

(b) and (c). The preliminary action in regard to these recommendations is being taken by the All India Handicrafts Board and no proposals have so far been submitted to the Government for consideration.

12 hrs.

MOTIONS FOR ADJOURNMENT

SITUATION ARISING OUT OF ALLEGED FAILURE OF GOVERNMENT IN KERALA

Mr. Speaker: I have received notice of an adjournment motion from Dr K. B. Menon about the serious situation that has arisen as a result of the persistent violation in Kerala State of Fundamental Rights guaranteed by the Constitution and the failure, as far as the people are concerned, of the Government of Kerala State to function in accordance with the provisions of the Constitution.

I have received another notice from Shri Dange and three others, Shri Hiren Mukerjee, Shrimati Renu Chakravarty and Shri Nagi Reddy, about the situation created by the recent statement of the Prime Minister and other Ministers of the Government of India, on the alleged incidents in Kerala, which amount to an unwarrantable interference in the administration of a State, goes against the letter and the spirit of the Constitution in regard to the relations of the Union with the States, and discriminates on the basis of admittedly one-sided evidences, and for political party advantage, against a State which is being administered by a non-Congress Party.

I would not have even brought these two before the House, because, naturally, these are matters of law and order, but for the fact that the violation of the Constitution has been alleged and another hon. Member has given notice virtually that there is no fundamental right that is being

adhered to; I am trying to hear what exactly the matter is.

Shri S. L. Saksena (Maharajganj):
rose—

Mr. Speaker: Not the hon. Member.

Dr. K. B. Menon (Badagara): I tabled the adjournment motion because we find the fundamental rights guaranteed to us by the Constitution are being snatched away from us in Kerala by the Government in power. The Constitution guarantees to us certain fundamental rights, the right to liberty, property and person. These are non-existent now to the non-communists in the State of Kerala (*Interruption*) What I find in Kerala instead is the murder of politicians, political assassinations, murderous attacks and more so brutal lathi charges. The atmosphere in Kerala is surcharged with fear and suspicion and, at the slightest provocation, daggers are drawn by members of the ruling party.

I know that the Prime Minister is indignant about what is happening in Kerala, from the two statements that have appeared in the papers, and he has expressed his strong feeling in subdued language.

Mr. Speaker: The hon. Member comes from Kerala and he may confine himself to his own experience (*Interruption*).

Dr. K. B. Menon: What I wish to state is that it is only a person who is coming from Kerala—and who is going through these experiences—can present these facts with fervour and feeling and with conviction.

I have visited the places that are affected; and I have also visited persons who are in hospital in an unconscious condition due to the attacks made on them. I have also attended the funeral of the five Congressmen who were murdered. (*Interruption*). The walls of the women of those families are still ringing in my ears. That is the reason why I am bringing this adjournment motion.

[Dr. K. B. Menon]

What I wish to submit is that in Kerala there is no respect for fundamental rights; there is no regard for human life and there is no allegiance to the rule of law. This is, indeed, a short picture of Kerala today

Mr. Speaker: The hon Member wants to say that the constitutional machinery has broken down there, is it? (Laughter).

Dr. K. B. Menon: You must allow me to finish. The frequent interference with the judiciary by the Ministers in power is nullifying to a considerable extent the fundamental rights that are guaranteed by the Constitution and also the right to hold property. The position is also made much worse by the party in power arrogating to itself the functions of the Police and some of the departments of State, with the result that there is a bewildering sense of insecurity in the State

I invoke article 355 also which imposes on the Union Government the responsibility of seeing that the administration of the State is carried on under the provisions of the Constitution. The bulk of the people in Kerala who are not communists feel that that administration is not being carried on under the provisions of the Constitution. I am perfectly willing to substantiate every word of what I have said. What I wish to submit is that we in Kerala form part of the Union and if our fundamental rights, if our individual liberties and if our civil liberties also are curtailed by a Government, then it is a danger and a menace to the freedom and liberty of the people of the whole of India. It is this aspect of the position that I would want this House to discuss and take a decision upon, the breakdown of the Constitution because our fundamental rights are completely neglected, our individual liberties are curtailed and our civil liberties are violated and, as I said, there is a

bewildering sense of insecurity in the State.

This is what I wish to submit.

SITUATION ARISING OUT OF PRIME MINISTER'S STATEMENT re. KERALA

Shri S. A. Dange (Bombay City—Central) I do not know whether I should make as long a speech as the hon Member has made. He has practically made a speech in advance of the motion being debated here

My submission is that if it is a subject of law and order, then, in that case, it has been already held in this House by you, Sir, that law and order in a State should not be discussed here. But if, because Kerala is under a Communist Ministry, an exception is going to be made about it, I do not mind. I am quite prepared to have Kerala discussed here thoroughly. But, it should not be discussed in a discriminating way. When law and order is violated in other States this discussion is disallowed because they are under Congress Ministries; but if law and order is violated in Kerala, the discussion is allowed because it is under a Communist Ministry. Such a discrimination should not be allowed in this House. I would appeal to you on that score to see that your ruling and the Constitution are upheld impartially here

As regards the grounds for the adjournment motion which I have given, they are very simple. Some things have been happening in Kerala. I do not want to discuss in detail what has been happening. But an allegation has been made that civil liberty has broken down and people are murdered and, therefore, this is a fit subject for discussion in Parliament

It would be interesting to ask who were being murdered and what are the series of murders that have taken place and what parties they belong to

Shri Tangamani (Madurai): How many communists have been murdered?

Shri S. A. Dange: That should be a subject-matter of investigation, if necessary. But why should it at all be discussed here without a proper investigation? But, I am quite prepared—though I am not speaking on behalf of the party in power there because that party is not represented here or on behalf of the Kerala Ministry because that is their affair—to have an enquiry. I am already told that the Defence Minister is going to do some sort of landing in Kerala for enquiry and there is going to be another landing from the Congress President. I would expect that all parties should be associated if the Prime Minister was so interested in ascertaining facts by such an enquiry so that there could be an impartial Parliamentary investigation wherein communists and non-communists could join hands together. Protection of life and property and civil liberty is as much the obligation of the Communist Party in any State as of any other Party.

As regards the instances quoted, five patriots, I am told, were murdered. Will the Prime Minister or the Home Ministry investigate and find out whether it is not a fact that one at least of these gentlemen was a convicted criminal and had nothing to do with politics or Congress.

Shri Aseka Mehta (Muzaffarpur): So, he can be murdered? (Interruptions).

Shri S. A. Dange: I am simply talking about the instances of murders which have been quoted. I am referring to the 'political murders'. If a murder takes place in any State and if these murders are claimed by either the Congress Party or the PSP,

I am willing; they can claim these people and they can enlarge their membership by all those criminals who have been hanged, if they like and they can say that Congressmen are being hanged. I have no objection; it is their look-out—not mine. I am giving an instance. It is not a political murder; it is a case of a different kind

Shrimati Renuka Ray (Malda): Are criminals hanged without trial? Are people supposed to be murdered and hanged without trial?

Shri Nagi Reddy (Anantapur): Even the Communists should not be murdered without trial.

Shri S. A. Dange: There is no case stated here that in Kerala they are hanged without trial. (Interruptions).

Dr. K. B. Menon: I am perfectly willing to substantiate every word that I have said. There have been cases.

Mr. Speaker: Order, order

Shri S. A. Dange: There was reference to civil liberty. The only violation of civil liberty that has come to my knowledge very glaringly is that two drunkards fought in the street. Certainly they had every civil liberty to get drunk and fight. The Kerala Ministry could certainly not be expected to interfere in that! One was killed by the other. The man who was killed is claimed by the PSP as their member. Even a Congress paper in Kerala has written about these funny affairs. Everybody knows who these two people were, their character and how they were in a drunken state. In that drunken state one has been killed and one political party claims him as its member and says that it is a political murder. If such a thing were to happen, every criminal conviction in Kerala could be called a political harassment.

[Shri S. A. Dange]

Therefore, what I am saying is that matters should not be judged from such an angle. If civil liberties are violated, as the Prime Minister has said, the Centre will have to intervene. Let us have an enquiry. I can understand, I can imagine his position. He has made a statement that there is something serious about it. Most probably, he was highly pressed by all the Congress delegations or most probably he was not very happy to find that his other statement perhaps helped the Communist Ministry. So, one statement was balanced by another. Nothing is very serious: that was his first statement and the next statement is: something is very serious.

Therefore, let both sides be heard. It should not be with the idea of intervening and suppressing the Communist Ministry in that State just because it is a Communist Ministry. Take land legislation, for instance. This Ministry has incurred the wrath of these Congress gentlemen because the first thing that it did was to pass an order against eviction of peasants which no Congress Ministry in any State has so far done. The Ministry has got a Dowry Bill. On every dowry in the Kerala State, the Church takes six to ten per cent as its commission. Now, it is being hit because of the Dowry Bill and it will lose its commission.. (Interruptions).

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): Eviction was prevented in Kerala when the Congress Government came into power there.

Mr. Speaker: Order, order. We are not discussing generally the administration of Kerala State in the matter of education or other things. It is a matter of law and order and I would not have brought it here but for the fact that very serious allegations were made that there was no sense of security and political murders were going on. Ultimately, Parliament alone will have to take charge of it in case the Constitution breaks down

anywhere. Therefore, I wanted to know what exactly the fact was. I am not going into this matter of general administration or even law and order unless it is a serious matter which endangers the continuance of the Constitution or the working of the Constitution. The hon. Member has said enough.

Shri S. A. Dange: Sir, I want to point this out to you.

Shri Tridib Kumar Chaudhuri (Berhampore): I want to raise a point of order

Mr. Speaker: Let him finish.

Shri Nath Pai (Rajapur): But the point of order should have precedence.

Mr. Speaker: But not in the middle of a speech

Shri Nath Pai: Otherwise, it may no longer remain

Shri S. A. Dange: Some people are impatient about these facts because they do not suit their case. I want to mention one more fact. There is the likelihood that some more civil liberty will be violated and I would like the Centre to take note of it.

Shri Asoka Mehta: Is it a threat?

Shri S. A. Dange: There are big landlords in one district who refuse to cultivate or endanger food production in Kerala. We have told them that they must not do so.

Shri Asoka Mehta: You are threatening.

Shri S. A. Dange: We want these people to resume cultivation but they do not want to do so because they want certain rights conferred on the labourers should be taken away. If these landlords are put under arrest, I can imagine there will be talk about civil liberties being violated. Civil liberties should not be treated in that abstract fashion and there should be

concrete instances as to what is being done. Therefore, I would submit that my adjournment motion should be discussed.

I can certainly understand the anxiety expressed by the Prime Minister and I am quite prepared to be helpful in removing that. But this is not the way in which it should be done. Press statements are given after certain deputations visit that place. What happens is that these statements encourage certain elements there to violate the law and order against the Ministry, against the Communist Party and against the citizens. The majority of the citizens today are with the Government and certainly not against the Government. My only submission is that such statements become an interference and encourage certain elements there and worsen the situation there. I would only appeal that such statements should not be made. But since they had already been made, the effect is already there. When there was a certain dispute and negotiations are taking place, people think that they can do anything and cover the whole thing under the label of violence. Therefore, I would submit that these statements should be avoided. The Kerala question should be debated, but not on the question of law and order. When a PSP member was murdered in Barabunki, there was no rowdiness and disorder anywhere and no interference by any person. When two MLAs, one of them a Congressman, were murdered in Satara, the Chief Minister or anybody here never complained about law and order breaking down either in the Bombay State or UP.

Mr. Speaker: Order, order. Let us not go into them now.

Shri S. A. Dange: I am pointing out that discrimination should not be made. That is all. I feel there is discrimination. Therefore, I would submit that my adjournment motion should be taken up, and not the one on the issue of law and order, but on the issues that I have mentioned.

Mr. Speaker: I suppose there is nothing of the point of order now.

Shri H. N. Mukerjee (Calcutta—Central): Sir, there is one aspect of the matter.

Mr. Speaker: The Leader of the Communist side has spoken.

Shri H. N. Mukerjee: Please listen to me for two minutes. I feel that since this country is a Union of States and in the Constitution there are specific provisions, particularly in Part XI in regard to the relation between the Centre and the States, it is very important that the spokesmen of the Central Government, and particularly, the Prime Minister, should not act or say things in such a manner as goes against the letter and spirit of the Constitution.

My submission is this. Certain allegations have been made in regard to the incident in the Kerala State. I am not going into the rights or wrongs or into the merits and demerits; I am not entitled to do so. But in regard to those things on the basis, quite obviously, of one-sided reports, the Prime Minister himself, not to speak of other Ministers, has gone to the length of suggesting that in one particular State in India, where there is a legitimately constituted Government, there is insecurity and to that effect he has actually maligned the administration of that State without giving that administration a hearing. I feel that this is an example of the Constitution being given a go-by and recourse being taken to party political motives in order to give expression to sentiments which are not based on facts found out after proper adjudication. The Kerala Government is ready to found out by judicial process the real truth about certain alleged incidents, in view of all that we are hearing, all kinds of things, and the rather unaccustomed oration from my friend Dr. Menon. But I feel, Sir, a very important constitutional point in regard to the functioning of democracy

[Shri H. N. Mukerjee]

is involved, and I would say like that the Prime Minister, in particular,—perhaps, despite his better nature which was expressed earlier—has made certain statements lately before his Party which go against the letter and spirit of the Constitution.

This is a matter, therefore, which does not relate merely to certain incidents, whether pertaining to law and order or not, but to the relationship between the Centre and the States, and if it so happens that a non-Congress Government in any part of India will have to face the kind of deliberate and engineered obloquy which has come from that side of the House giving the point of view of the Government, then surely you are creating a situation where the disillusion of our people with the kind of democracy that is being practised will grow even more. That is something against which we wish to take our stand, and that is why we wish our adjournment motion, which is couched in terms which should be acceptable to everybody, ought to be accepted by the House and we should have a proper opportunity for discussing the points that are involved which, I submit with very great respect, are all of very great significance in regard to the working of the Constitution.

Dr. K. B. Menon: Sir, I would like to say—just a word about the Prime Minister's statement and its reaction in Kerala, to which a reference has been made. The Prime Minister's statement has come as a life saviour to Kerala. The people of Kerala were getting desparate at the situation in Kerala, where there was violence and no safety or security was offered by the Central Government. The only resort that the people had was to organise themselves for violence, and the Prime Minister's statement has saved the situation to the extent that it has offered some kind of a consolation to the people of Kerala.

Shri Fannesse (Ambalapuzha): May I know whether that statement is authentic?

Shri S. A. Dange: The violence was not organised either in Bombay or Kerala by the Communists.

Mr. Speaker: Order, order. The hon. Home Minister.

Raja Mahendra Pratap (Mathura): Sir, I rise on a point of order.

Mr. Speaker: Order, order. I have called the hon. Home Minister to speak.

The Minister of Home Affairs (Pandit G. B. Pant): Sir, many remarks have been made by the movers of the two adjournment motions to which I do not intend to make any reply. I am concerned more with the motion of Shri Dange, because it relates to our Prime Minister, to the freedom that he has a right to enjoy and to the privilege and, perhaps, the duty which is cast on him as the leader of the country to express his views on important matters, especially when he is questioned about them.

Well, Sir, I think Shri Dange knows that the Prime Minister did not speak about Kerala or its Administration only recently—he refers to 'a statement' and not to 'statements' made by the Prime Minister previously. The Prime Minister had, I think, more than once made observations which were hailed and welcomed by the Communist Party, which were used by them as a shield against their critics, which were stressed and sometimes, perhaps, even a little distorted and distributed and circulated all over. Then, I do not know whether the Prime Minister had the right to compliment. That right the Prime Minister enjoys. He does so, though he belongs to a different party. He does so, though the Administration with which he is associated is run in the name of another party. Then, when the Prime Minister says what is palatable, what suits the Kerala Administration or, rather, I would leave out the Administration, the Kerala Communist Party, what he says is treated as the word of Gospel. But the Prime Minister should not utter a word, if it does not happen to be

equally complimentary. Who discriminates? Who is guilty of discrimination? Who is being influenced by party considerations? The Prime Minister or those who are objecting to his statement today? If it were not an adjournment motion in the House, it could be regarded as an instance of blackmail; that so long as you speak well you are free to do so, if you happen to say a word which does not agree with our wishes then you should be gagged, you should not be allowed to speak.

That is, exactly, the complaint, that freedom of expression even outside this House and even outside Kerala should not be allowed even to a person of the eminence of the Prime Minister. Well, I do not know how civil liberties are to be maintained, whether that is the process and that is the method for enlarging the scope of civil liberty.

And then, when the Prime Minister made his remarks previously he was given a mead of praise; it was said that his approach was non-political, objective, rational, he gave even to the devil its due. Well, whatever it be, that was what seemed to be the attitude of the critics then. But if the Prime Minister says something which they do not like, then he should not be allowed to utter a word and he should perhaps be dislodged from the office that he is occupying. Then allegations are made that he is actuated by partisan motives, he discriminates on the basis of one-sided evidence for political party advantage against a State which is being administered by a non-Congress party.

An Hon. Member: What about Punjab?

Pandit G. B. Pant: I should like to know whether, when some months back.....

Shri Nagi Reddy: Ramanathapuram Riots did not bring out a statement.

Mr. Speaker: Order, order. The hon. Minister may continue.

Pandit G. B. Pant: I should like to know whether, when some months back the Prime Minister made complimentary remarks the Government in Kerala belonged to his party or some other party, and when did he cease to look at things from a non-party end. The moment he says a thing which does not agree with the prejudices and the natural weaknesses of the people associated with a certain party, he is blamed and all those adjectives are applied which had been previously, by communists themselves, disowned and rejected so far as the Prime Minister is concerned.

So, I do not know if I should say more. I do not want to enter into the merits of the case.

Shrimati Renu Chakravartty: What was the question? The point regarding intervention into affairs of State Government has not been answered.

Pandit G. B. Pant: The point that the hon. Member made is, like the point in geometry, not visible.

Shrimati Renu Chakravartty: The point is

Pandit G. B. Pant: I do not want to follow the point further because there is hardly any point which could arise. In any case, even if there had been any point or line or even a radar I do not think it would have given occasion for an adjournment motion.

Then, another adjournment motion has been moved. So far as the law and order is concerned, it comes within the jurisdiction of the States. As I have observed before, we would not like ordinary matters of law and order to be raised here. Otherwise, we will have to interfere with everyday administration. But I am faced with a certain difficulty here. Shri Dange, who is the leader of the communist party in the House, and to whose party the Government there belongs, wants a discussion in this House, and he

[Pandit G. B. Pant]

says, "if you do not comply with my wishes, then you are actuated by party bias or merits, whatever it may be."

Shrimati Renu Chakravartty: He has never said that.

Pandit G. B. Pant: That is stated in his adjournment motion. So, while no adjournment motion can lie, and even if anything has been done by the Kerala Government to which one does not seem to agree and which one will like to criticise or condemn, at least the Central Government is not responsible for that. We are not in anyway to be blamed for what has happened. I do not express any opinion as to what has or what has not happened. I have throughout liked to deal with these matters, whatever others may say, in an impartial and even in a sympathetic manner, but if Shri Dange and other friends so desire, I would not come in the way of a discussion being held in this House, not on the basis of this adjournment motion—this has to be ruled out—but separately, and you may allot such time as you like in consultation with them for the discussion, because, if I object to it it will be said that in this matter too, we are being influenced by party considerations. Besides, two important parties in the Opposition, desire a discussion in this House. So, I leave it to you to decide—whether the rules permit it or not, whether this opportunity should or should not be given and, if so, when and for how long.

Shri Dange: On a point of personal explanation. A slight error has crept into the understanding of my speech by the hon. Minister. The discrimination that I was referring to was not in relation to the Prime Minister's speech. The discrimination I was referring to was between one communist ministry and the Congress ministry was with regard to the idea of discussing the law and order situation in one State and not in another State.

Shrimati Renu Chakravartty: Let us point out that it should be on the basis of our own adjournment motion.

Mr. Speaker: Not "our own". I have heard the hon. Members and the leader of her party sufficiently, and its deputy leader also.

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): Mr. Speaker, I have listened with a certain degree of discomfort, on the one hand, to what the hon. Member opposite has said in regard to his adjournment motion and, if I may say so with respect, on the other, to what my colleague the Home Minister said in my defence. Normally, I hope I can look after myself, and normally, if my conduct as an individual or as Prime Minister is criticised, I would be the very last person to try to avoid a full consideration of that. It is not, however, a personal question with me. I think that should be the reaction of any person who occupies, or has the privilege to occupy, this high office.

The question that has been raised in this adjournment motion by Shri Dange and some other hon. Members is directly related to what I am supposed to have said. Whether that comes in rightly in the form of an adjournment motion or not, if I may say so with respect, is not my concern. That is for you to decide. But it is my concern that this matter be debated, and it is not a question of my leaving it at that; I ask you, and I request you to have this debated in some form or other, because, apart from raising what might be considered a constitutional issue as to what the Prime Minister said or what the limits of his utterances might be, it also raises indirectly or directly the question of the central authority and the States,—how far they impinge on each other and how far they may or have to keep to certain limits and not exceed them. These are important constitutional issues. It was not my desire to raise them at this stage or any other stage because every Constitution can put down a number of things in the written words; but much more import-

ant than the written words are the conventions that grow up around the Constitution, and we have tried to develop these conventions here in the country and here in this House under your distinguished guidance and your predecessor's distinguished guidance. And may I say that it has not been a function of our Government or our party but the whole House, of all parties, to develop these conventions which are so essential to a democratic form of Government. Therefore, I would like that such matters, when they arise are dealt with not on party spirit, not in a narrow-minded spirit, even trying to be legalistic, but rather on the broad spirit of the Constitution being preserved by conventions that we establish.

But, if any doubt creeps in, if anything is challenged, it is far better to deal with it fully and frankly than by any manner of means to push it aside and leave those doubts lurking in the minds of some people not only in this House but in the country. Therefore, Mr Speaker, I think this question having been raised here, in Shri Dange's adjournment motion, this subject should be discussed in this House. As I said, it is for you to determine the form and the manner, the occasion and the time of this discussion. It is desirable to discuss it and we as a Government would welcome it.

Shri S. A. Dange: I agree with the proposal of the Prime Minister that if the matter is to be discussed, it may rather be done in a straightforward manner than through this method of adjournment motion. So, if that is possible, I certainly agree with him to have the matter of Kerala discussed here; I have no objection.

Shri Tyagi (Dehra Dun): May I say a word?

Mr Speaker: No; I am sorry; I have heard sufficiently. It is a very serious matter—the subject-matter of both these adjournment motions. They relate not merely to law and order in

a particular State. Whenever these matters have been brought up here—I also read in the Press—and whenever similar matters were brought up at an earlier stage before the hon Prime Minister, he said, it is a matter of law and order and they are entitled to manage their own affairs. But later on, something seems to have turned up and, as the adjournment motion of Dr Menon points out, it is not a mere matter of law and order, but a thing which goes to unsettle the very existence of the Constitution or the working of the Constitution.

Under articles 355 and 356, the President is entitled on receipt of a report from the Governor of a State or otherwise if he is informed, to take charge of the administration of a State. Of course, under our Constitution, the President is always guided by the advice of his Council of Ministers, the President does not act by himself. Therefore, it is open to the Council of Ministers, particularly the Prime Minister, to watch the situation and advise the President to take charge of the administration and he can do so. It may come as a thunderbolt, suddenly without making investigation privately. But is it not open to the Prime Minister at an earlier stage to take stock of the matter and then see that things do not go so far? So, it is open to him either to apply the axe and kill the man or to advise him from time to time and set him right. The President may be advised by the Governor of a State who is on the spot. The President may receive information otherwise through the Prime Minister and his other Ministers who have to watch constantly the situation in the whole country. Under article 355, the Union Ministry will be shirking its responsibility if it does not have a finger on the pulse of the situation in every State here.

“It shall be the duty of the Union to protect every State against external aggression and internal disturbance and to ensure that the government of every

{Mr. Speaker.}

State is carried on in accordance with the provisions of this Constitution"

The State does not mean the Government only. The definition of the State includes the Government, but primarily it is the people there. The Government may come and go, but if the people have a sense of insecurity and law and order is not maintained—I am not judging the truth, but the allegations are there and there are difficulties—it is certainly open to the Union Government—it is not merely open, but it is the duty of the Union Government—to watch the situation from time to time and ultimately it takes resort to the provisions of article 356 and advises the President to take over the administration. Thereafter Parliament has a right to discuss whether it is true or not. But is not open to the Prime Minister to watch the situation in advance and say "this is not right"? The adjournment motion of Shri Dange reads as if it is open to the Prime Minister to watch the situation and even advise the Government there, but it is not open to him to say it at all in spite of many representations. He speaks not only for the Government, but for the people also. Under those circumstances, I do not think that an adjournment motion is the proper procedure to discuss this matter. Instead of taking a drastic action straightaway by advising the President to take over the administration, he advises from time to time as to what ought to be done, having regard to the facts that have come up before him.

Article 256 has been referred to by Mr. Dange. It says:

"The executive power of every State shall be so exercised as to ensure compliance with the laws made by Parliament and any existing laws which apply in that State, and the executive power of the Union shall extend to giving of such directions to a State as

may appear to the Government of India to be necessary for that purpose"

Not only can he give directions to the State, but if the people come and complain, he can give an assurance. As Dr. Menon said, there has been a sense of relief after what the Prime Minister has said.

Therefore, it is too much to go into this matter by an adjournment motion. I am not allowing it. So far as Dr. Menon's adjournment motion is concerned—it is not mere law and order, etc.—I would not like this forum to be used for bringing up these matters from time to time and then have a delicate decision as to whether it is on the margin of law and order or not. The Constitution has advisedly given the responsibility to the Council of Ministers here and the President. Normally these matters need not be brought up here. That is why I am not allowing that adjournment motion even.

So far as the suggestion is concerned, it is a serious matter and both the hon. Prime Minister and the leader of the communist party say we may have a discussion. I am not prepared to commit myself as to how it can be done now, nor is the Speaker expected to give advice in advance; he only criticises after it is placed before him. But if a proper and suitable procedure is adopted and brought before me, I will consider it on its merits. The adjournment motions are disallowed.

INCIDENTS ON THE INDO-PAKISTAN BORDER

Mr. Speaker: There are three adjournment motions by Mr. Goray, Mr. Hem Barua, Mr. T. K. Chaudhuri and Shri Vajpayee regarding the firing operations by Pakistan on the eastern border.

Shri Goray (Poona): I have also stated the reasons.