sort of sweeping statements are not very correct or very justified.

There were certain other remarks made by **Shri A K Gopalan**, but I do not want to go into them. A question was raised here as to the proper article that should have been applied to this case. I think hon. Members on the other side said that

it should have been article 352 and not article 356. At least this showed the realisation of the fact that something had to be done. This was accepted. Whether it was under article 352 or under article 356 is only a technical matter, and I think that action could appropriately be taken only under article 356 because there had been breaches of the provisions of the Constitution and the discontent which had been simmering growing—during two years and a half ultimately culminated in the form that it took. Also, what was intended was to provide an opportunity for elections. So that could be done only under article 356 and no action could be taken under article 352. I do not want to refer to Dr. Ambedkar's speeches, but even they would have shown that in a case of this type perhaps article 362 could not be thought of. But that, as I said, is only a technical matter, the fact being accepted that the step that we had taken was unavoidable is sufficient for my purpose.

There have been certain other comments made, but I am not sure if there are many which have not already been met by other speakers. The legal points that were raised have been answered by **Shri Nathwani** and **Pandit Thakur Das Bhargava** and I think there is hardly any thing in them which calls for serious reply.

I would submit that some attempt, in a way, has been made to treat the Governor's Report as a document which is not worthy of consideration even. It is the weightiest document that we could place before the House. It contains the views, opinion and conclusions of a person who has been in close contact with the Government and who has been in Kerala throughout the period which is covered by the Report.

Shri Sadhan Gupta: *Ex-parte*

Shri G. B. Pant: The Governor's Report cannot be *ex-parte* because the Governor himself is above all parties.

Shri Sadhan Gupta: He belongs to the Congress Party.

Shri T. B. Vittal Rao: He is above all parties according to the Minister.

Shri G. B. Pant: At one time he belonged to the Congress Party. He is not a member of the Congress Party now. Moreover there are several Governors who do not belong to the Congress Party.

Shri Sadhan Gupta: Not this one

Shri G. B. Pant: There is Shri Fazal Ali, there is Shri Sukthankar, there is Dr. Zakir Hussain, and also the Maharaja of Mysore. None of them belongs to the Congress Party. I do not think the Members opposite desire that no member of the Congress party should be appointed a Governor (Interruptions). I will take it that at least one Member so desires. But that does not make much difference.

Shri Gopalan said that in the report in many places things have been alleged but nothing definite has been stated by the Governor. I would submit that while in certain places the Governor has referred to allegations that have been made, in others, he has given definite views about the matters mentioned therein.

In para 4, for example, he says.

"If the numbers of peaceful satyagrahis and picketers and others in the Kattampally, Sitaram Mills and students' agitations are excluded from the list of prisoners released, it will be found that it is mostly communists, who had been guilty of violent crimes that derived benefit from this policy. This itself had its own repercussions on the public mind as well as on the law and order situation."

Shri Sadhan Gupta: Why is it to be excluded?

Shri G. B. Pant: Then.

"While some of the major policies of the Government became the subject of conflict as indicated above, a series of administrative actions by the Government shook the foundation of the trust of the people, which is the basis of democracy. Complaints began to pour in of instances of interference by the Communist Party and also the Ministers in the administration of law and order. The police which had already become sufficiently weak and demoralised in view of the new police policy was further subjected to interference in their routine administration. Investigation of cases, prosecutions, granting and refusing bails to accused etc., began to be influenced by the party where the accused happened to be important workers of their party. Coupled with this was the discrimination shown towards labour disputes. It became clear that the object of consolidating and expanding the sphere of influence of AITUC against non-Communist labour unions was the reason for this discrimination. This treatment very often led to conflicts between Communist and non-Communist labour unions. A general feeling of insecurity grew among non-Communist when it was found that "double standards" were being adopted in the implementation of all policies. The Kattampally land satyagraha, the agitation in the Sitaram Mills at Trichur, and the Vandarapalli incidents in which six non-Communists were killed, were the results of this policy of discrimination and its serious consequences in the shape of conflicts among different labour organisations. In fact, the general strike in the Plantations which lasted for nearly three months causing enormous losses both to the planters and the workers and ultimately led to the firings in

Munhar area. was the result of an attempt to consolidate the Communist-led unions as against the INTUC and others. The Chandanathope firings were held to be justified by the Commission in the context of the situation but, the origin of the trouble is really to be traced to this complaint about discrimination in dealing with labour disputes. It is this intense feeling among non-Communist labour organisations that have united them in support of the present State-wide agitation to remove the present Government."

Well, there are other paragraphs of the same type which are of equal importance and which are equally relevant for understanding the situation which developed in Kerala and the way in which it developed.

I may just state that the idea that an agitation by itself would induce the Government to take action under article 356 would not be correct (*Interruption*). Unless there are occasions of breaches of the Constitution and of discontent being engendered thereby and unless there are other circumstances which make it inevitable for the Government to take such action, it would not be influenced by mere show of force. That would be wrong on principle.

In this case, as I said, no assistance was sought and so it was not possible for us to give necessary help. Otherwise, so far as we are concerned, we

had in the very beginning rendered such help and held out hopes that similar assistance would be available in the later stages if necessary. In fact, the agitation had not started then.

I do not propose to take more time. I hope that the step that has been taken will lead to the relaxation of tension and to the improvement in mutual relations, to the development of a spirit of goodwill, for, ultimately, it is only by mutual confidence that the people of Kerala can advance and realise their dreams. To have still more employment and to grow sufficient food for them, these are very urgent problems which do not admit of any delay. So, let us hope that the step that we have taken will result in removing the present state of hatred, animosity and bitterness and bring about a new light in which darkness will disappear and people will be able to see things rightly and to live in a manner which will enable them to earn the goodwill and confidence of their neighbours and others living in this country.

Mr. Speaker: The question is

"That this House approves the Proclamation issued by the President on the 31st July, 1959, under clause (1) of Article 356 of the Constitution in relation to the State of Kerala."

The Lok Sabha divided Ayes 270, Noes 38

Division No. 2]

AYES

[15.53 hrs.]

Abdul Lateef, Shri
Achar, Shri
Ajit Singh, Shri
Alva, Shri Joachim
Aney, Dr M S
Anjanappa, Shri
Anthony, Shri Frank
Arumugham, Shri S R
Ashanna, Shri
Asar, Shri
Ayyakannu, Shri
Bajaj, Shri Kamalnayan

Bakliwal, Shri
Balmiki, Shri
Banerjee, Shri Pramathanath
Banerji, Shri P B
Bangshi Thakur, Shri
Barman, Shri
Basappa, Shri
Basumatari, Shri
Bhadauria, Shri Arjun Singh
Bhagat, Shri B R
Bhagwati, Shri
Bhakt Darshan, Shri

Bhargava, Pandit M B
Bhargava, Pandit Thakur Das
Bharucha, Shri Naushir
Bhatkar, Shri
Bhattacharva, Shri C K
Bidari, Shri
Biswas, Shri Bholanath
Borooah, Shri P C
Brahm Prakash, Ch
Brahmeshwar Prasad, Shri
Chanda, Shri Anil K
Chandra Shankar, Shri

Chaturvedi, Shri
 Chavda, Shri
 Chettiar, Shri Ramanathan
 Choudhary, Shri C L
 Chuni Lal, Shri
 Damani, Shri
 Damar, Shri
 Das, Dr M M
 Dasappa, Shri
 Datar, Shri
 Deb, Shri N M
 Desai, Shri Morari
 Dindod, Shri
 Dube, Shri Mulchand
 Dubish, Shri
 Dwivedi, Shri M L
 Dwivedy Shri Surendranath
 Escharan, Shri V
 Blayspetumal, Shri
 Ganapathy, Shri
 Gandhi, Shri M M
 Ganga Devi, Shrimati
 Gautam, Shri C D
 Ghodasar Shri Patehvnh
 Ghosh, Shri N R
 Godwara, Shri S C
 Govind Das, Seth
 Gupta, Shri Ram Krishan
 Hajarnavis Shri
 Hanada, Shri Subodh
 Heda, Shri
 Hem Raj, Shri
 Jadhav, Shri
 Jagivan Ram, Shri
 Jain, Shri A P
 Jain , Shri M C
 Jhunjhunwala Shri
 Jinachandran Shri
 Jogendra Sen, Shri
 Joshi, Shri A C
 Joshi, Shrimati Subhadra
 Jyotshi Pandit J P
 Kanakasabai, Shri
 Kanungo, Shri
 Kashiwal, Shri
 Kedaria, Shri C M
 Keshava, Shri
 Keekar, Dr
 Khadiwala, Shri
 Khan Shri Osman Ali
 Khan, Shri Sadath Ali
 Khedar, Dr G B
 Khuda Bukhah, Shri M
 Khwaja, Shri Jamal
 Kistaya, Shri
 Kotaki, Shri Laladhar
 Kottukapamily, Shri
 Kriplani, Acharya
 Kriplani, Shrimati Sucheta
 Krishna, Shri M.R
 Krishna Chandra, Shri
 Lahiri, Shri
 Laxmi Bai, Shrimati

Malida Ahmed, Shrimati
 Masu, Shri N B
 Majhi, Shri R C
 Majithia, Sardar
 Malaviya, Pandur Govind
 Malhotra, Shri Inder J
 Malviya, Shri K D
 Malviya, Shri Motilal
 Mansen, Shri
 Mandal, Dr Pashupati
 Mandal, Shri J
 Maniyangadan Shri
 Manjula Devi, Shrimati
 Masani, Shri M R
 Masuriya Din, Shri
 Mathur Shri Harish Chandra
 Mehdi Shri S A
 Mehta Shri B G
 Mehta, Shri J R
 Mehta Shrimati Krishna
 Menon Dr K B
 Menon, Shri Krishna
 Mishra Shri Bibhuti
 Mishra, Shri I N
 Mishra Shri S N
 Misra Shri B D
 Misra Shri R D
 Misra, Shri R R
 Mohammad Akbar, Shaikh
 Mohammed Imum Shri
 Mohideen Shri Gulam
 Mohiuddin Shri
 Moharika Shri
 Mullick Shri B C
 Munisamy Shri N R
 Murmu Shri Paika
 Murthy Shri B S
 Murty Shri M S
 Musafir Giani G S
 Muthukrishnan Shri
 Nadar Shri Thunulingam
 Nair Shri C K
 Nair Shri Kuttikrishnan
 Naldrugkar, Shri
 Nallakova Shri
 Nanda Shri
 Naniappa Shri
 Narayanawamy, Shri R
 Naskar Shri P S
 Nayak, Shri Mohan
 Nayar Dr Sushila
 Nehru, Shri Jawaharlal
 Nehru, Shrimati Uma
 Neswi Shri
 Padalu Shri K V
 Padam Dev, Shri
 Pande, Shri C D
 Pandey Shri K N
 Pangarkar, Shri
 Panna Lal, Shri
 Parmar, Shri Deen Bandhu
 Parmar, Shri K U

Patel, Shri P R
 Patel, Shri Rajeshwar
 Patel, Sushri Manaben
 Patil, Shri S.K.
 Radha Raman, Shri
 Raghubar Sabai, Shri
 Rai, Shri Khushwaq
 Rajah, Shri
 Ram Garib, Shri
 Ram Saran, Shri
 Ram Shankar Lal, Shri
 Ramakrishnan, Shri P R
 Ramenanda Tirtha, Swami
 Ramaawamy, Shri S V
 Ramau Shri, S N
 Ramdhan Das, Shri
 Rane, Shri
 Rangarao, Shri
 Rao, Shri Hanmantha
 Rao, Shri Jagatha
 Rao, Shri Madhusudan
 Raut, Shri Bhola
 Reddy, Shri K C
 Reddy, Shri Ramu
 Reddy, Shri Viswanatha
 Roy Shri Bahwanath
 Rup Narain Shri
 Sadhu Ram Shri
 Sahu Shri Rameshwar
 Sagal Sardar A S
 Samantnhar, Dr
 Sambandam Shri
 Sardar, Shri Bholi
 Sarhadi, Shri Ajit Singh
 Satish Chandra, Shri
 Satyabhama Devi, Shrimati
 Satyanarayana, Shri
 Selku Shri
 Sen Shri A K
 Sen Shri P G
 Servai, Shri Vairavan
 Shah Shri Manabendra
 Shakuntala Devi Shrimati
 Shankaraya Shri
 Sharma Pandit K C
 Sharma, Shri R C
 Shastrri Shri I al Bahadur
 Shastrri, Swami Ramanand
 Siddanamaappa Shri
 Siddiah Shri
 Singh Dr Ram Subhag
 Singh Sardar Fukam
 Singh, Sardar Iqbal
 Singh, Sardar Swaran
 Singh, Seth Achal
 Singh, Shri Bahadur
 Singh, Shri Birbal
 Singh, Shri D N
 Singh, Shri Daljit
 Singh, Shri Dinesh
 Singh, Shri H.P
 Singh, Shri Jaipal

Singh, Shri Kailas
Singh, Shri M N
Singh, Shri Radha Mohan
Singh, Shri Raghunath
Singh, Shri Umrao
Singhji, Shri Raghunath
Sinha, Shri Anarudh
Sinha, Shri Gajendra Prasad
Sinha, Shri Jhulan
Sinha, Shri Sarangdhara
Sinha, Shri Satya Nkrayan
Sinha Shri Satyendra Narayan
Sinha, Shrinati Turkeswari
Sinha, n Singh, Shri
Siva Raj, Shri
Somani, Shri

Sonavane, Shri
Soren, Shri
Subbarayan, Dr P
Sultan, Shrinati Maimoona
Sumat Prasad, Shri
Sunder Lal, Shri
Syed Mahmud, Dr
Tahir, Shri Mohammed
Tariq, Shri A M
Tewari, Shri Dwarkanath
Thakore, Shri M B
Thimmasiah, Shri
Thomas, Shri A M
Tiwari, Pandit Babu Lal
Tewari, Shri R S
Tiwary, Pandit D N

Tripathi, Shri V.D.
Tyagi, Shri
Uike, Shri
Upadhyay, Pandit Munishwar
Datt
Upadhyaya, Shri Shiva Datt
Vajpayee Shri
Varma, Shri B B
Varma, Shri M L
Varma, Shri Ramsingh Bhas
Varma Shri Ramji
Vishwanath Prasad, Shri
Wadiwa, Shri
Wasank, Shri Balkrishna
Wilson, Shri J N
Wodeyar, Shri

NOES

Awasthi, Shri Jagdish
Banerjee, Shri S M
Chakravartty, Shrinati Renu
Chavan, Shri D R
Das Gupta, Shri B
Daulta, Shri P S
Bhas, Shri Muhammed
Gopalan, Shri A K
Gounder, Shri Shanmuga
Gupta, Shri Sadhan
Iyer, Shri Basawara
Kar, Shri Prabhat
Kodiyar Shri

Kumaran, Shri M K
Kunhan, Shri
Mahagaonkar, Shri
Matera, Shri
Menon, Shri Narayanankutty
Mukherjee, Shri H N
Nayar, Dr Sushila
Nayar, Shri V P
Pandey, Shri Sarju
Panigrahi, Shri
Parulekar Shri
Parvathu Krishnan, Shrinati
Patil, Shri Nana

Punnoose, Shri
Ramam, Shri
Rao, Shri D V
Rao, Shri T B Vittal
Reddy, Shri Naga
Sampath, Shri
Shastri, Shri Prakash Vir
Singh, Shri Braj Raj
Singh, Shri P N
Sugandhi, Shri
Tangamani, Shri
Warior, Shri
Yadav, Shri

The motion was adopted.

Shri A. K. Gopalan. Mr Speaker in view of the Government's disgraceful attitude in this matter, as a protest we walk out (*Interruptions.*)

(Shri A K Gopalan and some other hon. Members then left the House)

Raja Mahendra Pratap (Mathura) I also do not get justice in this House and so I also leave (*Interruptions*)

(Raja Mahendra Pratap then left the House)

Shri S M. Banerjee: This is the beginning of fascism in India and I protest against it (*Interruptions*)

(Shri S. M. Banerjee then left the House)

Mr Speaker: Order, order Whoever wants to go out, let him go away in an orderly manner.

OIL AND NATURAL GAS COMMISSION BILL—contd

Mr Speaker: The House will now take up further consideration of the following motion moved by Shri K D Malaviya on the 12th August, 1950, namely

"That the Bill to provide for the establishment of a Commission for the development of petroleum resources and the production and sale of petroleum and petroleum products produced by it and for matters connected therewith be taken into consideration"

The Minister of Mines and Oil (Shri K. D. Malaviya): Mr Speaker, Sir, I was referring to the warm support that this Bill received the other day and in this connection, I would again like to say that this support to the Bill has been a source of inspiration not only to the Ministry but for the large army of workers who are engaged in the search for