

Sixth Series, No. 4

Tuesday, March 29, 1977
Chaitra 8, 1899 (Saka)

LOK SABHA DEBATES

**First Session
(Sixth Lok Sabha)**



LOK SABHA SECRETARIAT
New Delhi

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No. 4—Tuesday, March 29, 1977/ Chaitra 8, 1899 (Saka)

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LOK SABHA DEBATES

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LOK SABHA

Tuesday, March 29, 1977/Chaitra 8,
1899 (Saka)

The Lok Sabha met at Eleven of the
Clock

[MR. SPEAKER in the Chair]

MEMBERS SWORN

Chaudhari Charan Singh (Baghpat)

Shri Shyam Sunder Gupta (Barh)

Shri Sidrameshwara Swamy Basayya
(Koppal)

Shri Hopingstone Lyngdoh (Shillong)

11.05 hrs.

INTRODUCTION OF MINISTERS

THE PRIME MINISTER (SHRI
MORARJI DESAI): I introduce to
the House members of the Council of
Ministers:

Shri Charan Singh

Shri Lal K. Advani

Shri Shanti Bhushan

Shri H. M. Patel

Shri Purushottamlal Kaushik

Shri Raj Narain and

Shri Bijayananda Pattanayak.

11.06 hrs.

Re. MOTION FOR ADJOURNMENT

MR. SPEAKER: Regarding the
adjournment motion, would you like
to say something?

DR. KARAN SINGH (Udhampur):
I would like to urge that it may be
taken up as quickly as possible.

MR. SPEAKER: Yes, I have ad-
mitted it. But the House would like
the Government to say something.

(Interruptions)

Please listen. I am now in the midst
of an Adjournment Motion.

SHRI JYOTIRMOY BOSU (Dia-
mond Harbour): I have also written
on the adjournment motion itself, Sir.
I have written about it.

MR. SPEAKER: I have not seen
it till now. I do not know when you
gave. I have not seen it i.e., on the
adjournment motion on Kashmir.

SHRI JYOTIRMOY BOSU: I want
to make a submission on the adjourn-
ment motion on which you were
good enough to make an observation.

MR. SPEAKER: Mr. Bosu, you
will have time. When I admit it,
you will have ample time. We will
begin discussing it. At that time
you can certainly say something.
Now, those in favour of the adjourn-
ment motion may please rise in
their seats. Yes; now it is
admitted. We will take up the dis-
cussion after the Budget Demands
are passed. It may be at 5 or 5.30
P.M. I do not know. After all, you
know about the urgency of the
Demands. Normally such a motion

[Mr. Speaker]

is taken up at 4 P.M. But there is pressure of work. We will have to send the Demands to the Rajya Sabha. But we will adjust the time. It is only a matter of adjustment; and it is admitted. We will take up the discussion. It may be at 5 or 5.30 P.M. But it does not matter. We will sit for an extra hour.

11.08 hrs.

PAPERS LAID ON THE TABLE

PROCLAMATION, ORDER & REPORT RE. STATE OF ORISSA, PROCLAMATIONS RE. ORISSA AND GUJARAT AND NOTIFICATION UNDER TAMIL NADU URBAN LAND (CEILING & REGULATION) ACT, 1976

गृह मंत्री (चौधरी चरण सिंह) : अध्यक्ष महोदय, मैं आपकी इजाजत से निम्नलिखित कागजात सदन की मेज़ पर रखता हूँ :—

(1) A copy of the Proclamation (Hindi and English versions dated the 16th December, 1976 issued by the President under article 356 of the Constitution in relation to the State of Orissa published in Notification No. G.S.R. 923(E) in Gazette of India dated the 16th December, 1976, under article 356(3) of the Constitution.

(2) A copy of the Order (Hindi and English versions) dated the 16th December, 1976, made by the President in pursuance of sub-clause (i) of clause (c) of the above Proclamation, published in Notification No. G.S.R. 924(E) in Gazette of India dated the 16th December, 1976.

(3) A copy of the Report dated the 13th December, 1976, of the Governor of Orissa to the President (Hindi and English versions). [Placed in Library. See No. LT-8/77].

(4) A copy of the Proclamation (Hindi and English versions) dated the 29th December, 1976 issued by the President under clause (2) of article 356 of the Constitution

revoking the Proclamation issued by him on the 16th December, 1976 in relation to the State of Orissa, published in Notification No. G.S.R. 957(E) in Gazette of India dated the 29th December, 1976, under article 356(3) of the Constitution.

(5) A copy of the Proclamation (Hindi and English versions) dated the 24th December, 1976 issued by the President under clause (2) of article 356 of the Constitution revoking the Proclamation issued by him on the 12th March, 1976 in relation to the State of Gujarat, published in Notification No. G.S.R. 944(E) in Gazette of India dated the 24th December, 1976 under article 356(3) of the Constitution. [Placed in Library. See No. LT-9/77].

(6) A copy of Notification No. G.S.R. 868(E) (Hindi and English versions) published in Gazette of India dated the 5th November, 1976 containing the Order of the President relating to suspension of article 31 of the Constitution in relation to proceedings etc. under the Tamil Nadu Urban Land (Ceiling and Regulation) Act, 1976, for the period of operation of the Proclamation of Emergency made under clause (1) of article 352 of the Constitution on the 3rd December, 1971 and on the 25th June, 1975, under clause (3) of article 359 of the Constitution. [Placed in Library. See No. LT-10/77].

SHRI JYOTIRMOY BOSU (Diamond Harbour): I am on a point of order under Direction 2 sub-section (6) i.e. on a question involving a breach of privilege. I have given a notice, Sir. I shall be failing in my duty if I do not try and assist you in the matter and draw your attention to the fact. According to your direction, the privilege motion should come next to the adjournment motion. I have given a privilege motion against Mr. T. N. Kaul, who was once upon a time an Ambassador to the United States. He

has been telling untrue things about political detenus in this country. He has said in telecast and television interviews that the political detenus, MPs etc. are interned in their own homes. That is a very serious breach of privilege.

MR. SPEAKER: I do not think anybody need support or oppose it at this stage. I have got it. I have read it. But before deciding whether we should admit it, we should get some information from the government. I cannot straightway admit it. You are a very senior Member of this House. You should not also raise the matter like this. I will certainly give you opportunity. I am referring it to the government, to find out the truth about it. They must also be in the know of facts. If we raise it, they will have to answer. Therefore I am referring it to the government. I have just received it. Maybe perhaps tomorrow we will get the real facts about it; and then certainly I will look into it. (*Interruptions*) Maybe so. Everybody will have a right to do that.

SHRI JYOTIRMOY BOSU: I will wait, Sir.

MR. SPEAKER: Thank you. Now Mr. H. M. Patel.

11.09 hrs.

PAPERS LAID ON THE TABLE—
contd.

NOTIFICATIONS UNDER CUSTOMS TARIFF ACT, 1975 AND UNDER CUTSOMS ACT, 1962 AND A STATEMENT RE. REASONS FOR DELAY IN LAYING THE ANNUAL REPORT OF UIFGIC LTD., MADRAS FOR 1974

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): I beg to lay on the Table:—

(1) A copy each of the following Notifications (Hindi and English

versions) under sub-section (2) of section 8 read with sub-section (3) of section 7 of the Customs Tariff Act, 1975:—

(i) G.S.R. 870(E) published in Gazette of India dated the 6th November, 1976 making certain amendment to the Second Schedule to the Customs Tariff Act, 1975.

(ii) G.S.R. 877(E) published in Gazette of India dated the 13th November, 1976 making certain amendment to the Second Schedule to the Customs Tariff Act, 1975.

(iii) G.S.R. 13(E) published in Gazette of India dated the 12th January, 1977 making certain amendment to the Second Schedule to the Customs Tariff Act, 1975.

(2) A copy of Notification No. G.S.R. 14(E) (Hindi and English versions) published in Gazette of India dated the 12th January, 1977, under section 159 of the Customs Act, 1962 together with an explanatory memorandum. [*Placed in Library. See No. LT-11/77*]

(3) A statement (Hindi and English versions) showing reasons for delay in laying the Annual Report* of the United India Fire and General Insurance Company Limited, Madras, for the year 1974 and a Review by the Government on the working of the said Company. [*Placed in Library. See No. LT-12/77*].

11.9½ hrs.

ASSENT TO BILLS

SECRETARY-GENERAL: Sir, I lay on the Table following five Bills passed by the Houses of Parliament

*The Report was laid on the Table on the 4th November, 1976.

[Secretary-General]

during the Eighteenth Session of Fifth Lok Sabha and assented to:—

(1) The Appropriation (Railways) No. 4 Bill, 1976.

(2) The Appropriation (Railways) No. 5 Bill, 1976.

(3) The Appropriation (No. 7) Bill, 1976.

(4) The Gujarat Appropriation (No. 2) Bill, 1976.

(5) The Pondicherry Appropriation (No. 4) Bill, 1976.

2. I also lay on the Table copies, duly authenticated by the Secretary-General of Rajya Sabha, of the following three Bills, passed by the Houses of Parliament during the Eighteenth Session of Fifth Lok Sabha and assented to:—

(1) The House of the People (Extension of Duration) Amendment Bill, 1976.

(2) The Electricity (Supply) Amendment Bill, 1976.

(3) The Constitution (Forty-second Amendment) Bill, 1976.

11.10 hrs.

RAILWAY BUDGET, 1977-78
AND
DEMANDS FOR GRANTS* ON
ACCOUNT (RAILWAYS), 1977-78

MR. SPEAKER: We will now take up the General Discussion on the Railway Budget.

Motion moved:

"That the respective sums not exceeding the amounts shown in the third column of the Order Paper, be granted to the President out of the Consolidated Fund of India on account for or towards defraying the charges during the year ending on the 31st day of March, 1978, in respect of the heads of demands entered in the second column thereof against Demands Nos. 1 to 11, 11A, 12 to 16, 21 and 22".

*List of Demands for Grants on Account (Railways) for 1977-78 submitted to the
Vote of Lok Sabha*

No. of Demand	Name of Demand	Amount of Demand for Grant on Account
1	2	3
1	Railway Board	84,24,000
2	Miscellaneous Expenditure	4,05,35,000
3	Payments to Worked Lines and others	15,56,000
4	Working Expenses—Administration	52,79,80,000
5	Working Expenses—Repairs and Maintenance	221,48,94,000
6	Working Expenses—Operating Staff	112,91,45,000
7	Working Expenses—Operation (Fuel)	109,28,16,000
8	Working Expenses—Operation other than Staff and Fuel	36,53,76,000

*Moved with the recommendation of the Vice-President acting as President

1	2	3
9	Working Expenses—Miscellaneous Expenses	19,58,56,000
10	Working Expenses—Staff Welfare	19,10,53,000
11	Working Expenses—Appropriation to Depreciation Reserve Fund	46,66,67,000
11A	Working Expenses—Appropriation to Pension Fund	13,33,33,000
12	Dividend to general Revenues and Contribution for Grants to States in lieu of Passenger Fare Tax	6,02,13,000
13	Open Line Works (Revenue)	2,99,95,000
14	Construction of new Lines—Capital and Depreciation Reserve Fund	17,27,44,000
15	Open Line Works—Capital Depreciation Reserve Fund and Development Fund	423,27,15,000
16	Pensionary Charges—Pension Fund	12,80,32,000
21	Appropriation to accident Compensation Safety and Passenger Amenities Fund	3,07,61,000
22	Accident Compensation, Safety and Passenger Amenities Fund	1,76,33,000

SHRI KANWAR LAL GUPTA (Delhi Sadar): What is the time allotted for the railway budget and for the general budget?

MR. SPEAKER: We have to pass them today. We will have two hours for the railway budget. We will have ample time to discuss the various points on the discussion on the President's Address on the 1st, 2nd and 3rd. Further, the general budget will be there in the month of May. For the present I would appeal to the Members on both the sides to pass these Demands by the evening today so that it may go to the Rajya Sabha tomorrow. If you help me, it is all right. If you want a little more time, I have no objection.

SHRI C. SUBRAMANIAM (Palani): It should not be rushed through like this. We cannot pass everything today. Because, in the general budget, there are some points which we want to raise.

MR. SPEAKER: How much time do you require for the railway budget?

SHRI C. SUBRAMANIAM: I was saying that for the general budget, more time may be allotted.

MR. SPEAKER: We will allot two hours for the railway budget.

SHRI SHYAMNANDAN MISHRA (Begusarai): Sir, yesterday you were pleased to observe that you would consider some of the points that we had made yesterday.

MR. SPEAKER: Are you referring to something under rule 377?

SHRI SHYAMNANDAN MISHRA: Yesterday I had drawn your attention to a question of propriety as also a question of breach of privilege and you were pleased to observe that you would give some thought to this matter and come today and tell the House about your view in the matter.

MR. SPEAKER: I do not know; I am not very clear about it. Are you referring to the adjournment motion?

SHRI SHYAMNANDAN MISHRA: My submission was that the imposition of President's Rule on Jammu and Kashmir was announced to the whole world but the House was not informed about it. That constituted, in my view, a question of propriety if you so please, also a question of

[Shri Shyamnandan Mishra]

breach of the privilege of the House. You were pleased to observe that you would give some thought to the matter and come to the House today and give your ruling.

MR. SPEAKER: I would suggest that you raise this issue also along with the other points when we discuss this subject. Then, the Government would be in a position to give the reply.

AN HON. MEMBER: It is a special issue.

MR. SPEAKER: I know it is a special issue. The question is whether Government is ready to give a reply. It is true I said yesterday that I will give my thought to this matter.

SHRI SHYAMNANDAN MISHRA: But it must be treated separately.

SHRI VASANT SATHE (Akola): The explanation should be laid on the Table. It should not be confused with the discussion on the adjournment motion. Government must lay the Proclamation and the reasons for the same on the Table. Government have already announced them to the world outside and not to the House. That is the complaint.

SHRI J. RAMESHWARA RAO (Mahbubnagar): There is a convention that when the House is in session, if any important announcements are to be made, the House should first be informed of them before they are released to the press. That is what my colleague, Shri Shyamnandan Mishra, is drawing your attention to. It has nothing to do with the adjournment motion.

PROF. SHIBBAN LAL SAKSENA (Maharajganj): I have given notice of some cut motions.

MR. SPEAKER: I was dealing with them. But, in between came this demand.

Has the Prime Minister anything to say on this point?

THE PRIME MINISTER (SHRI MORARJI DESAI): If you want me to say something on this now, I will say it. In any case, during discussion on the adjournment motion I will have to say why this was done. So, I would not refer to that now. This was an action taken by the Governor of Jammu and Kashmir. I have been advised by the Law Ministry, Law Minister, that it has to be laid before the Assembly and not in Parliament here. I am examining it further..... (Interruptions).

SHRI MOHD. SHAFI QURESHI (Anantnag): Where is the Assembly? The Prime Minister should know that the Assembly has been dissolved.

SHRI K. LAKKAPPA (Tumkur): How can the Governor dissolve the Assembly?

SHRI MORARJI DESAI: May I say that we have been told that it is not necessary to lay it on the Table of the House here and that it need be laid only in the legislature there? (Interruptions).

SHRI K. LAKKAPPA: It is the most unconstitutional thing that the Prime Minister is submitting here.

SHRI MORARJI DESAI: After President's Rule is declared, it will come here and not go before the Legislature. This is what I was advised. If the advice is not proper, I will examine it again. If it is wrong, I will make amends for it.

MR. SPEAKER: The Assembly is no more there. Therefore, it cannot be placed before the Assembly. The Prime Minister has agreed to get it examined further and make amends. I think it is a very fine gesture. We shall now go to the next item.

SHRI SHYAMNANDAN MISHRA: I may point out for the consideration of the Prime Minister that the Con-

stitution of Jammu and Kashmir also makes it abundantly clear that the proclamation has to be issued with the concurrence of the President of India.

MR. SPEAKER: He says that he will examine it further and make amendments. I think Mr. Mishra should leave it there.

I would now request hon. Members to move their cut motions.

PROF. SHIBBAN LAL SAKSENA: What about the cut motions given notice of today?

MR. SPEAKER: Normally you should give the previous day. However, I will waive the rule and allow you to move the cut motions.

The cut motions are taken as moved.

SHRIMATI PARVATHI KRISHNAN (Coimbatore): I beg to move:

"That the Demand for Grant on Account under the head 'Railway Board' be reduced to Re. 1."

[Need to abolish the Railway Board (1)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced to Re. 1."

[Failure to concede the just major demands of Railwaymen which were put forward by the National Coordination Committee of Railwaymen's Struggle in February, 1974 (2)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced to Re. 1."

[Failure to provide adequate cover to Railway Platforms in Kerala where there is heavy monsoon (3)]

"That the Demand, for Grant on Account under the head 'Railway Board' be reduced to Re. 1."

[Need to absorb all catering staff in permanent posts (4)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced to Re. 1."

[Failure to provide adequate housing to all railway employees especially in smaller stations (5)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced to Re. 1."

[Need to upgrade a further number of posts of Class II, III and IV employees (6)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced to Re. 1."

[Need to abolish the practice of social burdens in freight structure (7)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced to Re. 1."

[Failure to prevent the frequent accidents in recent months (8)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced to Re. 1."

[Need to man all railway level crossings and thus prevent further accidents (9)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced to Re. 1."

[Failure to grant recognition to N.E. Railway Mazdoor Union (10)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced to Re. 1."

[Failure to restore recognition to S.E. Railwaymen's Union (11)]

[Shrimati Parvathi Krishnan]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced to Re. 1."

[Need to provide adequate rail-way lines in economically back-ward areas (12)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced to Re. 1."

[Failure to extend Provident Fund and Gratuity Acts to cover all the railway employees (13)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced to Re. 1."

[Failure to grant bonus to Rail-waymen (14)]

SHRI SOUGATA ROY (Barrack-pore): I beg to move:

"That the Demand for Grant on Account under the head 'Railway Board' be reduced to Re. 1."

[Failure to departmentalise all contract labour in the Railways (15)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced to Re. 1."

[Failure to start work on double line in the Bongaon line in Sealdah division and the Bundel-Katwa line (16)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced to Re. 1."

[Failure to expedite work on the Metropolitan Transport Pro-ject, Calcutta (17)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced to Re. 1."

[Failure to speed up the conver-sion to broad gauge of N.F. Rail-way, thereby affecting freight

movement to and fro Calcutta Port (18)]

SHRIMATI PARVATHI KRISHNAN:
I beg to move:

"That the Demand for Grant on Account under the head 'Ordinary Working Expenses—Administration' be reduced by Rs. 100."

[Need to meet the demands of S.M.'s and A.S.M.'s of Olavakkot Division of Southern Railway (19)]

"That the Demand for Grant on Account under the head 'Ordinary Working Expenses—Administration' be reduced by Rs. 100."

[Need for reinstatement of office bearers of Integral Coach Factory Workers' Union (20)]

"That the Demand for Grant on Account under the head 'Ordinary Working Expenses—Operating Staff' be reduced by Rs. 100."

[Need to provide conductor guards in each railway coach (21)]

"That the Demand for Grant on Account under the head 'Ordinary Working Expenses—Operating Staff' be reduced by Rs. 100."

[Need to increase the ticket checking staff on Southern Rail-way (22)]

"That the Demand for Grant on Account under the head 'Ordinary Working Expenses—Operation (Fuel)' be reduced by Rs. 100."

[Need to speed up electrification of Madras-Vijayawada section of Southern and South-Central Rail-ways (23)]

"That the Demand for Grant on Account under the head 'Ordinary Working Expenses—Operation (Fuel)' be reduced by Rs. 100."

[Need to speed up electrification of Madras-Arkonam section of Southern Railway (24)]

"That the Demand for Grant on Account under the head 'Construction of New Lines—Capital and Depreciation Reserve Fund' be reduced by Rs. 100."

[Need to undertake construction of broad gauge link from Tiruchi to Tuticorin (25)]

"That the Demand for Grant on Account under the head 'Construction of New Lines—Capital and Depreciation Reserve Fund' be reduced by Rs. 100."

[Need to construct a new railway line between Ernakulam and Kayamkulam via Alleppey (26)]

"That the Demand for Grant on Account under the head 'Construction of New Lines—Capital and Depreciation Reserve Fund' be reduced by Rs. 100."

[Need to construct a new railway line between Kuttippuram and Trichur via Guruvayoor (27)]

"That the Demand for Grant on Account under the head 'Construction of New Lines—Capital and Depreciation Reserve Fund' be reduced by Rs. 100."

[Need for the early construction of new rail link between Mangalore and Bombay (28)]

"That the Demand for Grant on Account under the head 'Construction of New Lines—Capital and Depreciation Reserve Fund' be reduced by Rs. 100."

[Need for the construction of a railway line between Tellicherry and Mysore via Coorg (29)]

PROF. SHIBBAN LAI, SAKSENA: I beg to move:

"That the Demand for Grant on Account under the head 'Railway Board' be reduced by Rs. 100."

[Failure to drop the use of Railway Saloons for Railway Officers on various Railways (30)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced by Rs. 100."

[Failure to provide sufficient trains connecting Allahabad with Bombay (31)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced by Rs. 100."

[Failure to extend Shane Awadh to Kanpur and back on N.E. Railway (32)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced by Rs. 100."

[Failure to expedite the conversion of metre gauge to broad gauge on N.E. Railway from Lucknow to Gorakhpur and Bhatni to Allahabad (33)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced by Rs. 100."

[Failure to provide a pool of peons on Railways as in Secretariat instead of one peon for each Railway (34)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced by Rs. 100."

[Failure to stop practice of use of peons for domestic service of officers and reduction of their number for officers (35)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced by Rs. 100."

[Failure to provide coach attendants in all first class compartments of Mail and Express trains on N.E. Railway (36)]

[Prof. Shibban Lal Saksena]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced by Rs. 100."

[Failure to provide dining cars in Mail and Express trains on N.E. and other Railways (37)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced by Rs. 100."

[Failure to provide a telegraph office on Gorakhpur Junction station (38)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced by Rs. 100."

[Failure to provide a really large properly furnished First Class waiting room at Gorakhpur Railway Headquarters Junction (39)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced by Rs. 100."

[Failure to provide a really large furnished Second Class waiting room at Gorakhpur Railway Headquarters Junction (40)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced by Rs. 100."

[Failure to provide suitable trains connecting Gorakhpur with Calcutta, Bombay and Madras (41)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced by Rs. 100."

[Failure to provide electrification on N.E. Railway (42)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced by Rs. 100."

[Failure to restore one instalment of D.A. to Railway Employees (43)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced by Rs. 100."

[Failure to announce that all losses suffered by Railwaymen during strike will be compensated (44)]

"That the Demand for Grant on Account under the head 'Construction of New Lines--Capital Depreciation Reserve Fund' be reduced by Rs. 100."

[Failure to connect Khutha, Maharaj Ganj, Michlaul and Thuntibari by train from Gorakhpur (45)]

MR. SPEAKER: Shri Henry Austin. Absent, Shri S. Kundu.

SHRI S. KUNDU (Balasore): I rise to support the Budget presented by the Railway Minister. I would particularly mention here that after the spell of black rule that covered the whole of India, this Budget and the reliefs which the Railway Minister has given to the workmen should be applauded by all those who really feel for the workmen who are suffering; so that our democracy becomes a living democracy. He has gone out of his way to reinstate all the workers who were dismissed during the railway strike. I would like to point out that during the emergency many of the workers were tortured. Many labour leaders who did not support the black rule and the black measures of the Congress Government, Indira Gandhi's Government, were punished directly or indirectly. Many of them have been removed, have been demoted, and many of their benefits have been taken away from them. Trade unions not only on the railways but all over India were made to subserve a coterie, a family, not even the Government in power.

I would appeal to the Railway Minister to consider this point because this is a valid point. The hon. Minister has said that all those

workers will be reinstated. The hon. Members on the other side fully understand that unless they are treated as on duty, it will create a lot of complications. I would request that this should be amended in such a way that all those workers who were on strike and were harassed during the emergency, these 19-20 months, by the dictatorial Government, should be treated as if they were on duty.

I was a Member in the Fourth Lok Sabha. I was also a Member of the Railway Convention Committee at that time. I was also a Member of the Select Committee in which this thing was also examined. Mr. Qureshi was then the Deputy Minister. I do not see any former Railway Minister here.

(Interruptions)

MR. SPEAKER: I do not like this cross-examination. It should not happen.

SHRI S. KUNDU: We are happy that the Railway Minister has got a team of dedicated men who served the poor people all these years. It is in the fitness of things that the Railway Minister has been given the charge of one of the biggest public sector undertakings not only in India but the whole world and he should make it workers oriented. The whole railways, as I have seen them, are resembling or perpetuating the monarchical trend. All the top officers have the legacy left over by the Maharaas. When I see their behaviour, their approach and attitude, I find that it does not fit in with the current needs of the time. I am sure Mr. Madhu Dandavate will have the cooperation of all those Members who have been now relegated to some back benches in the House. They must also analyse this matter and see how far they can lend their helping hand to Mr. Madhu Dandavate. Therefore, Mr. Speaker, through you, I would appeal to the Railway Minister to see

that the workers' participation scheme really becomes meaningful. How it becomes meaningful is a question of detail and I am not going into it in detail because the time is short. I would request the Railway Minister to see all these things.

Most of the important recommendations of the Railway Convention Committee and the other Committees have not been accepted by the Railway Administration or there is some delay in accepting them and they give some excuse here or there. I would request him that very important and far reaching recommendations of the Railway Convention Committee must also be accepted.

Yesterday, when the Railway Minister was making his speech, Members from the Opposition side were praising the achievements made by the Railway Board during the past few years. I would like to say here that these achievements are entirely due to the hard work of the working class whom some Members in the Opposition call them anti-nationals. These people whom you call anti-national worked hard through terror and fear without submitting to the whims of some individuals in the Railway Administration. They worked hard for the prosperity of the nation and they kept the wheels of the progress moving. There were certain people who were following the black rule. Now, we have to decide whether we should give praise to these people or to the people who have been working very hard and kept the progress of the railways moving.

I am happy that the hon. Railway Minister, Mr. Madhu Dandavate has made the position very clear about the railwaymen who were dismissed or suspended from service during the 1974 strike.

They wanted the trade unions to serve their interests. They did not serve them even. They served some

[Shri S. Kundu]

individuals. They were meant to serve only 1-1/2 people in India.

I would like to say that during the last 2 months of black rule, during Emergency, many committees, bipartite, tripartite, etc. have been set up. All of them should be abolished lock, stock and barrel. Most of them have been the protagonists of Emergency, one way or the other. These protagonists of Emergency should not be allowed to remain in the committees. We have to serve the people. As the able Finance Minister said, we have faith in our people and we are determined to serve the people. We want to show to the entire nation that the Janta Party, the Janta Government, will serve the people, the toiling masses, of the country. To achieve this end, the protagonists of Emergency, those people who are anti-people, those people who wanted the trade unions to serve the interests of only 1-1/2 people in India should not find any place in these committees....

AN HON. MEMBER: They are the real fascists.

SHRI S. KUNDU: I would not say that. I see the hero of Satara sitting in front of me. When I was in jail for 19 months, while reading the speeches, I was terrified and shocked. I ask: Where was the hero of Satara? What was he doing? Why his voice is choked up? I do not mean any disrespect to Mr. Chavan. I have got all love and respect for him. You all kept your mouths shut. I will not call you the guilty men of India for what happened in the last 20 months. I would only say that you did not open your mouth.

There cannot be a better person like the hon. Speaker whom I am addressing. I remember how nice he has been to me in the Fourth Lok Sabha. He used to ask me, "Why don't you put a question?"

He had so much love and fellow-feeling for the Members of the House. I cannot find a better person than him as the hon. Speaker.

Sir, my heart is burning inside me to narrate the horrible tortures committed in jail. I was confined in a room for two months till the MISA was amended and they put me behind the bars. All of you are witness to the black period of Emergency. We have been slaves to the perpetuation of the family rule of 1-1/2 persons. You cannot get out of it. You have to get out of it. The sooner you get out of it, the better it will be. You better speak out now in the House and say that you admit your faults so that democracy is strengthened. I know most of the friends tell us outside that they made mistakes. I like them, I embrace them. I respect them because they are truthful, because they are honest. They could not resist. How could they resist? Even the hero of Satara was keeping silent.

Now, I come to the other point. There is the hero of the trade union movement, Mr. George Fernandes. He is the leader of the working class. Everybody knows how he was tortured in jail. Another hero is the hon. Railway Minister. I am happy that the Railway Minister has said that he would pay special attention to the needs of the Backward States.

I hope he will remember and will not forget as the periphery of influence grows round the Minister. I will not spare any Minister but will sidetrack the influence of those who become more and more powerful. He should not forget that Orissa is a State which has been neglected. I represent the poor people of Orissa (80 per cent of the people in my area are below the poverty line).

We have been fooled for years and years together. Even during this election some sort of an inaugural

ceremony was conducted for laying a line from Banspani to Jakhapura. What mockery is this? Even during the earlier Elections a foundation stone was laid by the Prime Minister but it had to be uprooted because the line had become silted with dust and rain-water. Now, during this Election again, they have laid some of these foundation stones. I hope this line will be completed within a period of one year.

Then, there is the Roopsa-Talabund line which is the lifeline of the backward district of Mayurban where Adivasis live. This has not been made broadgauge and it has not been connected to the Khargpur-Bombay line. This has to be taken up. I would like a Master Plan to be drawn up showing what line will get what priority in this backward State and what will be the allocation of resources.

Again, though 90 per cent of the South-Eastern Railway lines pass through Orissa, the Headquarters is elsewhere. I would like the Headquarters also to come to some place in Orissa. If this cannot be done immediately, at least a subsidiary office, next to the General Manager's office, should be there in Orissa. march ahead.

With these words I again thank the Railway Minister and I hope that with our sustained help and the cooperation of everybody, we will march ahead.

MR. SPEAKER: There is some mistake here, I called Dr. Henry Austin because his name was here. Actually, Shri Mohd. Shafi Qureshi ought to have begun, but because of this mistake, I called the other side.

I would appeal to the Members to be brief. If each Member takes half an hour, we cannot possibly finish this in a couple of hours. There is the General Discussion to follow for which we will take ample time.

Now, if any Member sends me a slip, it will be convenient to me if it comes through the Party. If individual Members want to speak, I don't know whom to call and whom not to call as I get slips from the Parties also. I would therefore request you to send your slips through the Party so that it will be easier for me. Shri Austin had sent his slip individually and therefore I did not call Shri Mohd. Shafi Qureshi. I would now call him or Shri Pai or anybody who wants to speak on behalf of the Party.

श्री मनोहरलाल (कानपुर) : अध्यक्ष महोदय, पिछले 19 महीने जो हमने कष्ट उठाये हैं, उसकी करुण गाथा को यहां 2 मिनट में कैसे कह सकते हैं ?

श्री बसन्त साठे : बीते हुए 19 महीने की बात कहना चाहते हैं ।

MR. SPEAKER: You must send them to me through the Party: I cannot call individuals. I would request both of you not to waste time.

SHRI T. A. PAI (Udipi): Mr. Speaker, Sir, I would, at the outset, like to place on record the excellent performance of the Indian railways for the last two years. As an Indian, I would not like to minimise whatever achievements we have merely because sometimes our attitude is purely partisan; that would demoralise the people who have worked well in this country. The railway organisation cannot be maintained without discipline. I am prepared to agree that thanks to the workers who were dedicated and who have worked very well during the last two years, for the first time we had discipline and, thereby it was shown how our assets could be better utilised in the interest of the country.

I am aware that the railway labour movement is not united. Every section has got its own leader and this had created considerable problems for

[Shri T. A. Pai]

the country. For the first time the Government has now a chance, as most of the labour leaders are with them, to have a unified labour movement in the railways and to maintain discipline. With discipline alone, the railways can survive. The role of the railways is not restricted to passenger traffic or to the movement of freight in this country. It is an important second wing of the defence forces. If you insist that there should be discipline in the Army, in the Navy and in the Air Force, I think, you should also insist that there should be discipline in the railways. Most of our economy depends on how the railways function and it is possible that, even in a case of national Emergency, if one or the other wing of the railways is paralysed, there would be a complete breakdown. As a member coming from the Opposition, I would say, we are looking at this problem very constructively, and we would not likely to come in the way if discipline could be obtained by persuasion, by agreement; we are for it. We are not saying that discipline should be enforced. But what we are saying is that, without discipline, the railways would not be able to function, and we have got to go very much forward. I know that the railway organization has become very unwieldy; it requires a second look. I would very much wish that the powers are decentralised. The General Managers in all the sections are very important. I do not know why we get into this habit; even in the matter of adjusting the time table, the matter is decided in Delhi and not at the various headquarters. I do believe that the General Managers are equally competent because it is from their rank that the board Members are drawn. I do not know why, after coming here, their attitude changes. I would very much

request the Minister of Railways to look into the problem of decentralisation in order to make it a very effective organization. It has become too unwieldy to be run like a business organization. Apart from that, there is the hang-over of many traditions that the railways are accustomed to. As a matter of fact, there has always been a cry in this country that technocrats should be entrusted with the responsibility and not the general administrators. All the Members of the Railway Board are technocrats. I do not know whether they function differently because it is the same rules and regulations which govern them also which prevent that from becoming a business organization which it ought to be. I know that the Railways have very competent electrical engineers and telecommunication engineers, but I do not think that, even once, any one of them has gone to the rank of Railway Board Membership. I would request that all these people may be given equal opportunities to occupy top positions. Somehow, it is a hangover; when civil engineers are in charge of this, it is likely that they think that additional traffic can be moved only by doubling the line and more emphasis is laid on civil construction. I would appeal to the Railway Minister to consider some of these problems. We ourselves would have been compelled to look into them if we were in the Government. The administration should not be carried on like this.

As I have been saying, the number of railway wagons that we have is about five lakhs, and these cannot be managed only by sitting here through manual operations. All over the world, they have computerised the movement of wagons. It would be necessary to know where exactly our wagons are, why they are stuck up and why they should not be moved more efficiently. This is another suggestion that I would like the Minister to consider.

Again, we found that in the last two years, things improved very considerably. We had a very heavy backlog of maintenance and our inventory of the railways was very heavy. A committee had been set up to look into the problem of inventories and I believe that Committee has already made a recommendation. I do hope that the inventory management in the railways would be taken care of and we would be able to manage and achieve higher targets in mind with less resources.

It is known now that the passenger trains have been running punctually. I would like the hon. Minister to look into the freight trains also, because if that is at the expense of the freight trains and the freight trains come late, it would effect the economy a great deal. The major part of the income of the railways comes from the freight and any effort to increase even by 10 per cent the revenues coming from freight without increasing the freight charges would be welcome, because it is a matter of efficient management of the freight also.

The railways have introduced quick delivery system on extra payment. I do not know how far they have been effective in carrying out this quick delivery. Very often, I remember, we had to refund the money, because we could not deliver in time. I would very much like that the railways introduce quicker trains for movement of fruit, vegetables and perishables so that the prices of these things come down. That would be possible by free movement of these commodities.

So far as new additional railway lines are concerned, there has been heavy capital expenditure over these years. I would very much like that the hon. Minister who has now given an assurance also to see that the Konkon railway is taken care of. It should not stop at Ratnagiri; the logical conclusion is that it must go right upto to Mangalore. The survey is already over and the report must be

in his hands in a few days. I would expect him to take up that work from both ends. That is the only missing link of the railways in the map of India. I hope, it would not be considered parochial for him to do it.

Ultimately, with regard to the question of fixing up the freight charges and fares, I think, a new outlook is necessary. In the case of new railways, for example, it is not necessary to follow the same method of fixing up the freight or passenger fares. It must be slightly less than the alternative that is only available if the railways are not there. I would also like the Railway Minister to examine whether their standard of opening up railway stations in various places and the capital expenditure that would be incurred in order to arrive at what it would cost, cannot be reviewed and we have absolutely new standards, where austerity is attempted and though maximum comforts are not assured in the beginning, you go on adding those to the railway station as and when the traffic develops. I think, it would be possible to look into this in this way, otherwise it would be impossible to extent railways because you can always prove that a new railway line is uneconomical. I would very much like that this is gone into also.

The entire administration of the railways requires to be looked into to make it a very powerful organization run on business principles.

I would also like to point out that as a result of some Committee of the Parliament, one recommendation was made that one could reserve a railway ticket one year in advance. I think, it is an absurd proposition. I would request the hon. Minister to look into this and set that right. I am appealing in the interest of the travelling public. Whatever irritations are there, those have to be removed.

[Shri T. A. Pai]

In the end, I would like to say that the traditions of discipline, better labour relations, having one union etc. are attempted now also. They are no more leaders now; they are all in the Government. They would not have unions now for the sake of their leadership. There should be only one union. Even the lieutenants may be asked to join together and have one union in the interest of the nation and the railways.

SHRI SAMAR MUKHERJEE (Howrah): Mr. Speaker, Sir. Though the budget presented here has been prepared by the outgoing Government, the outlook expressed by the new Minister is welcome. I am not going into the contents of the budget presented; that I will do in future when the occasion arises.

The declaration of taking back all the victimised workers involved in 1974 All India Railway Strike has been hailed by all the Railwaymen outside. But I would like to draw the attention of the Minister that the situation inside the Railways in regard to the employees is so bad, is so serious, that it requires careful attention of the Minister. I may draw his attention to a telegram which has been received by me only last evening from the President, Chittranjan Locomotive Labour Union. There all the thirteen top labour union leaders are still under detention under MISA even today. They have been under detention for the last more than 20 months. Repeatedly, I have been representing their case to Shri Mohd. Shafi Quresh, former Railway Minister, to the Consultative Committee, to the Railway Board, to the State Government, but because of sheer vengeance based on political motive, these leaders have been kept under detention and a reign of terror is raging in Chittranjan. This township is called a prison township.

Not only this that the leaders have been kept under detention, but a large number of leaders were also arrested under DIR and a large number of false cases have been instituted against them. All this requires your immediate intervention.

These leaders command respect in their area. They are the persons who had been selected in the school committees, in the co-operatives and elsewhere. They are the real representatives of the people. That is the reason why at the instance of the local Congress leaders they have been kept under detention and a reign of terror is raging there.

The victimisation has not been limited simply to 1974 General Railway Strike. During emergency more than 2,000 Railwaymen have been dismissed from service. They have been penalised in the form of penal transfers, in the form of demotion, in the form of compulsory retirement etc. Various methods have been applied to take away the Trade Union rights. The way these rights have been taken away is clear from one of the Circulars which I am reading. Circular No. B/P. 694/P has been received by me:

"South Central Railway
Division Office
Personnel Branch
Vijayawada 11-76

B/P. 694/P

All Supervisory officials|BZA
Division.

Sub: Unrecognised Unions/Categorical councils conducting of meetings in the Railway Premises.

It has come to the notice of this office that unrecognised, categorical councils are conducting meetings/collecting membership, and pasting banners within the Railway premises. All India Guards council is one of such unrecognised unions.

Conducting meetings within the Railway premises, pasting banners on the Railway Buildings by the unrecognised unions tantamounts to an act of serious misconduct. All supervisory officials are hereby instructed not to allow all such things in the Railway premises."

Even for collection of Union Membership Fee in Waltair, one leader of the Union has been dismissed from service.

Shri T. A. Pai talking about discipline. This is what has been the outlook of discipline of bureaucrats. They know only one form of discipline.... (*Interruptions*)

MR. SPEAKER: I request hon. Members not to come to the Chair and disturb me while I am listening to the Member who is speaking. I would like to discourage such a thing so that Members may not disturb me when I am following the proceedings of the House. If they begin coming here and disturb me, that means, I will not follow the proceedings at all. I would appeal to them—I am not having in my mind anybody particularly, but I am speaking generally—not to disturb me when I am following the proceedings of the House. They can always send me chits. So, as a matter of principle, I request them that they need not come here and disturb me; instead, they can send slips to me.

SHRI VASANT SATHE: From this side you will not have any complaint.

MR. SPEAKER: I am appealing to the whole House.

SHRI SAMAR MUKHERJEE: Mr. Speaker, Sir, I would appeal to the hon. Minister that all those who had been victimised due to the bureaucratic behaviour by the Administration must get justice. All their cases must be reviewed. They should be taken back. Mr. T. A. Pai just now told us about discipline. The former

ruling party has only one outlook about discipline. They force them to go out of employment. They force them to face starvation. They force them to go out of jobs. By terrifying them you do all sorts of things. This is what is being done by the employers in the factories in the case of the industrial workers. The employees are forced to give out double or treble workload and the employers are coming with the democles' sword of discipline hanging over the heads of these employees. If the workers resist something, it is said that there is no discipline. If the Union leaders organise the workers in protest, the cry is that they are creating chaos. There are two types of discipline,—conscious discipline and bureaucratic discipline. Conscious discipline is far more superior than the bureaucratic discipline. I can give you one example. You know the role of the American Army and the People's Liberation Army in South Vietnam. It is the superior discipline and the conscious discipline that won ultimately. The American army had only bureaucratic discipline. When the liberation struggle was on the point of success on South Vietnam, you have read in the newspapers how the American forces behaved, how out of panic, they and each other to flee away, how they were degenerated. All these have been proved. So, I would emphatically say that it is only conscious discipline that will help the Railway Administration to improve its functioning as quickly as possible.

That is why an entirely new outlook is necessary in this matter.

This new outlook must pervade the entire administration as a whole including the Railway Board. This is very essential. Of course, I do agree, that it takes time.

We are prepared to give full time to the new Railway Minister for a thorough overhaul of the administration of the railways provided of

[Shri Samar Mukherjee]

course he seeks the full cooperation of the workers/railway employees for the efficient working of the Railway Administration.

There are one or two cases to which I would like to draw his attention. One was regarding the agreement which was arrived at with the All-India Loco Running Staff Association by the Railways in the year 1973. There was a categorical assurance given to them that ten hours duty would be introduced throughout the Railways by 31st December, 1976. But, that has not yet been implemented. This is a grievance which is still there among the Loco Running staff. I would urge on the Railway Minister to take up this issue and talk with the leaders of the Loco Running Staff Association and to see how this agreement can be implemented as early as possible.

Regarding the punishment or victimisation of staff, I hope the new Minister will pay special attention to this and do the needful in the matter.

With these few remarks, I welcome the Budget speech of the hon. Railway Minister and I support the same.

DR. SUBRAMANIAM SWAMY (Bombay North East): Mr. Speaker, Sir, I would have preferred to listen to all the other speeches but, seeing all the tall claims that were made by the former discredited ruling party, I think that it has become necessary for me to explode all those tall claims with the help of the statistics which they themselves must have prepared. Obviously, because, this Explanatory Memorandum must have been prepared by them long before our Government took over.

Now, one of the things that has been constantly said about is that the Railway Budget is a surplus one; this is an indication of the efficiency; an

indication of the discipline that has been brought about to Railways.

Of course, they also claim that, for the first time since the declaration of emergency, the trains were made to run on time; just as the rains were brought on time, the trains were also made to run on time. In other words, the trains were not on time earlier on. But, the fact of the matter is this. This surplus was not due to efficiency alone. One has also to examine the Explanatory Memorandum to find out why it has become a clear surplus. This has been achieved because of the steep rise in fares that took place in the year just before the emergency through the Supplementary Budget for Railways which was brought incidentally because the Government spent Rs. 1500 crores as a national loss in order to crush the railway strike in order to deny the workers who had asked for the bonus which would have amounted to only Rs. 40 crores.

In other words, this Government would rather have a national loss of Rs. 1500 crores than give the workers the bonus of Rs. 40 crores.

The passenger earning which has been realised through the steep rise in the fares. In what direction? If you again look at the statistics you will find that the upper classes have contributed only to a ten per cent increase in the earnings whereas the second-class—lower class—passenger earnings have contributed to a twenty-five per cent increase in the earnings. In other words, the rate of increase in the earnings has fallen much more in the upper class obviously because in the upper class, people like Shri Sathe and others travel and they do not pay anything at all. (Interruptions)

The second factor is this. Look at the performance of the railways in the matter of freight that has been moved during the last one year. They had targeted a figure of 220 million

tonnes of freight last year in the budget whereas they had moved 260 million tonnes of freight. Is this something to be proud of? Actually, in 1965-66, the railways had moved the freight of 212 million metric tonnes—this is a glorious decade of these ten years—and all these people did the bhajan songs when Mrs. Gandhi was in power. I do not know whether they still go to her residence or not. The question is: at the time when the emergency was there, they talked about this glorious decade.

12.00 hrs.

Has this glorious decade reflected on the Railways? Obviously, not. Sir, you have to look at the figures. In 1965-66 the amount of freight which was moved by the Indian railways was 212 million metric tonnes. Now, it has come down to 206 million metric tonnes. This itself is a clear indication of what they have done to the railways. Again the freight earnings—where the Government should obtain more earnings—over the last year have gone down by Rs. 33 crores. How have the freight earnings gone down! It is because of the concessions that have been given during the Emergency to the chosen few who managed to go and meet the one and a half person at 1, Safdarjang Road.

Sir, if you again look at the Explanatory Memorandum the wagon production which was 33,000 per year in 1965 has now come down to 11,000. I would like to know why has this happened? The production of wagons has gone down tremendously, now it is only one-third of the production in 1965-66. Sir, I would like to refer to page 23 of the Explanatory Memorandum where you find a table showing 'new works'. I would like to know have any new works been started during the last year? Sir, you will find from the table that

hardly any new work has been started. In fact, old works are continuing and that too are incompletely done.

Sir, I would like to draw the attention of the hon. Railway Minister to Chembur-Mankhurd line that had to be doubled. Big promises had been given for doubling this line. In 1971 the estimated amount of expenditure on doubling of this three and a half kilo metre line was Rs. 20 crores. They kept on delaying this project. Now, the estimated expenditure is supposed to Rs. 50 crores. Sir, you will be amused to find that they have only targeted Rs. 7 lakhs for this purpose this year. I would like to know why the poor people of Chembur-Mankhurd have to move on a single line and suffer long delays.

Sir, I would also like to add that there has been an increase in corruption in the railways. I am sure the present Railway Minister who has got a brilliant reputation in his constituency—people there praise him very affectionately because of the work done by him consistently—will look into the causes of corruption. Sir, just before the Emergency I had written a letter to Shri Kamlapati Tripathi bringing to his notice that the Minister of State for Railways had tried through extortion to get money from Stall Holders Association.

SHRI K. LAKKAPPA: Mr. Speaker, Sir, it is not fair on the part of the hon. Member...

MR. SPEAKER: Mr. Lakkappa, I am on my legs. Mr. Qureshi will have a chance to reply to it. He will have a chance to defend himself. I think, Mr. Qureshi is capable enough to defend himself.

DR. SUBRAMANIAM SWAMY: Sir, I was talking about a letter which I had written to Shri Kamlapati Tripathi in May, 1975 saying from the Stall Holders Association there was an attempt to obtain money through extortion. Sir, I have tape-recorded

[Dr. Subramaniam Swamy]

evidence with me and the hon. Minister may give me an opportunity to present the same. I would like to know from the present Railway Minister as to whether this letter is still on the file. If it is not there I will send another copy of the same and again give an opportunity to the Government to bring this matter up.

Now, Sir, I would request the Railway Minister....

(Interruptions)

MR. SPEAKER: No, no, Mr. Lakkappa. He is capable of defending himself. He is here in the House.

SHRI K. LAKKAPPA: He is making unfounded allegations.

MR. SPEAKER: If it is unfounded, he can answer it how. How to you know anything about it, founded or unfounded? You do not know anything.

(Interruptions)

MR. SPEAKER: No, Mr. Lakkappa, I won't allow this. He is here. He will reply. Why should you be excited?

DR. SUBRAMANIAM SWAMY: I would like to conclude by asking the Railway Minister an assurance that as far as the Chembur-Mankhurd line goes, the amount that has to be spent to immediately get the line doubled, he would do so. Secondly, the problems of rapid transit in Bombay are very very serious indeed and they have been grossly neglected and I hope he would pay immediate attention to the development of rapid transport system in Bombay.

SHRIMATI PARVATHI KRISHNAN: We have got a convention in this House that normally we should not interrupt those who are making maiden speeches. So, I would request everybody not to interrupt maiden speeches even if they are 'unmaiden'.

MR. SPEAKER: In this particular case there is no allegation at all. He was referring to a letter which he had written and Mr. Qureshi is there immediately to reply. I would very much appreciate if Mrs. Parvathi Krishnan's suggestion is taken by the Members. But she also must control herself.

श्री मुहम्मद शफी कुरेशी (अनन्तनाग) : मुझे खुशी है कि नए रेल मंत्री ने बजट पढ़ा, पेश नहीं किया और जो बातें उन्होंने अपनी तकरीर में कहीं हैं वे इस बात की गवाही हैं कि पिछले दो सालों से रेलों की जो कारकदेगी रही है वह ऐसी रही है जिस पर सारा मुल्क फट कर सकता है। यह सही है कि इतने बड़े कार्यालय चलाने के लिये जिस में तकरीबन 17 लाख लोग काम करते हैं, जो एशिया का सबसे बड़ा रेलवे सिस्टम है, जहां पर तकरीबन दस हजार गाड़ियां रोजाना स्टेशनों पर चलती हैं, बिना रेल कर्मचारियों के सहयोग के अच्छी तरह से नहीं चलाया जा सकता था और इसके लिये सभी रेल कर्मचारियों को मैं बधाई देता हूं। उन्होंने इतने बड़े काम में हमारा हाथ बढ़ाया है और हिन्दुस्तान की रेलों को ऐसा मुकाम दिलाया है जिस पर हम सब फख्र कर सकते हैं (ध्वजबान) एक बात मैं चाहूंगा। पार्लियामेंट का आदाब सीखना है तो एक दो दिन ब्रह्म करें और उसके बाद किसी की बात को काटना हो तो काटें। इस एवान का सलीका सीखना है तो कुछ हमसे सीखिये।

मैं रेल मंत्री की याद दा त ताजा करना चाहता हूं। 1971 की ओर मैं उनका ध्यान दिलाना चाहता हूं जब हिन्दुस्तान के रेलवे सिस्टम को तबाह करने की एक साजिश की गई थी। केरल और मद्रास में तब सूखा पड़ा हुआ था और पंजाब और हरियाणा में हमारे खेत लहलहा रहे थे। गैहूं हमारे पास मौजूद था। उस वक्त एक साजिश की गई ताकि हकूमत को उल्टा जा सके और उसका एक तरीका यह निकाला गया कि लोगों को भूखा मारा जाए। उस मौके पर रेल

कर्मचारियों ने उन तमाम नेताओं को जिन्होंने साजिश की थी एक बहुत अच्छा जवाब दिया था। रेलों की जो कारकईगी रही है वह रेलवे बजट से पता चल जाता है।

एक वक्त था जब इतने बड़े सिस्टम के बारे में जिस पर अरबों रुपया लगा हुआ है यह नारा लगाया जा रहा था :

रेलों का पहिया जाम करेंगे

काम नहीं आराम करेंगे

लेकिन हम चाहते थे कि मुल्क के हित में और जनता के हित में यह सिलसिला जारी रहना चाहिये। जो कुछ भी हुआ और जो कुछ भी कोशिश की गई रेलवे सिस्टम को बिगाड़ने की और इस कोशिश को नाकाम करने की रेल कर्मचारियों ने जो कोशिश की और जो सहयोग दिया उस के लिये मैं उनका मशकूर हूँ।

नए रेल मंत्री ने अपने बजट में तजकिरा किया है कि स्टाफ के साथ हमारा तालमेल बेहतर होगा और इसकी शुरुआत की गई है।

मुझे इस की खुशी है कि उन्होंने इस बात को स्वीकार किया है। सच्ची बात मानने से कोई इन्कार नहीं कर सकता। लेकिन मुझे ताजुब इस बात का है कि कूडू साहब ने यह कह दिया कि जितनी भी कमेंटियां बनाई गई है उन सब को एक दम से हटा दिया जाए। मैं चाहता था कि अगर वह खुद अपने मंत्री की तकरीर जिसमें सफ 11 पर कहा है कि :

"Apart from the shop councils formed in the production units of management and labour representatives, the scheme of workers' participation has been extended to commercial and service organisations having large public dealings. As an experimental measure, station com-

mittees have been set up in Bombay, Madras and Delhi in which representatives of organised labour are associated with the objective of providing better service to customers".

मुझे यकीन है कि कूडू साहब फिर ऐसा नहीं कहेंगे क्योंकि यह मकसद था कि जनता को सफर की सुविधा दी जाय।

मुझे अफसोस है कि श्री स्वामी ने मेरे खिलाफ कुछ चार्जेंज लगाये। मैं चार्जेंज लगाने का आदी नहीं हूँ, जात पर हमला नहीं करता। काश वह हिन्दुस्तान में होते और देखते कि रेलवे ने कैसा काम किया है। मैं बेसलैस एलीगेन्स नहीं लगाता, लेकिन जो बात उन्होंने कही है, यहां नये रेल मंत्री जी मौजूद हैं अगर वह एक केस भी साबित कर दें जहां पर किसी किस्म की गड़बड़ हो तो इस्तीफा मैं दे दूंगा, और अगर नहीं साबित कर पाते तो वह इस्तीफा दे दें। और अगर साबित नहीं कर सकते तो फिर उन पर अखलाकी बात हो जाती है कि वह इस सदन को छोड़ दें, क्योंकि इस सदन की कुछ मर्यादा है उस को न बिगाड़ें। हम आपके लेवल पर नहीं आना चाहते हैं बल्कि एक ऊंचा लेवल रखना चाहते हैं। अभी आप की सरकार आयी है, जनता ने आपको मौका दिया है इसलिये जनता के साथ विश्वासघात न कीजिये। जिस तरह से आप बातें करते हैं यह आप को शोभा नहीं देता है।

रेलवेज के मुताल्लिक अभी माननीय स्वामी जी ने एक किताब पढ़ी, लेकिन उन को यह मालूम होना चाहिये कि हमारी पहली हुकूमत के जमाने में 212 मिलियन टन फ्रेट अगर कैरी किया आज 206 या 210 कर रहें हैं और आप ताजुब कर रहें हैं कि इसमें पैसा बढ़ गया। इसका लोड बढ़ गया काश थोड़ा सा पढ़ लेने जिसके कि वह काबिल हैं, लेकिन शायद रेलवे के मुहकमे की उनको कम जानकारी है। पहले 100 मील जाता था। आज 200 मील जाता है, उस

[श्री मुहम्मद शफी कुरेशी]

माल की लीड बढ़ गई है, कारखाने बढ़ गए हैं, खानें दूर दूर तक खुली हुई हैं। तो लीड बढ़ने की वजह से भी आमदनी बढ़ी है। यह सही बात है कि पहले गुड्स ट्रेफिक से ज्यादा आमदनी होती थी। लेकिन यह कहना कि सिर्फ़ किराए बढ़ने की वजह से आमदनी बढ़ी है, यह सही नहीं है। एक अंदाजा है कि पहले 50 लाख लोग बगैर टिकट सफ़र करते थे, चैन पुलिंग और इंडिसिप्लिन से काफी नुकसान होता था। लेकिन आज हम फ़ॉर के साथ कह सकते हैं कि भारत की रेलवे दुनिया की सबसे एफीशियेंट रेलवे मानी जाती है क्योंकि टिकटलैस ट्रेवल कम हो चुका है, गाड़ियां वक्त पर चलती हैं, आती हैं, हालांकि कोशिश की गई कि गाड़ियों को वक्त पर न चलने दिया जाय। मुझे यकीन है कि नये रेल मंत्री जी लेकर के हक में काफी बात करते हैं इसलिए वह इस बात का ध्यान रखेंगे कि हमारे रेलवे सिस्टम में अनुशासन कायम रहे। और जहां तक डिसिप्लिन का ताल्लुक है वह ऊपर से नहीं थोपा जा सकता है, देश में रेलवे सिस्टम कभी सर्कुलर या आर्डर से नहीं चल सकता है, यह तभी चल सकता है कि जब 17 लाख आदमी मिलजुल कर काम करें, रेलवे बोर्ड से लेकर मजदूर तक।

स्पीकर साहब मैं यह भी अर्ज करना चाहता हूं कि एक आम ख्याल यह पाया जाता है कि हड़ताल के दिनों में हमारे वक्त में मजदूरों के साथ ज्यादाती हुई। लेकिन यह हकीकत है कि हड़ताल के बाद जब हमने चाहा कि एक नया माहौल पैदा हो तो कुछ चन्द लोगों की छोड़ कर जो 200 400, 500 होंगे जिनके खिलाफ फौजदारी के मुकदमे हैं, बाकी सब मुलाजिमों को वापस लिया गया। मुझे तो खुशी है, अगर रेल मंत्री समझते हैं कि तमाम लोगों को वापस लेना चाहिये। लेकिन मैं यह जरूर कह सकता हूं कि ऐसा कभी नहीं हो सकता, ऐसे भी लोग हैं जिन्होंने रेलवे के डिसिप्लिन को तबाह और बर्बाद

करने की कोशिश की है। इसे रेल मंत्री जाने कि इसमें वे क्या कुछ करना चाहते हैं।

मैं एक बात और जरूर याद दिलाना चाहूंगा। जिस समय रेलवे कर्मचारियों ने अपने मुताबक हमारे सामने पेश किये, तो 500 करोड़ रुपये का एनुअल वेज बिल था। थर्ड पे-कमीशन के बाद 110 करोड़ रुपये हो गया। हुकूमत ने इसको तसलीम किया। जो थर्ड पे-कमीशन के नये सिफारिशत थे, उनको तसलीम किया गया। अवर्स आफ वर्क जो पहले 19 घंटे थे, उसके बारे में मांग हुई कि उनको कम किया जाये। हमारी सरकार का मियां भाई अवार्ड था जिसमें 14 घंटे का अवार्ड था, उसके मुताबिक वर्किंग अवर्स कम किये गए। 3 लाख के करीब लेबर ऐग्रीमेंट है जो कि अभी तक परमानेंट नहीं हुई है, लेकिन डी-कैजुअलाइजेशन की स्कीम हमारे वक्त में चली और उस पर 16 करोड़ रुपये हुकूमत ने खर्च किये। इसी तरह से कुछ वर्कशाप्स में और लोकोशूंड्स वगैरह में जो इम्प्रूवमेंट्स किये गये उसमें 5 करोड़ रुपये खर्च किया गया। जाइ-इवैल्युएशन पर 15 करोड़ रुपये खर्च किया गया, कांडर रिट्यू पर साढ़े 12 करोड़ रुपये खर्च किये गये। इस तरह से टोटल 190 करोड़ रुपये खर्च किया है।

जहां तक नये रेल मंत्री का ताल्लुक है, ये लेकर के हक में बहुत बातें करते रहे हैं और मुझे यकीन है कि मंत्री बनने के बाद भी वे अपनी वही जवान इस्तेमाल करेंगे जो कि आज से 2 साल पहले करते थे। उन्हीं की जवान में मैं कहता हूं कि तमाम रेलवे मुलाजिमों को इण्डस्ट्रियल वर्कर तसलीम करना चाहिये। इसके बारे में मैं साफ़ जवाब रेलवे मंत्री से यहां चाहूंगा, क्योंकि आज देश के हजारों, करोड़ों मजदूर उनकी तरफ देख रहे हैं। मैं यहां पांच बातें कहना चाहता हूं जिनका कि ऐलान इंगी हाउस में मंत्री महोदय को करना होगा। एक तो यह कि काम करने के जो घंटे हैं, वह 10 घंटे

से घटा कर 8 घंटे कर दिया जायेगा। हक बजानिब यह बिल्कुल सही मांग है, इसको तसलीम करना चाहिये।

जाब इवैल्युएशन करना चाहिये और उसमें नीड-ब्रेड मिनिमम वेज हो।

This is George Fernandes, Minister for Communications. He is my friend and I respect him. These are his demands; I am reminding him.

SHRI JYOTIRMOY BOSU (Diamond Harbour): On a point of order. I should like to know whether he is making use of his former position because this gentleman had been in the Railway Ministry.... (Interruptions)

MR. SPEAKER: There is no point of order.

SHRI S. KUNDU: On a point of order.

MR. SPEAKER: Point of disorder, you can say.

SHRI S. KUNDU: In this House we should stop shedding crocodile tears.

MR. SPEAKER: Is that a point of order?

SHRI MOHD. SHAFI QURESHI: Until job evaluation is done, as an interim measure there should be parity in wages for workers in central undertakings like HMT, HAL, etc.; there should also be dearness allowance revision for every rise of four points in six months, bonus for the year 1971-72, 1972-73 and further years, decasualisation of the entire casual labour. I have heard very forceful demands when those gentlemen were sitting in the opposition that we must provide subsidised foodgrain shops for railway workers. This is a demand to which they are committed. So they should provide subsidised foodgrains shops at every zonal, divisional and other headquarters.... (Interruptions)

ये बातें मैं ने मिनिस्टर साहब की याददाश्त ताजा करने के लिए कही हैं।

SHRI M. KALYANASUNDARAM (Tiruchirapalli): Mr. Speaker, Sir, I have a point of order. We are not able to listen to the translation of the speech being made by the hon. Member because the sound is so feeble. Secondly, when the discussion is going on in Hindi, we from the South are not able to follow the translation because by the time we are able to hear the sentence translated into English, we miss the context of the previous sentence. Mr. Qureshi knows English and I do not know why he does not speak in English so that we, from the South, could follow him.

MR. SPEAKER: I will ask the Secretariat to look into this matter.

(Interruptions)

श्री लखन लाल कपूर (पूणिया) : अध्यक्ष महोदय, माननीय सदस्य के हिन्दी भाषण का अंग्रेजी में ट्रांसलेशन हो रहा है। आवाज को क्लियर किया जाय, लेकिन माननीय सदस्य को हिन्दी में ही बोलना चाहिए।

श्री मुहम्मद शफी कुरेशी : आमदनी को तो बढ़ावा देना ही चाहिये, लेकिन मिनिस्टर साहब को कोशिश करनी चाहिये कि खर्च भी लिमिट में रहे और उस में इजाफा न हो।

चित्तरंजन, डी० एल० डबल्यू० और आई० सी० एफ० वगैरह हमारे प्राइव्केशन यूनिट्स में 1973, 1974 और 1975 में हड़ताल और घेराव वगैरह के कारण प्राइव्केशन सिर्फ 50 परसेंट के करीब थी। लेकिन आज उन यूनिट्स में प्राइव्केशन 100 परसेंट तक पहुंच गई है। मुझे यकीन है कि रेलवे मंत्री इस को बरकरार रखेंगे।

[श्री मुहम्मद शफी कुरेशी]

रेलवे मंत्री ने श्री बम्बई में कहा कि आप्टा-मंगलोर रेलवे चलाई जायगी। मैं अर्ज करना चाहता हूँ कि वह सारे देश के रेलवे मंत्री हैं, वह महाराष्ट्र के रेलवे मंत्री नहीं हैं। शमाल में हिन्दुस्तान के सिर पर एक ताज है, जिसको जम्मू-काश्मीर कहते हैं। मंत्री महोदय को उस की तरफ ध्यान देना चाहिये। जो काश्मीर-कन्या कुमारी गाड़ी चलाई गई थी, श्री कछवाय ने उस पर एतराज किया था। मैं ने कहा था कि पार्वती और शिव का मेस हो रहा है, उस पर एतराज नहीं करना चाहिये। पैंतीस बरस में गाड़ी जम्मू तक पहुंची है। अगर सरकार चाहती है कि उस स्टेट का बाकी मुल्क के साथ इन्टिग्रेशन किया जाये, तो जम्मू से उधमपुर तक रेलवे लाइन को पूरा किया जाय, जिस का सरवे हो चुका है। इस के अलावा काजीगुड से बारामूला तक रेलवे लाइन का सरवे भी हो चुका है, उस को भी पूरा करना चाहिए, ताकि जम्मू-काश्मीर के लोगों को यह एहसास हो कि वे अज़ीम भारत का हिस्सा हैं।

[श्री मुहम्मद शफी कुरेशी : -

खोशी है कि नئے रیل ملقہ نے بہت پروا - پھل نہیں کہا - اور جو ہاتھ انہوں نے اپنی تقریر میں کہی ہیں وہ اس بات کی گواہ ہیں کہ پچھلے دو سالوں سے ریل کی جو کارکردگی دہی ہے وہ ایسی دہی ہے کہ جس پر سارا ملک فخر کر سکتا ہے - یہ سہی ہے کہ اتنے بڑے کاروبار کو چلانے کے لئے جس میں تقریباً ۱۷ لاکھ آدمی کام کرتے ہیں - جو ایسٹ کا سب سے بڑا ریلوے سسٹم ہے جہاں پر تقریباً دس ہزار گاڑیاں روزانہ سٹیشن پر چلتی

ہیں بنا ریل کرمچاریوں کے سہوگ کے اچھی طرح سے نہیں چلایا جا سکتا تھا - اور اس کے لئے سبھی ریل کرمچاریوں کو میں بدھائی دیتا ہوں - انہوں نے اتنے بڑے کام میں ہمارا ہاتھ بٹایا ہے - اور ہندوستان کی ریلوں کو ایک ایسا مقام دلایا ہے جس پر ہم سب فخر کر سکتے ہیں - ایک بات میں چاہوں گا - پارلیمنٹ کا آداب سیکھنا ہے تو ایک در دن صبر کریں - اور اس کے بعد کسی کی بات کو کاٹنا ہو تو گاڑیں - اس ایوان کا سلوٹھ سیکھنا ہے تو کچھ ہم سے سیکھئے -

میں ریل ملقہ کی یادداشت تہذ کرنا چاہتا ہوں جب ہندوستان کے ریلوے سسٹم کو تباہ کرنے کی ایک سازش کی گئی تھی - کھول اور مدراس میں تب سوکھا پڑا ہوا تھا - اور پنجاب اور ہریانہ میں ہمارے کبھت لہلا رہے تھے - کھپوں ہمارے پاس موجود تھا اس وقت ایک سازش کی گئی تاکہ حکومت کو اُلٹا جا سکے - اور اس کا ایک طریقہ یہ نکالا گیا کہ لوگوں کو بھوکا مارا جائے - اس موقع پر ریل کرمچاریوں نے ان تمام نہتاؤں کو چلہوں نے یہ سازش کی تھی ایک بہت اچھا جواب دیا - ریل کی جو کارکردگی دہی ہے وہ ریلوے بہت سے پتہ چل جاتا ہے -

ایک وقت تھا جب اٹلے ہوئے
سسٹم کے بارے میں جس پر عربوں
روپیہ لگا ہوا ہے یہ نعرہ لگایا جا رہا
تھا - دہریل کا پیہہ جام کرینگے -
کام نہیں آوایں کرینگے ۱۱ لیکن ہم
چاہتے تھے کہ ملک کے ہمت میں
اور جلتا کے ہمت میں یہ سلسلہ
جاری رہنا چاہئے - جو کچھ بھی
ہوا اور جو کچھ بھی کوشش کی
گئی ریلوے سسٹم کو ہگازنے کی اور
اس کوشش کو ناکام کرنے کی ریل
کرمچاریوں نے جو کوشش کی اور جو
سپروک دیا اس کے لئے میں ان کا
مشکور ہوں -

نئے ریل ملٹری نے اپنے بہت
میں تذکرہ کیا ہے کہ ستاف کے ساتھ
ہمارا تال میل بہتر رہتا - اور
اس کی شروعات کی گئی ہے - مجھے
اس بات کی خوشی ہے کہ انہوں نے
اس بات کو سوچا کیا ہے کہ سچی
بات ماننے سے کوئی انکار نہیں کر
سکتا - لیکن مجھے تعجب اس بات
کا ہے کہ کلڈر صاحب نے یہ کہہ دیا
کہ جتنی بھی کمیٹیاں بنائی گئی
ہیں - ان سب کو ایک دم سے ہٹا
دیا جائیگا - میں چاہتا تھا کہ اگر
وہ خود اپنے ملٹری کی تقریر پڑھتے
جس میں صفحہ ۱۱ پر کہا ہے کہ :

"Apart from the shop councils
formed in the production units of
management and labour representa-
tives, the scheme of workers' parti-
cipation has been extended to com-
mercial and service organisations

having large public dealings. As an
experimental measure, station com-
mittees have been set up in Bom-
bay, Madras and Delhi in which re-
presentatives of organised labour
are associated with the objective of
providing better service to custo-
mers."

مجھے یقین ہے کہ کلڈر صاحب پھر
ایسا نہیں کہینگے - کیونکہ یہ مقصد تھا
کہ جلتا کے سفر کی سہولت دی جائے -

مجھے افسوس ہے کہ شوی سوامی
نے میرے خلاف کچھ چارجز لگائے -
میں چارجز لگانے کا عادی نہیں ہوں -
ذات پر حملہ نہیں کرتا - کاش وہ
ہندوستان میں ہوتے اور دیکھتے کہ
ریلوے نے کیسہ کام کیا ہے - میں
پیسس الیکشن نہیں لگاتا -
لیکن جو بات انہوں نے کہی ہے یہاں
نئے ریل ملٹری جی موجود ہیں -
اگر وہ ایک کیس بھی ثابت کر
دیں جہاں پر کسی قسم کی کرپشن
ہو - تو میں استیفا دے دوں گا -
اور اگر ثابت نہیں ہو سکتا تو بھی
ان پر اخلاقی بات ہو جاتی ہے کہ
وہ اس سدن کو چھوڑ دیں - کیونکہ
اس سدن کی کچھ مریدانہ ہیں -
اس کو نہ ہگازیں - ہم آپ کے لیول
پر نہیں آنا چاہتے ہیں - بلکہ
ایک اونچا لیول رکھنا چاہتے ہیں -
ابھی آپ کی سرکار آئی ہے - جلتا
نے آپ کو موقعہ دیا ہے - اس لئے
جلتا کے ساتھ دھواں گھاس نہ کھجئے -
جس طرح سے آپ ہاتھ کرتے ہیں
یہ آپ کو شوبھا نہیں دیتا ہے -

[شری محمد شفیع قریشی]

ریلوے کے متعلق ابھی سوامی جی نے ایک کتاب پڑھی - لیکن ان کو یہ معلوم ہونا چاہئے کہ ہمارے پہلی حکومت کے زمانے میں ۲۱۲ ملین ٹن کروڑ اگر کھری کیا گیا تو آج ۲۰۶ یا ۲۱۰ کر رہے ہیں - اور آپ تعجب کر رہے ہیں کہ اس میں پیسہ بڑھ گیا - اس کا لہذا بڑھ گیا - کاش تھوڑا سا بڑھ لیتے جس کے کہ وہ قابل ہیں - لیکن شاید ریلوے کے متعلق کی ان کو کم جان کاری ہے - پہلے ۱۰۰ ملین جاتا تھا آج ۲۰۰ ملین جاتا ہے - اس سال کی لہذا بڑھ گئی ہے - کارخانے بڑھ گئے ہیں - خانوں دور دور تک کھلی ہوئی ہیں تو لہذا پورے کی وجہ سے بھی آمدنی بڑھی ہے - یہ سب صحیح بات ہے - کہ پہلے کوئی ٹریفک سے زیادہ آمدنی ہوتی تھی لیکن یہ کہنا کہ صوف کرائے بڑھنے کی وجہ سے آمدنی بڑھی ہے یہ صحیح نہیں ہے - ایک اندازہ ہے کہ پہلے ۵۵ لاکھ لوگ بغیر ٹکٹ سفر کرتے تھے - چھن پلنگ اور اندسیان سے کافی نقصان ہوتا تھا - لیکن آج ہم فنڈز کے ساتھ کہہ سکتے ہیں کہ بھارت کی ریلوے دنیا کی سب سے زیادہ افیولنس مانی گئی ہے - کیونکہ ٹکٹ لیس ٹریول بلڈ ہو چکا ہے گزریاں وقت پر چلتی ہیں - آتی ہیں

حالانکہ کوشش کی گئی کہ گزریاں کو وقت پر نہ چلنے دیا جائے - مجھے یقین ہے کہ نئے ریل ملٹری جی جو لہر کے حق میں کافی باتیں کرتے ہیں - اس لئے وہ اس بات کا دھیان رکھیں کہ ہمارے ریلوے سسٹم میں اتوشاشن قائم رہے - اور جہاں تک ڈسپلن کا تعلق ہے وہ اوپر سے نہیں توڑا جا سکتا ہے - دیس میں ریلوے سسٹم کبھی آرڈر سے نہیں چل سکتا ہے یہ تبھی چل سکتا ہے کہ جب ۱۷ لاکھ آدمی مل جل کے کام کریں - ریلوے بورڈ سے لیکر مزدور تک پروڈکشن لیر ۱۰۰ پرسنل تک پہنچ گئی ہے مجھے یقین ہے کہ ریلوے ملٹری اس کو برقرار رکھیں گے -

ریلوے ملٹری نے ابھی بمبئی میں کہا کہ آپنا ملنگلور ریلوے چلائی جائیگی - میں عرض کرنا چاہتا ہوں کہ وہ سارے دیس کے ریلوے ملٹری ہیں - وہ مہاراشٹر کے ریلوے ملٹری نہیں ہیں - شمال میں ہندوستان کے سر پر تاج ہے - جس کو جموں کشمیر کہتے ہیں - ملٹری مہودے کو اس کی طرف دھیان دینا چاہئے - جموں کشمیر کدھا کماری گازی چلائی گئی تھی شری کچھوائی نے اس پر اعتراض کیا تھا - میں نے کہا تھا کہ پاروٹی اور شو کا میل ہو رہا ہے - اس پر اعتراض نہیں کرنا چاہئے -

۳۵ برس میں گاڑی جموں تک پہنچتی ہے - اگر سرگرم چاہتی ہے کہ اس سٹیٹ کا باقی ملک کے ساتھ انٹیگریشن دیا جائے تو جموں سے اودھم پور تک ریلوے لائن کو پورا کیا جائے - جس کا سروے ہو چکا ہے - اس کے علاوہ قاضی گنج سے بارہ مولا تک ریلوے لائن کا سروے ہو چکا ہے - اس کو بھی پورا کرنا چاہئے - تاکہ جموں کشمیر کے لوگوں کو یہ احساس ہو کہ وہ عظیم بھارت کا حصہ [میں]۔

प्र० शिबन लाल सक्सेना (महाराज-गंज) : अध्यक्ष महोदय, मुझ से सन् 1955 में स्वर्गीय लाला पद्मपत सिहानिया ने यह कहा था कि रेलवे में 1 हजार करोड़ से ऊपर इन्वेस्टमेंट है, अगर यह चीज प्राइवेट सेक्टर में होती तो हम 25 प्रतिशत मुनाफा इस में देते और सारी पैसेंजर एग्जिटिज भी मुड़िया करते, लेकिन रेलवे बोर्ड ने यह व्हाइट एली-फैंट बांध रखा है जिसकी वजह से इंडिसिप्लिन भी है और सरकार को कोई विशेष मुनाफा भी नहीं मिलता। मैं भी सरकार से यह कहूंगा कि इतना लम्बा इन्वेस्टमेंट होने पर भी हमारी रेलवेज का फायदा इतना कम हो यह ठीक नहीं है। मैं चाहूंगा कि हमारे नये मंत्री महोदय इस चीज को देखें कि इतने इन्वेस्टमेंट पर जितना मुनाफा होना चाहिये वह मिले और जनता को ज्यादा सुविधाएं भी मिलें। रेलवे में जहां एकोनोमी की जरूरत है वहां एकोनोमी की जाय। मंत्री महोदय इस चीज को भी देखें जहां अफसर ज्यादा हों वहां उन को घटा दें। जो भी बेस्ट है उस को खत्म कर दें और एक आस्टरटी कैम्पेन चलाएं जिससे रेलवे के एस्टेब्लिशमेंट से सुधार हो और काम ठीक तरह से चले। इतने साल हो गये लेकिन कभी भी ऐसा नहीं हुआ कि

रेलवे से उतना मुनाफा :हीं हुआ जितना कि होना चाहिये ?

दूसरी बात मैं गोरखपुर की कहना चाहता हूं। उन्होंने कहा है कि बैकवर्ड एरियाज में नई रेलवे लाइनें बनाएं। गोरखपुर का एरिया नेपाल के ब्रॉडर पर है और सब से बैकवर्ड है। मैं कई सालों से कह रहा हूं कि एक रेलवे लाइन गोरखपुर से खुटहा महाराज-गंज निचलौल होते हुए ठूठीबारी तक बनायी जाय जिस से यह एरिया डेवलप हो सके। यह 1200 स्क्वायर माइल का एरिया ऐसा है जिस में कोई रेलवे लाइन नहीं है और दूसरे, मिलिट्री के स्ट्रेटिजिक प्वाइंट आफ व्यू से भी इस की बहुत जरूरत है। आज चीन की रेलवे लाइन सब हिमालयन पासंज तक आ गई है और काठम डू तक उनकी सड़क बन गई है। कभी भी उन की फौज हमारे कंट्री पर सीधे आ सकती है। और हमारी फोर्सस अगर गोरखपुर में रहती भी हैं तो भी उन के लिये पासिबिल नहीं है कि वे वहां बोर्डर तक पहुंच सके। इसलिये इस रेलवे लाइन को खास तौर से लिया जाय और इसे बनाया जाय यह बैकवर्ड एरिया भी है और स्ट्रेटिजिक प्वाइंट आफ व्यू से भी इस की जरूरत है। मैं चाहूंगा कि मंत्री महोदय इस के ऊपर ध्यान दें और इस रेलवे लाइन को बनाने की व्यवस्था करें।

अभी करप्शन के बारे में कहा गया और श्री स्वामी ने एक पत्र भी इस के बारे में पढ़ा। मुझ को भी बहुत शिकायत इस बारे में है। मैं यह नहीं जानता कि कुरैशी साहब ने ऐसा कुछ किया है या नहीं लेकिन एक बात मैं ध्यान में लाना चाहता हूं। गाज़ियाबाद जनपद का एक कंट्रैक्टर है जिस को तीन चौथाई रेलवे स्टेशन की कंटीरिंग का ठेका दे रखा है। बीसों साल से यह ठेका उस के पास चला आ रहा है। शहाबुद्दीन उस का नाम है। वह अफसरों को रुपया दे कर मिलाये रहता है। पुराने रेल मंत्री स्वर्गीय ललित नारायण

(प्रो० शिवशंन लाल सक्सेना)

मिश्र उसको खत्म करना चाहते थे । लेकिन वह मर गये और उनके मरने के बाद अफसरों से मिल कर फिर वह सारा ठेका उस ने अपने नाम जारी रखा । मैं चाहूंगा कि इस कांटेक्टर की जांच की जाय और अगर वह रेलवे के अफसरों को मिलाए हुए है तो इस बात की भी जांच की जाय और इस के ऊपर सख्त कार्यवाही की जाय । इस कांटेक्टर को खत्म किया जाय ।

इन्ही शब्दों के साथ मैं अपनी बात समाप्त करता हूँ । मेरा खास प्वाइंट उस रेलवे लाइन का था जिस का मैं ने जिक्र किया । बाकी मेरे कट मोशंस स्पष्ट हैं । उन्हें दुहराकर मैं सदन का समय नहीं लेना चाहता ।

SHRI R. MOHANARANGAM (Chengalpattu): Mr. Speaker, Sir, first of all, I thank you for giving me an opportunity to express some of my feelings on the railway budget for 1977-78. Even though I am in a position to express my ideas in Tamil or in Telugu, I am speaking in English for the simple reason that what I say must be understood by other hon. members here. Before dealing with the various merits and demerits of the budget, I would like to congratulate the hon. Railway Minister on behalf of the All India ADMK and on behalf of our great leader and uncrowned political king of Tamil Nadu Mr. M.G.R., for the bold step he has taken to reinstate all the railway employees who were either suspended or dismissed during the 1974 general strike. I also thank our minister on behalf of our party on having taken a very bold step by not increasing the freight rates and passenger fares.

After having gone through the railway budget, Sir, in certain places still I stand unconvinced.

The hon. Railway Minister has said that unauthorised travel agents and

anti-social elements indulging in malpractices in seat reservations have been largely eliminated. But if you allow me, Mr. Speaker, to take the Minister to Madras, I can show him the unauthorised ticket agents standing in the queue for purchase of tickets and then giving it to the actual passengers on some premium. He has also said that long queues have been considerably reduced. But if you come to Madras Egmore station, which is the heart of the Madras city, you can find the passengers after getting down from the train, it will take at least half an hour for them to come out of the station. The Egmore station was constructed some 35 years back but there is no proper overbridge for the passengers to come out of the station. An overbridge should be constructed.

The Railway employees still continue to be the lowest paid employees as compared to the other public sector employees. The demand of the employees that their wages should be at par with the other public sector undertakings should be considered sympathetically. So many representations have been made in this regard but no steps have been taken uptill now.

I would like to draw the attention of the Railway Minister to a memorandum given by the people of Chengalpattu requesting the Minister to construct a overbridge at Chingleput railway crossline but no steps were taken to construct that overbridge. That particular area is very near to National Highways. There is an important road—GST road—which leads to the entire important towns of Tamil Nadu and Kerala States.

In advanced countries the Railways are treated as public utility service and not as a source of profit. But here the Railways are treated as a source of tax revenue. The railway work is done only in urban areas and not in rural areas. This leads to shifting of population from rural areas to urban areas.

Under the 20-Point Programme, it was said that bonded labour had been completely eliminated. But if you see the Railways, you will find that bonded labour is still existing there. I can quote certain instances. The Railway officers employ certain railway employees as cooks and butlers for themselves who work as bonded labour.

Coming to uniforms, once I asked a Ticket Inspector as to why he is not wearing the uniform. He told me that the uniform supplied to him is of 32" whereas his chest is 42" and that is the reason why he is not wearing it. A uniform meant for our Railway Minister will not suit our friend, Shri Piloo Mody.

Every Year we purchase stores to the tune of Rs. 500 crores. Some are big items and some are small items and some are imported. They purchase stores more than the actual requirement. It is my humble request to the Railway Minister to reduce this amount from Rs. 500 crores to 100 or 200 crores.

Now about the loading of wagons. The merchants have an understanding with the railway officials and they load the wagons beyond their capacities. In addition to our not getting additional income, we also see that the unscrupulous officers and merchants join together and deprive funds due to the Railways.

Finally, I would request the hon. Railway Minister through the Speaker to take necessary steps to ensuring proper administration in the Railways. Then only can we have good relations between the railways and its employees.

12.35 hrs.

PANEL OF CHAIRMEN

MR. SPEAKER: I have to inform the House that under Rule 9 of the

Rules of Procedure, I have nominated the following Members as Members of the Panel of Chairmen:

- (1) Shri Dhirendranath Basu
- (2) Shri Tridib Chaudhuri
- (3) Miss Abha Maiti
- (4) Shri S. D. Patil
- (5) Shri M. Satyanarayan Rao
- (6) Shri Dwarika Nath Tiwari

12.36 hrs.

RAILWAY BUDGET, 1977-78 AND DEMANDS FOR GRANTS ON ACCOUNT (RAILWAYS), 1977-78— Contd.

MR. SPEAKER: It is now 12.30 p.m. Only 25 minutes are left for lunch. Mr. D. N. Tiwari and Mr. Kalyanasundaram may now speak. I would then call the Minister to reply. I know I have a large bundle of names. I would request the hon. Members to take their chance on some other occasion, like the debate on the President's Address. (Interruptions) I have to face over 300 Members. It will be very difficult for me. I will be very happy to call you all if there is time. (Interruptions) I know that; if the hon. Members want, we can speak today and tomorrow also. I thought 2 hours would be enough. I have no objection. What does it matter to the Speaker? I have called Mr. Tiwari now.

श्री द्वारिकानाथ तिवारी (गोपालगंज) :
अध्यक्ष महोदय, मैं सब से पहले रेलवे मंत्री का स्वागत करता हूँ—इतने दिनों की वीरान ज़िदगी के बाद उन्हें मौका मिला है कि सरकारी बैंच पर बैठ कर देश के लिये कुछ कर सकें। वे स्वयं सोशलिस्ट हैं और मैं उम्मीद करता हूँ कि अपने रेलवे प्रशासन के कामों में भी वे अपने नियमों और अपने आदेशों का पालन करेंगे। मैं इस बात को जानता हूँ और अनुभव भी

[बी द्वारिकानाथ तिवारी]

करता हूँ कि अभी उन को दो-तीन दिन ही इस गद्दी पर बैठे हुए हैं, रेलवे की जो गुन्थियाँ हैं उनको वे अभी समझ नहीं सके हैं। कल उन्होंने जो रेलवे बजट प्रस्तुत किया है, वह एक तरह से आफोशियल बजट है या पहले जो सरकार थी, उस का बनाया हुआ है, इन की छाप अभी उस पर नहीं पड़ी है। चूँकि यह बोट आन-एकाउन्ट है, इसलिये वे अपनी बातों को इस में ठीक से नहीं रख सके हैं, इसलिये इस मौके पर मैं अपनी कोई डिमाण्ड पेश नहीं करूँगा, जब रेलवे बजट पर भविष्य में जनरल डिस्कशन होगा, तब मैं अपनी बातें उन के सामने रखूँगा, लेकिन कुछ छोटी-छोटी बातें हैं, जिन की तरफ मैं इस समय उन का ध्यान आकर्षित करना चाहता हूँ। विशेषकर पैसेन्जर्स की सुविधाओं के बारे में कुछ कहना चाहता हूँ।

मुझे बड़े खेद के साथ कहना पड़ता है कि जब भी इस हाउस में रेलवे पर बहस होती है, तब केवल दो ही चीजें सामने आती हैं—~~एम्पलायर और एम्पलाइज रिलेशन~~, ~~लेबर रिलेशन~~, लेकिन पैसेन्जर-एमेनिटीज का मामला पीछे चला जाता है, उस पर ध्यान कम जाता है। दरअसल रेलवेज का मामला केवल एम्पलायर और एम्पलाइज से ही सम्बन्ध नहीं रखता है—बल्कि इस का पैसेन्जर से ज्यादा सम्बन्ध है—पैसेन्जर्स को हम क्या सुविधायें दे सकते हैं, कैसे ठीक समय पर उन को उनके गन्तव्य स्थान पर पहुँचा सकते हैं, कैसे उन का माल ठीक समय पर पहुँच सकता है—यह बात मुख्य होनी चाहिये। लेकिन मुख्य बात गौण हो जाती है और गौण बात मुख्य बन कर ऊपर आ जाती है। आप छोटी छोटी बातों को देखिये जिन में आप का खर्च नहीं बढ़ेगा और बजट में कोई बढ़ोतरी नहीं होगी लेकिन उन बातों को करने से मुसाफिरों को बहुत फायदा होगा।

एप्रोच रोड्स को ही आप ले लीजिए। वे बहुत निगलेक्टेड हैं और उन की कमी मरम्मत नहीं होती है। थोड़ी सी टिकरिंग कर दी जाती है। नतीजा यह होता है कि अगर कोई गर्भवती स्त्री टांगे पर या टमटम पर जाती है तो खराब सड़क होने से उस का गर्भ गिर जाता है। जो पैसेन्जर्स रेलवे को ज्यादा पैसा देते हैं उन्हीं को ज्यादा तकलीफ होती है। उन को आने जाने की सुविधा नहीं है। मैं यह नहीं कहता कि आप डिस्ट्रिक्ट बोर्ड या पी० डब्लू० डी० की सड़कों को ठीक करवा दें लेकिन जो आप की अपनी सड़कें, हैं उन का प्रबन्ध तो ठीक हो और वे ठीक करवाई जाएं।

दूसरी बात यह है कि बहुत स्टेशनों पर जो प्लेटफार्म बने हुए हैं, वे कहीं कहीं बहुत नीचे हैं और कहीं कहीं पर तो प्लेटफार्म हैं ही नहीं। लाइन के बाराबर प्लेटफार्म हैं और मुसाफिरों को गाड़ी पर चढ़ने में बड़ी दिक्कत होती है। इसलिए इन प्लेटफार्मों को भी ठीक करवाना चाहिए जिससे उन को बिना खतरे के इस्तेमाल में लाया जा सके।

तीसरी बात जो मैं आप से कहना चाहता हूँ वह रेलवे इम्पलाईज के व्यवहार के बारे में है। जनता के आदमियों के साथ किस तरह से उन का ठीक व्यवहार हो, यह भी देखने की बात है। एक अफसर की तरह से जनता के साथ उन का व्यवहार नहीं होना चाहिए बल्कि भाई-चारे का व्यवहार होना चाहिए जिस से उन के मन में यह विश्वास पैदा हो कि यह जो क्रान्तिकारी सरकार आई है वह सही है और उस के सत्ता में आने से रेलवे कर्मचारियों के व्यवहार में पहले से फर्क पड़ा है। यदि ऐसा आप न कर सके तो लोगों के मन में यही बात आएगी कि जैसे सरकारों में पहले लोग थे, वैसे ही ये भी हैं। इन रेलवे इम्पलाईज के व्यवहार में अगर आप कुछ

परिवर्तन ला सके, तो इस से आप की प्रतिष्ठा बहुत बढ़ेगी, आप का एडमिनिस्ट्रेशन सुदृढ़ होगा और लोगों का सहयोग आप को मिलेगा।

चौथी बात मैं यह कहना चाहता हूँ कि रेलवे में पिलफेज बहुत होता है, चोरी बहुत होती है और खास कर कोयले और रेलों के सामान की चोरी बहुत होती है। ट्रेन में से लोग बल्ब निकाल ले जाते हैं और सैफ्ट और फर्स्ट क्लास के डिब्बों से गद्दे उठा कर ले जाते हैं। ऐसा क्यों होता है? आप ऐसा न समझ लीजिए कि पब्लिक के लोग चोरी कर के ये सब ले जाते हैं। इन चोरियों में रेलवे इम्प्लायज का हाथ होता है। यह हो सकता है कि सब जगह खुलेआम यह चीज न हो लेकिन उन की कनाइवेंस से यह जरूर होता है। जब कोयले की चोरी होती है तो उस का खर्च बहुत बढ़ जाता है। आप यह देखिये कि स्टेशनों के पास जो भट्टे होते हैं वहां पर कितनी लाख ईंटें आप को कोयले से पकाई जाती हैं। इसी तरह से जलावन के लिए कोयला घरों में चला जाता है। अगर इस चीज को आप ठीक से देखेंगे तो कोयले की काफी बचत होगी और लोगों की जो चोरी करने की आदत पड़ गई है, वह नहीं पड़ेगी और उन की आदत नहीं बिगड़ेगी।

टिकटलैस ट्रेवल की बात बहुत कही जाती है। इस सम्बन्ध में मैं यह कहूंगा कि जो हैबीचुअल आफेंडर्स हैं वे तो पकड़े नहीं जाते हैं बल्कि जो बेचारे गांव के गरीब लोग हैं जो कि किसी कारण से टिकट नहीं ले पाते हैं, वे पकड़े जाते हैं। हैबीचुअल आफेंडर्स इसलिए नहीं पकड़े जाते हैं क्योंकि रेलवे इम्प्लायज से उन की साठगांठ होती है और उन को पहचान से ही मालूम हो जाता है कि कब मैजिस्ट्रियल चौकिस होगी और आप स्पेशल चौकिस होगी। आप का एक कानून बना हुआ है कि अगर किसी पैसेन्जर के पास टिकट नहीं है और वह टिकट बनवाना चाहे, तो उस को 10 रुपये पेनेल्टी के देने होंगे।

इसलिए वह सोचता है कि टिकट न कटवाए क्योंकि उस में उस को पेनेल्टी का पैसा भी देना होता है जो कि बहुत ज्यादा है। आप हिसाब लगवा कर देखिये कि कितने लोगों ने टिकट कटवाए और कितना पैसा इस तरह से पेनेल्टी के रूप में आया। अगर इन फीगर्स को आप देखेंगे तो आप को बहुत निराशा होगी। उसे यह पेनेल्टी देनी होगी। आप यह कानून हटाइये। अगर यह कानून आप वहीं हटाते हैं तो आपको बहुत घाटा होता रहेगा।

चौथी बात हमारे एरिये की है। हमारे एरिये में सोनपुर एक रेलवे का जिला था। उस जिले में पहले डी० टी० एस० सिस्टम था। पता नहीं किन कारणों से उसकी अवहेलना हुई। जिन कारणों से भी उसे वहां से खत्म किया गया, उसमें मैं अब नहीं जाना चाहता। सोनपुर में वर्ल्ड का सबसे बड़ा फेअर लगता है। कार्तिक पूर्णिमा के दिन लाखों लाख लोग इसमें आते हैं। वहां स्टाफ के क्वार्टर्स हैं, आफिसिज खाली पड़े हैं। वहां जो डी० टी० एस० आफिस था उसको हटा कर आपने एक परिवहन मण्डल बनाया। परिवहन मण्डल डिप्टी डी० एस० के रैंक का आफिस है। अगर आप वहां डी० एस० रैंक का आफिस नहीं दे सकते हैं तो कम से कम डिप्टी डी० एस० का आफिस तो वहां कायम कीजिए ताकि वहां जो कठिनाइयां सामने आती हैं वे दूर हो सकें। यह सब कुछ होने से वहां बड़ी गड़बड़ियां होती हैं। आप अभी नए आए हैं, शायद आप इन प्रावलम्स को नहीं जानते हैं। इसलिए मैं आपसे रिक्वेस्ट करूंगा कि आप इसकी स्टडी करें। आपसे पूर्व जो रेलवे मंत्री थे उनसे भी इस मामले पर विचार करने को कहा गया था और उन्होंने भी इसको माना था लेकिन किया कुछ नहीं। इसलिए मैं आपसे दरवास्त करूंगा कि आप उसी

[श्री द्वारिका नाथ तिवारी]

रिवोल्युशन की तरह काम करें जो रिवोल्युशन अभी हमारे देश में हुआ है। 10 मैं इस चुनाव को चुनाव नहीं मानता हूँ। बल्कि एक रिवोल्युशन मानता हूँ। अगर आप भी इसी तरह रिवोल्युशन की स्प्रिट में काम करेंगे तभी आप देश की समस्याओं को सुलझा सकेंगे।

श्री मनोहर लाल (कानपुर) : अध्यक्ष महोदय, देश हित में लोक/हित में जो बातें हमें कहनी हैं, वे हमें भी कहने दें। वे लोग खुद ही कसूर वार हैं खुद ही कातिल हैं, खुद ही मुंसिफ बने हुए हैं/और खुद ही अपील करने वाले बन बैठ हैं। इसलिए हमें भी बोलने का मौका दें।

MR. SPEAKER: May I suggest to the concerned Minister that next time he may give chance to the new Members? The Railway Budget is allotted only two hours. How many can speak within that time? If he extends it for the whole day, I will give chance, I have no objection. The President's Address will be discussed for full three days. Then 30 to 40 Members will be able to speak.

SHRI M. KALYANASUNDARAM (Tiruchirapalli): At the outset I wish to convey my heart-felt thanks to the hon. Minister of Railways for having got Paragraph 22 included in the Budget Speech relating to the reinstatement of the workers victimised in connection with the 1974 strike. Particularly my party, the All-India Trade Union Congress and the Indian Railway Workers' Federation will be grateful to him because we have been agitating for the past three years, sitting in the opposition, in vain. Even when a Minister like Shri L. N. Mishra made a sort of sympathetic assurance, that assurance could not be got through by the Government.

Now, he has succeeded and so I must congratulate him on that achievement. Neither compliments nor criticism will affect him because all those who were responsible are not there for accepting compliments or answering criticism. I shall reserve my compliments and the criticism for the subsequent period till they are fully reorganised. Until then my purpose is to make some useful suggestions.

Regarding reinstatement of those workers who were on strike, I want the Minister to consider some more points. There were workers who were victimised, removed from service or dismissed and so on. There were workers in whose case suspension orders had been cancelled in many cases. There were workers who were involved in acts of alleged sabotage. Some of these have been convicted. All those cases must be withdrawn and the conviction must be set aside; it must be commuted and they must be restored upto the position which existed before 3rd May, 1974. That is my humble submission.

There is another category of victimisation as Mr. Samar Mukherjee had mentioned about official transfers. Many workers had been demoted and their previous service was taken away. So, their break in service must be condoned and demotion must be restored upto the position of the strike.

There was another category of loyal workers. They were given concessions because they showed loyalty to the Railways. Those casual labourers, those temporary workers were deprived of their posts because those posts were filled by the sons or the relatives of loyal workers. There was a lot of corruption in giving concessions to the loyal workers. This question has to be viewed and all those casual workers who were in service on 3rd May 1974, should be restored to the position which they occupied on the 3rd May 1974. Clear instructions should be given to the Railway Bhavan in this regard

otherwise they will bring your assurance to disrepute. You can take it from me.

(Interruptions)

They have done it several times. They will bring in all sorts of objections.

(Interruptions)

This is a piece of friendly warning.

On the question of discipline, the workers cannot live on sermons about discipline. It should be a conscientious discipline. Some confidence should be created in them that their interest would be looked after by the Government. Today, the failure of the previous Ministry must be a warning to the present Ministry. Then the workers must realise that every single railway material and every inch of railway line are the property of the nation; it is not the property of the Railway Board and the Railway Minister. The Government must create confidence in them that their interest will be looked after. This is the lesson which the new Railway Minister must learn from the past experience.

About staff quarters, there is a ban on the construction of new quarters. Kindly immediately remove this ban. The Railway Minister may have high hopes about it, the Railway Minister may have good intentions about it, but the Ministry of Finance is there; they will come in your way. I am only appealing to him. I think, my open appeal will strengthen his hands inside the Cabinet for doing something for the amelioration of the conditions of workers.

I have gone through the Railway Budget Speech. I think, the present Railway Minister has been in office for hardly three days and he would not have had time to go through every paragraph of the Railway Budget Speech. He would not have studied it. So, I think, he is not responsible for it. Going through the Railway Budget

Speech about achievements and other things, I recall a note which was circulated by the Railway Board about three months ago in which the same achievements are contained. What is the title of that note? It is, "Improvements in the Railways after the declaration of Emergency". So, they have made the same points here. I leave it to you to judge.

About the maintenance of railway colonies, the allotment of money for the maintenance of railway colonies is the first casualty in the name of economy. That should be restored.

There is another urgent matter which I want to bring to the notice of the Railway Minister and that is about the ban on promotions. In the case of Class IV and Class III, all promotions have been banned. All the vacancies have not been filled in the name of economy. This matter should be reopened and all the vacancies should be filled. The sanctioned strength in all the loco sheds, workshops and departments should be restored. If you fail to do it, the workers will not have any confidence in the Government.

Another suggestion that I would like to make is about the reorganisation of the Railway Board. I would request the hon. Minister to take it up seriously. The Railway Board has become very much inflated. Formerly, there was one Chairman, one Financial Commissioner and three Members. We have now got 11 Additional Members, permanent Additional Members and temporary Additional Members. Formerly, we had 30 Directors. Now, we have about 90 Directors, permanent Directors and temporary Directors. There are Additional Directors, Joint Directors, Deputy Directors and temporary Additional Directors. The Rail Bhavan is bursting like anything.

What are their functions? Some hon. Members have suggested that powers must be delegated to the Zonal Managers. These questions have to be studied seriously. If necessary, you

[Shri M. Kalyanasundaram.]

better appoint a Committee to study the functioning and the size of the Railway Board. The reorganisation of the Railway Board will not brook any delay. The total expenditure on the Railway Board comes to about Rs. 2.5 crores. That is not the point. But its size is increasing. That will demoralise the Zonal Railways. Therefore, it is necessary to reorganise the Railway Board.

Not only the workers were victimised but some lines were closed and some trains were cancelled. The lines which were closed must be re-opened and the trains which were unnecessarily cancelled must be restored in the interest of service. For instance, in the Southern Railway, a length of 9 miles from Needamangalam to Manargudi was unnecessarily closed. It is an essential service to the students attending the colleges there. Such small things can be restored without any additional financial commitment and the grievances of the local people there can be removed.

Coming to the allotment of funds for the new lines, the allotment for the Tirunavelli-Cape Comorin-Trivandrum lines has been very much scaled down. There is a general complaint that the allotment for new constructions has been cut down. Similarly, for electrification of the line between Madras Central and Vijayawada, the allotment has been cut down. Then, the Madras Central-Arakonam line has also been kept pending because of want of funds.

13.00 hrs.

Another thing is the Metropolitan scheme. With regard to the Madras City, all that was attempted was a study. That study is finished, but what about the scheme as such? Will it see the light of the day is the anxious question of the people of Madras. The suburban railway service in Madras is not adequate and the road trans-

port service is also not adequate because of the narrow streets.

MR. SPEAKER: Please conclude; this is only a vote on account.

SHRI M. KALYANASUNDARAM: There is one more point with regard to the production units, which is a very important matter. The three production units are the pride of the nation and a compliment to our economic policy of self-reliance; but they are working only to half their capacity. The Integral Coach Factory can produce 900 coaches a year, but it is now producing less than 500. Our workshops can construct wagons of our own.

MR. SPEAKER: As I have said, the is only a vote on account; please conclude.

SHRI M. KALYANASUNDARAM: As he is going to prepare the Budget I thought I would give some suggestions.

MR. SPEAKER: We now adjourn for Lunch and will meet again at 2.00 p.m.

The Lok Sabha adjourned for Lunch till Fourteen of the Clock.

The Lok Sabha re-assembled after Lunch at Three Minutes past Fourteen of the Clock.

[SHRI TRIDIB CHAUDHURI in the Chair.]

**RAILWAY BUDGET, 1977-78
AND
DEMANDS FOR GRANTS ON AC-
COUNT (RAILWAYS), 1977-78—
Contd.**

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE): Mr. Chairman, Sir, I am thankful to the hon. Members on both sides of the House who have participated and made

some constructive suggestions regarding the functioning of the railways. At the very outset, let me make it quite clear that there are certain limitations within which we are functioning at the time of presentation of this mini-budget. This is not a full-fledged Railway Budget but is just a Vote on Account, and because of the limitations placed on us, it is not possible to deal with the problems elaborately in all their comprehensive character. Therefore, within the framework of these limitations, certain propositions have to be put forward. Some of the policy issues that have been raised cannot be adequately dealt with at this stage for the very simple reason that, while we took over the administration, we had to face the hang-overs of the past, and unless we are able to clear the stables, it will not be possible for us to lay down certain firm policies to which we are irrevocably committed.

At the very outset, I would like to spell out some of the policies which were indicated in my budget speech earlier. Both sides of the House have welcomed the categorical statement that all the railway employees who have been either suspended or dismissed as a sequel to their participation in the 1974 strike will be unconditionally reinstated. I would like to go a step further and say that it has been done not merely in response to the suggestions that have come on the floor of the House from Members like Shri Samar Mukherjee and others; I may take the House into confidence and tell the Members of this House that, after the presentation of the budget proposals to this House, I had immediately a meeting with the Chairman of the Railway Board and tried to spell out the various steps that are to be taken in pursuance of the policies that were enunciated here. I would like to spell out some of the details of the policy regarding reinstatement of the victimised workers. I would like to make it explicitly clear that the entire issue would not

be kept hanging. Unfortunately in the past, whenever an assurance was given, there was a lacuna in implementation.

Therefore, after discussing the matter with the Railway Board, we have categorically instructed the authorities concerned that all the aspects of reinstatement are to be completed within a period of six weeks and after that I would not like to see a single victimised worker in the railways. This is a categorical assurance that I would like to give.

SHRI VASANT SATHE (Akola): They must be reinstated with back wages.

PPOF. MADHU DANDAVATE: After your having put them behind the bars and having victimised them, we do not want crocodile tears from you.

SHRI K. GOPAL (Karur): The hon. Minister must ensure that what he says will be implemented.

SHRI SOMNATH CHATTERJEE (Jadavpur): No action has been taken in the case of those railway employees who have won their cases in the court.

PROF. MADHU DANDAVATE: I had asked for all the details and within twenty-four hours, all these details have been collected and I would like to tell the House the break-up of the staff removed as a sequel to the May, 1974 strike:

Permanent staff removed—16,898

The number of persons taken back as a sequel to the constant pressures from within the House and outside the House—16,271

The number yet to be put back—
627

The number where employees have gone to the court—310

[Prof. Madhu Dandavate]

After my assurance that all these workers will be reinstated, I am sure that these workers and their representative organizations will withdraw these cases; rather than relying on the courts, let them rely on the strength of the working class and the assurance of the Railway Minister.

The number of staff still under suspension is 53. The most important is: the number of casual labourers discharged from service: 24,570. The number yet to be taken back is 5,161. I assure you that not only the permanent staff members, not only the temporary staff members, but also the casual staff members will be taken back. It is being further clarified that in the case of all the reinstated railway workers, the seniority will be retained and the entire break in service will be condoned. These are the categorical decisions that have been taken and will be implemented.

In the course of the discussion, a number of friends have made concrete and constructive suggestions. I would like to mention that problems like opening of new railway lines in the under-developed areas have been actually engaging the attention of our Ministry right from the moment we have taken charge. I want to make it clear that we have said that we will function within the framework of Gandhiji's ideals and one of the basic concepts of Gandhiji's ideology is that there must not be imbalance between urban India and rural India. Therefore, all the necessary infrastructure for the development of backward areas will have to be developed. This infrastructure is going to be provided by the railways. Therefore, in all the backward areas where the construction of lines is pending, we will expedite the matter.

If there are financial difficulties, we will discuss the matter with the authorities and the institutions concerned. I do not want to spell out

the problem. But we have already applied our mind on how to mop up the resources, if the resources are lacking.

I was very sorry to listen to the stray remark made by Shri Qureshi while participating in the debate on the Budget. He probably indirectly made a reference to the Konkan Railways and he threw a hint that the Railway Minister is not a Minister for Maharashtra, and therefore, he must not take a parochial attitude, but he must think in terms of the country as a whole, he must think of Jammu and Kashmir as much as he thinks in terms of Maharashtra.

Firstly, I may make it very clear, as far as the West Coast Konkan Railway is concerned, it does not affect Maharashtra State from which I come. I am not over proud of being a Maharashtrian. I am also not ashamed of being a Maharashtrian. Of course, I am proud of being an Indian. Therefore, there is no question of entering into a certain amount of parochialism.

I would like to explain to Shri Qureshi, the geography of the country. If he is not prepared to understand or follow politics from me, at least he should understand geography. Geography indicates West Coast Konkan Railway may start from Maharashtra. It will touch Goa State. It will touch Mysore State. It will touch Kerala State. It will touch part of Tamil Nadu State and, therefore, naturally integration can be brought about if Konkan Railway is constructed. That is the aspect which has to be borne in mind.

Those who have applied their mind to the West Coast Railway from the point of view of national integration, will appreciate that if we are able to integrate and inter-connect all these regions of Maharashtra, Tamil

Nadu, Kerala, Mysore, that will probably be the living link of integration in this country and in the same spirit I can assure the former Minister for Railways that as far as Jammu and Kashmir is concerned we consider that also as one of the backward regions of this country. We will, therefore, give our adequate attention to the development of these lines.

Yesterday, I made a reference to parts of Madhya Pradesh, parts of Orissa, and North Eastern Frontier. If I had referred to them, these were illustrative and not exhaustive. If you read the speech very correctly, I said, backward regions like these regions and therefore, they will be attended to. When I talk in terms of backward areas of Maharashtra, whether it is Konkan, Marathwada or Vidharbha, I need not spell it out. It is implied.

I wish to make it explicitly clear, though I come from one particular State, even if I do not become a Minister, when I am elected to the Lok Sabha, I will not become representative of my constituency only but I will represent the whole of the country. It is only in that spirit I will apply my mind to all the problems.

In some cases there is no question of allocating new resources. My friend Prof. Swami had already indicated Chambur-Mankhurl line. That was on the anvil, but due to certain deficiency that was set aside. Such instances are there due to delay and inefficiency that had not been started. All the projects will be undertaken without delay. And where there are financial difficulties, we will try to get over them.

SHRI VASANT SATHE: I hope you do the same thing about Amravati.

PROF. MADHU DANDAVATE: When I am quoting certain things, these are only illustrative.

SHRI DHIRENDRANATH BASU (Katwa): Metropolitan Transport Project, Calcutta is a project for Rs. 250 crores. Only a sum of Rs. 10 crores has been provided for in the Budget. It will take 25 years in this way for it to be completed if the fund is provided at this rate. Calcutta has 8 million people and as such completion of this project requires priority. I would request the hon. Minister to provide adequate amount—at least Rs. 100 crores—for completion of the project.

MR. CHAIRMAN: He has taken note of your point.

PROF. MADHU DANDAVATE: I am not all disturbed by the intervention made by the hon. Member because what the hon. Member has said represents the pangs of his anger. That is born out by his legitimate complaint. I have made the position very clear. As an illustration I have referred to Jammu and Kashmir, the case which was put forward by one of the hon. Members from the other side of the House. I can assure hon. Members that as far as various projects are concerned, whether they are sponsored by members on that side or on this side of the House, these will be considered on merits and these will be judged on merits and suitable action will be taken.

Many things have been said about the Railway Board. I cannot forget what I myself said while I was sitting on that side of the House. I can assure hon. Members that we will go into the full details about the functioning of the Railway Board. I have got here the Manual which tries to explain as to what exactly the position of the Railway Board is. The Railway Board was first constituted under the Indian Railways Act of 1905 for controlling the administration of Railways in India. It

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functions as the Ministry of the Government of India and exercises all the powers of the Central Government in respect of regulation, construction, maintenance and operation of Railways. By virtue of the inclusion of the Financial Commissioner for Railways in its constitution, the Railway Board also exercises the full powers of the Government of India in regard to Railway expenditure. I wish to assure members on both sides of the House that considering the persistent complaints which have been voiced by members on both sides of the House about the functioning of the Railway Board, we will go into the functioning of the Railway Board in detail, and if we find that some sort of restructuring of the Railway Board is necessary, we shall certainly come forward with the necessary changes which may be required.

PROF. P. G. MAVALANKAR (Gandhinagar): Will the hon. Minister give an assurance about changing the Railway Code also, which is out-of-date? This is a point which has been agitated by hon. Members earlier also. Will the hon. Minister kindly look into it?

PROF. MADHU DANDAVATE: Please allow me to complete what I wanted to say. I may tell you something about it. In his speech the former Railway Minister had put forward a distorted version of what had happened in the past. He said this regarding the demands that were put forward by the All India Railwaymen's Federation and NCCR. There were references to national wage, there were references to bonus, to minimum wage and job evaluation. Having rejected all these demands the former Railway Minister says things in this manner. Let me put the facts correctly. I wish to put the record straight. Before the railway workers went on strike, here are some of the important incidents that

took place. There was a six-point charter which was submitted to the former Railway Minister on 8-11-73. A postcard acknowledgment was given. There was no reply to the memorandum sent on behalf of the NCCR. It came into existence on 2nd March, 1974. On March 5, 1974, the NCCR submitted a detailed memorandum of demands which was in line with the demands made by the AIRF.

There was no reply to that. On 27th April, 1974—this is very important—when negotiations were started with the representatives of the Railwaymen, these negotiations were attended to by Shri S. A. Dange and Shrimati Parvati Krishnan, an honourable Member of this House.

Then the next meeting was fixed. I am deliberately indicating that so that all the Members of this House, specially, the new Members of this House, would know the method of functioning of the Members who are now sitting in the opposite side. The next meeting was fixed on the 2nd May. The Minister told Shri George Fernandes that on 2nd May we would sit together when most of the issues would be thrashed out. It almost appeared that some sort of a *via media* was being found out. It was made very clear by the NCCR that they would put forward certain assurances; they also know the economic situation in the country and financial resources of this country. Therefore, even if hundred per cent conceding of this demand is not possible, let us sit round the table and let us suggest that what type of an interim relief could be given to the workers and then let us see about the long-term fulfilment of their demands. That was the assurance given. The late Shri L. N. Mishra was also in that particular mental attitude of sitting together so as to avert this strike. Let us consider as far as their immediate demands were concerned and then we will consider about what their long-term position will be. The former Ministry felt

that if the late Shri Mishra had come to a certain limited compromise with the railway employees, in that case, what would happen to their prestige. I personally feel that almost efforts were made by Government to avert the strike by the railwaymen. That is indicated by the fact that the next meeting was fixed on 2nd May 1974 in consultation with the former Railway Minister Shri L. N. Mishra. On 1st May Shri George Fernandes was addressing a May Day public rally at Lucknow—this is a very interesting aspect—and Mr. Mishra had told him that on the day when he would be addressing the rally at Lucknow, he would send a special plane there to bring him at the negotiating table. No doubt he kept that part of his promise; he did send a special plane—not to bring Shri George Fernandes at the negotiating table but to take him to the Tihar Jail! (*Interruptions*). As a result of that, I wish to make it clear here that the N.C.C.R. and the A.I.R.F. were formulating their demands which were negotiable but that an interim relief could be granted. In that case we could think about cent per cent implementation at a later stage. But, in the Ministry, some members felt that if these demands were even partially granted, in that case, probably, the leadership of the All-India Railwaymen's Federation, N.C.C.R. and other organisations which were participating in that meeting could go up; their prestige could go up. On this more prestige, they precipitated the matter and arrested Shri George Fernandes. After all they were willing to go on strike because of that right from the very next day but still some scope was left or till 8th of May when further settlement could be brought about. Doors were not closed until 8th of May 1974 when the railwaymen went on strike. This is the perspective that I want to give. The Railway Minister intervened in that debate and distorted the facts. Therefore, to end those distortions, I have to refer to all that.

Incidentally, Shri Qureshi said that they stood for discipline of workers whereas I say that they stood for the disruption of workers. Shri Samar Mukherjee has rightly pointed out that there could be two types of discipline—there could be two types of peace—peace of the satisfied men and the peace of the graveyard—both of them are not same. There is an element of difference between the two. Similarly, I wish to tell you very clearly that these people had precipitated this matter and all sorts of allegations were made some allegations had also been repeated by the former Railway Minister on the floor of the House. He said that the economic situation in the country was bad and that some men were starving when actually the leadership of the railwaymen's struggle wanted to bring about a chaos by causing further starvation to the workers and peasants. On the contrary, so many were thrown out. And that led to the railway strike in 1974. After that the very first election took place when Shri Fernandes had been returned to this House with a big majority of three lakh votes. This I would like the House to record.

And, therefore, people have not accepted the fact that those who were resorting to legitimate trade union action were trying to bring anarchy in the country or were trying to plunge the country into darkness. That was not the perspective of the people, otherwise many hon. Members who led the railway strike would not have been here and, as such, I would like to clarify this issue which had been raised in the course of this debate.

Sir, we have been asked whether we will accept the demand of bonus or the demand for subsidised food system for the railway employees. I wish to make it clear that as far as bonus issue is concerned this issue has been complicated by the former Government. They have not stood by

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their policy. When many of us were behind the bars during the Emergency they changed the old policy and while they were changing the bonus policy they have changed the entire bonus policy. A new legislation has been brought and they want us to say here and now whether we will concede the demand for bonus for railway workers. We wish to make it quite clear that since they have evolved a national bonus policy for the country first we will have to bring legislation to reverse that. We will examine the entire issue in depth. We will also gauge the resources of the country. I wish also to remind the hon. Members on the other side of the House that when we had made a demand for bonus we had said that if you are not able to concede the demand, please accept it in principle and let us see how it will be implemented. On behalf of our Organisation and Janata Party it has been made clear by the Labour Minister for Janata Sarkar that we accept the bonus not as an *ex-gratia* payment but as 'deferred wage'. That has already been announced.

SHRI VASANT SATHE : In the light of what you are saying will you give some interim relief?

PROF. MADHU DANDAVATE : Sir, what these people have not been able to do in the course of last 30 years they expect us to do in three years. Give us adequate time and then you will see. We will examine all the issues as far as bonus is concerned. We are committed to examine the entire question of bonus and reverse the earlier policy.

The hon. Member, Shri Pai, has made a number of constructive suggestions. As far as the construction of new lines and as far as decentralisation of railway administration is concerned he has made a number of

constructive suggestions. The Railway Ministry will examine all those constructive suggestions in depth and try to implement them.

Shri Mohanaragam has made a very significant and radical suggestion. He has pointed out that even in railways we have the existence of what we call 'bonded labour'. He wants that the bonded labour should be liberated. We stand committed to the liberation of every form of bondage that exists in the field of industry and it will be our constant endeavour that bonded labour system is completely ended.

There is one more aspect to which I want to make a reference. In the course of the railway strike certain developments had taken place. We have already clarified as to what will happen as far as retrenched workers are concerned. There is another problem of what we generally call 'black legs' in the trade-union parlance and what they call as 'loyal workers'. They were given a number of advance increments. We do not want to take a revengeful attitude. Those who have got jobs we will not throw them out because they came in place of strikers.

We will see to it that those who have been removed on account of participation in the strike will be brought back. I checked the statistics with the Railway Board authorities and I found that without disturbing those who have been appointed in the railway industry, without disturbing them and distressing them it will be possible for us to get the retrenched workers back to work, but at the same time we would sound a warning to all the workers that they must stand solidly and unitedly with the working class in the country. We do not want to take a revengeful attitude. For instance, as far as advance increments are concerned, five lakhs

of industrial workers from the railways have been given advance increments. We do not want to take a revengeful attitude and only because we have come into power, we will try to smash all those things. We will only say that in the future we will not have the substitution of black-legs in place of the strikers and we will not give increment to those who are the so-called loyal workers, but who can be described as black-legs and to them in the future also we will never be prepared to pay the wages of betrayal of the working class. That is the attitude that we have to take.

Sir, there is only one more point and have done. Sir, it is a matter of common experience that as far as the railway industry is concerned, there is a lot of corruption. Of course, corruption is there in every sphere of human activity in India. But as far as the railways are concerned, there is a lot of corruption. Sir, probably you may recall that under the Chairmanship of Acharya Kriplani, an Enquiry Committee to enquire into the corruption in railways had already been set up. That Enquiry Committee has brought out a number of findings. They were devastating findings and they tried to reveal the dimensions of corruption in the country. We will try our best to see that some of those important recommendations of Acharya Kriplani Committee which exposed the corruption from top to the bottom, will be effectively implemented and we will tackle corruption in railway industry.

In conclusion, I would like to point out to the Members of the Opposition that when I was speaking out here and when I tried to not forward the performance of the industry in the course of the year, you were very much enthusiastic and some of my colleagues felt the embarrassment. But I wish to make it clear that this is not something new. I may recall the

letter that George Fernandes exchanged with L. N. Mishra from the jail in 1974. That was not the time of Emergency. It has nothing to do with the Emergency situation. It has nothing to do with 'Anusashan parve', a new phrase that has been coined by Shri Vinoba Bhave and has been sent to us through Shri Sathe. I am not referring to it. But I want to point out to you that in that letter sent by Shri George Fernandes to Shri L. N. Mishraji, he has given all the details and giving the facts and figures Shri George Fernandes has tried to convince the Government how the railway workers have contributed in building up the resources for the country. They have built up not only the resources of the railways, but they have also contributed to the general running of the railways in the country and to that extent they helped in stabilising the economy of the country. These are the facts and figures which were put forward before the Government by George Fernandes when he was in jail and he said that the credit of all these achievements goes not to the Railway Ministry, but to the railway workers who poured their sweat and toil into the industry and were able to mop up the industry. It is only in that spirit, Sir, I have mentioned a number of things and in conclusion, I may say that if some lacunae are left out and if there are certain disputes, we will fully explore the assistance and the cooperation of the trade union machinery. We will not try to arrive at a settlements with the help of an iron rod, but we will try to establish the settlement with the workers by willing cooperation of the trade unions in the country. That is the only way in which one who is committed to radical policies in the country will function in the House and in that manner the Railway Ministry will function.

SHRI T. A. PAI (Udipi): On behalf of my Party, Sir, I would like to assure the Railway Minister that we

[Shri T. A. Pai]

would not accuse him of any parochialism if he completes the Mangalore-Bombay West-coast railway line for the very reasons which he has given out. We, on our part, had ordered the Railway Board for updating this information and I hope that it will be implemented. If at all there has been any reference only partly to any railway line, I hope you won't accuse anybody of any parochialism in this matter.

PROF. MADHU DANDAVATE : We have not done that. Nobody has done that.

SHRI BASHIR AHMAD (Fatehpur) : Sir, you also include compulsorily retired personnel in the list of victimised staff. Kindly clarify the position.

PROF. MADHU DANDAVATE : I made it clear indirectly. In the course of the railway strike, some were suspended, some dismissed and some forced to retire. The last category will also be considered as cases of victimisation and they will be brought back.

Some Hon. Members rose—

MR. CHAIRMAN : There has been sufficient discussion.

DR. HENRY AUSTIN (Ernakulam) : I wanted a clarification. Because the hon. Minister said that he would answer some questions at the end, I did not want to interrupt him. I would like to know whether he would assure the House that work on the lines already taken up, for which surveys have been completed will be continued. In this context, I have particularly in mind the Konkan Railway. We do not attribute any motive of parochialism in this regard. It is a very vital railway link in our railway system. I have also in mind the Jammu-Kanya Kumari line—I am talking about the missing links—and

also the Ernakulam-Alleppey coastal railway for which the people of Kerala are very much anxious and interested.

PROF. MADHU DANDAVATE : As regards this specific question, where survey has been complete but due to certain reasons, construction work has not been taken up, in those cases whenever resources are available, those works will be continued. Even if there are difficulties regarding resources, we will try our best to see that the commitment is completed.

SHRI J. RAMESHWAR RAO (Mahboobnagar) : I would like to draw the hon. Minister's attention to the Bibinagar-Nadukudi line in this context because it has been sanctioned and work is supposed to have started. It is in the area of the Nagarjuna-sagar hinterland where there is a lot of traffic developing. We want to know if work on this will proceed expeditiously.

MR. CHAIRMAN : It is already covered.

SHRIMATI PARVATHI KRISHNAN : I would like an assurance on one point. Victimisation of workers has been not only in regard to dismissals that took place, but penal transfers and stoppage of increments and so many other things. Will be rescind those penal measures that were taken during the 1974 strike?

PROF. MADHU DANDAVATE : I have already said that whatever the consequences of victimisation and allied problems, they will be dealt with on par. We have already discussed the problem. Therefore, I can give this assurance.

SHRI DHIRENDRANATH BASU : On a clarification....

MR. CHAIRMAN : No, this is not a full railway budget debate.

SHRI DHIRENDRA NATH BASU: I want to ask about the electrification of the railway line from Bandel to Katwa and doubling of the line from Bongaon to Sealdah and Katwa to Bandel. This matter has been hanging since long.

MR. CHAIRMAN: Order, order. there has been sufficient discussion. I shall now put all the cut motions together to the vote of the House.

Some hon. Members. Yes, Yes.

Cut motions Nos. 1 to 45 were put and negatived.

MR. CHAIRMAN: The question is:

"That the respective sums not exceeding the amounts shown in the third column of the order paper, be granted to the President out of the Consolidated Fund of India on account for or towards defraying the charges during the year ending on the 31st day of March 1978, in respect of the heads of demands entered in the second column thereof against Demands Nos. 1 to 11, 11A, 12 to 16, 21 and 22".

The motion was adopted.

14.40 hrs.

APPROPRIATION (RAILWAYS)
VOTE ON ACCOUNT BILL*, 1977.

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAWATE): Sir, I beg to move for leave to introduce a Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of India for the services of a part of the financial year 1977-78 for the purpose of Railways.

MR. CHAIRMAN: The question is:

"That leave be granted to intro-

duce a Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of India for the services of a part of the financial year 1977-78 for the purpose of Railways."

The motion was adopted.

PROF. MADHU DANDAVATE: Sir, I introduce the Bill.

Sir, I beg to move:

"That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of India for the services of a part of the financial year 1977-78 for the purpose of Railways, be taken into consideration."

MR. CHAIRMAN: The question is:

"That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of India for the services of a part of the financial year 1977-78 for the purposes of Railways, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN: The question is:

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

The motion was adopted.

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

PROF. MADHU DANDAVATE: Sir, I beg to move:

"That the Bill be passed."

MR. CHAIRMAN: The question is:

"That the Bill be passed."

The motion was adopted.

*Published in Gazette of India Extraordinary, Part II, section 2, dated 29.3.77.

Introduced/moved with the recommendation of the Vice-President acting as President.

14.43 hrs.

SUPPLEMENTARY DEMANDS* FOR GRANTS (RAILWAYS), 1976-77

MR. CHAIRMAN : I shall now put Railway supplementary demands for grants to the vote of the House. The question is :

"That the respective Supplementary sums not exceeding the amounts shown in the third

column of the order paper be granted to the President out of the Consolidated Fund of India to defray the charges that will come in course of payment during the year ending the 31st day of March, 1977, in respect of the following demands entered in the second column thereof—

Demands Nos. 3, 7 to 10, 11A, 12, 14 to 16, 18, 19 and 21".

The motion was adopted.

*List of Supplementary Demands for Grants (Railways), 1976-77
voted by the Lok Sabha*

No. of Demand	Name of Demand	Amount of Demand for Grant
3	Payments to Worked Lines and Others	16,40,000
7	Working Expenses—Operation (Fuel)	2,88,46,000
8	Working Expenses—Operation other than Staff and Fuel	3,53,50,000
9	Working Expenses—Miscellaneous Expenses	2,00,87,000
10	Working Expenses—Staff Welfare	79,29,000
11A	Working Expenses—Appropriation to Pension Fund	5,00,00,000
12	Dividend to General Revenues and Contribution for Grants to States in lieu of Passenger Fare Tax	3,70,10,000
14	Construction of New Lines—Capital and Depreciation Reserve Fund	3,00,26,000
15	Open Line Works—Capital, Depreciation Reserve Fund and Development Fund	43,17,16,000
16	Pensionary Charges—Pension Fund	12,63,85,000
18	Appropriation to Development Fund	15,70,80,000
19	Appropriation to Revenue Reserve Fund	10,97,70,000
1	Appropriation to Accident Compensation, Safety and Passenger Amenities Fund	83,28,000

*Moved with the recommendation of the Vice-President acting as President.

14.44 hrs.

APPROPRIATION (RAILWAYS)
BILL,* 1977

THE MINISTER OF RAILWAYS
(**PROF. MADHU DANDAVATE**)

Sir, I beg to move for leave to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1976-77 for the purposes of Railways

MR. CHAIRMAN: The question is:

"That leave be granted to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1976-77 for the purposes of Railways."

The motion was adopted.

PROF. MADHU DANDAVATE :
Sir, I introduce the Bill.

PROF. MADHU DANDAVATE:
Sir, I beg to move:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1976-77 for the purposes of Railways, be taken into consideration."

MR. CHAIRMAN: The question is:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1976-

77 for the purposes of Railways, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN: We shall now take up the Clauses. The question is:

“That Clauses 2, 3, the Schedule, Clause 1, the Enacting Formula and the Title stand part of the Bill.”

The motion was adopted.

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

PROF. MADHU DANDAVATE: I beg to move.

"That the Bill be passed."

MR. CHAIRMAN: The question is:
"That the Bill be passed."

The motion was adopted.

14.46 hrs.

GENERAL BUDGET, 1977-78 AND

DEMANDS: FOR GRANTS ON ACCOUNT. 1977-78

MR. CHAIRMAN: Now, we shall take up items 12 and 13, that is, General Discussion on the Budget (General) for 1977-78 and the Discussion and Voting on the Demands for Grants on Account in respect of the Budget (General) for 1977-78.

Motion moved :

"That the respective sums not exceeding the amounts on Revenue Account and Capital Account shown in the third column of the order paper, be granted to the President

*Published in Gazette of India Extraordinary, Part II, section 2, dated 29.3.77.

†Introduced/moved with the recommendation of the Vice-President acting as President.

‡Moved with the recommendation of the Vice-President acting as President

[MR. CHAIRMAN]
out of the Consolidated Fund of
India on account, for or towards
defraying the charges during the
year ending on the 31st day of

March, 1978, in respect of the heads of demands entered in the second column thereof against Demands Nos. 1 to 109."

*List of Demands for Grants on Account (General) for 1977-78
submitted to the vote of Lok Sabha*

No. of Demand	Name of Demand	Amount of Demand for Grant on account	
1	2	3	
		Revenue	Capital
		Rs.	Rs.
MINISTRY OF AGRICULTURE AND IRRIGATION			
1	Department of Agriculture	81,41,000	
2	Agriculture	62,85,93,000	173,68,30,000
3	Fisheries	7,06,12,000	3,82,74,000
4	Animal Husbandary and Dairy Development	18,72,66,000	2,20,60,000
5	Forest	5,29,52,000	46,67,000
6	Department of Food	2,03,08,79,000	14,72,51,000
7	Department of Rural Development	45,69,88,000	5,68,07,000
8	Department of Agricultural Research and Education	2,55,000	
9	Payments to Indian Council of Agricultural Research	19,49,75,000	..
10	Department of Irrigation	7,93,01,000	2,47,25,000
MINISTRY OF CHEMICALS AND FERTILIZERS			
11	Ministry of Chemicals and Fertilizers	14,35,000	..
12	Chemicals and Fertilizers Industries	25,000	1,56,79,64,000
MINISTRY OF CIVIL SUPPLIES AND COOPERATION			
13	Ministry of Civil Supplies and Cooperation	12,27,000	
14	Civil Supplies and Cooperation	7,57,74,000	7,21,16,000
MINISTRY OF COMMERCE			
15	Ministry of Commerce	48,50,000	
16	Foreign Trade and Export Production	1,31,54,90,000	106,22,44,000
MINISTRY OF COMMUNICATIONS			
17	Ministry of Communications	54,34,000	4,27,33,000
18	Overseas Communications Service	3,59,10,000	2,83,45,000

1	2	3
19	Posts and Telegraphs—Working Expenses .	2,03,52,45,000 ..
20	Posts and Telegraphs—Dividend to General Revenues, Appropriations to Reserve Funds and Repayment of Loans from General Revenues	54,56,43,000 ..
21	Capital Outlay on Posts and Telegraphs .	115,02,67,000
MINISTRY OF DEFENCE 1		
22	Ministry of Defence	24,05,94,000 17,08,68,000
23	Defence Services—Army	598,83,47,000
24	Defence Services—Navy	62,58,65,000
25	Defence Services—Air Force	191,84,23,000
26	Defence Services—Pensions	37,15,02,000
27	Capital Outlay on Defence Services	102,10,01,000
MINISTRY OF EDUCATION AND SOCIAL WELFARE		
28	Department of Education	52,53,000
29	Education	62,46,11,000 26,90,000
30	Department of Social Welfare	6,76,70,000
MINISTRY OF ENERGY		
31	Ministry of Energy	22,75,000
32	Power Development .	17,28,69,000 48,52,31,000
33	Coal and Lignite .	7,67,68,000 113,10,00,000
MINISTRY OF EXTERNAL AFFAIRS		
34	Ministry of External Affairs .	38,33,79,000 2,80,47,000
MINISTRY OF FINANCE		
35	Ministry of Finance .	10,28,04,000
36	Stamps .	7,82,67,000 38,26,000
37	Audit	19,75,00,000
38	Currency, Coinage and Mint	16,11,77,000 8,35,12,000
39	Pensions	17,78,50,000
40	Transfers to State and Union Territory Government .	182,48,33,000
41	Other Expenditure of the Ministry of Finance .	59,81,33,000 155,32,73,000
42	Loans to Government Servants, etc. 19,33,33,000

1	2	3
DEPARTMENT OF REVENUE AND BANKING		
43.	Department of Revenue and Banking	2,22,19,000 38,33,49,000
44.	Customs	8,92,94,000 ..
45.	Union Excise Duties	15,89,20,000 ..
46.	Taxes on Income, Estate Duty, Wealth Tax and Gift Tax	14,77,60,000 ..
47.	Opium and Alkaloid Factories	24,69,87,000 24,50,000
MINISTRY OF HEALTH AND FAMILY PLANNING		
48.	Ministry of Health and Family Planning	28,17,000 ..
49.	Medical and Public Health	38,85,35,000 19,31,41,000
50.	Family Planning	43,38,28,000 4,67,000
MINISTRY OF HOME AFFAIRS		
51.	Ministry of Home Affairs	87,62,000
52.	Cabinet	64,73,000 ..
53.	Department of personnel and Administrative Reforms	2,73,08,000 ..
54.	Police	70,50,83,000 2,16,67,000
55.	Census	1,26,79,000
56.	Other Expenditure Ministry of Home Affairs	52,34,16,000 19,39,58,000
57.	Delhi	44,13,68,000 26,47,00,000
58.	Chandigarh	6,51,58,000 3,13,76,000
59.	Andaman and Nicobar Island	7,74,24,000 3,77,87,000
60.	Dadra and Nagar Haveli	78,96,000 70,04,000
61.	Lakshadweep	1,52,34,000 52,13,000
MINISTRY OF INDUSTRY		
62.	Ministry of Industry	1,05,87,000 ..
63.	Industries	7,98,69,000 80,04,89,000
64.	Village and small Industries	12,81,28,000 10,82,78,000
MINISTRY OF INFORMATION AND BROADCASTING		
65.	Ministry of Information and Broadcasting	27,95,000 ..
66.	Information and publicity	6,62,44,000 27,57,000
67.	Broadcasting	19,55,04,000 8,53,59,000
MINISTRY OF LABOUR		
68.	Ministry of labour	28,33,000 ..

1	2	3
69.	Labour and Employment	22,46,00,000 3,15,000
	MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS	
70.	Ministry of Law, Justice and Company Affairs	4,43,60,000 ..
71.	Administration of Justice	12,56,000 ..
	MINISTRY OF PETROLEUM	
72.	Ministry of Petroleum	21,49,000 ..
73.	Petroleum and Petro-Chemicals Industries	21,73,61,000 144,97,15,000
	MINISTRY OF PLANNING	
74.	Ministry of Planning	2,70,000
75.	Statistics	4,48,70,000
76.	Planning Commission	2,25,75,000 ..
77.	Department of Science and Technology	6,92,55,000 55,00,000
78.	Survey of India	6,24,57,000
79.	Grants to Council of Scientific and Industrial Research	17,17,09,000
	MINISTRY OF SHIPPING AND TRANSPORT	
80.	Ministry of Shipping and Transport	99,24,000 ..
81.	Roads	30,80,99,000 32,68,04,000
82.	Ports, Lighthouses and Shipping	10,58,01,000 72,72,88,000
83.	Road and Inland Water Transport	20,78,000 2,85,53,000
	MINISTRY OF STEEL AND MINES	
84.	Department of steel	26,31,04,000 1,86,59,12,000
85.	Department of Mines	10,67,000 ..
86.	Mines and Minerals	14,50,80,000 22,49,00,000
	MINISTRY OF SUPPLY AND REHABILITATION	
87.	Department of Supply	8,14,000 ..
88.	Supplies and Disposals	2,54,58,000 ..
89.	Department of Rehabilitation	8,41,75,000 3,17,76,000
	MINISTRY OF TOURISM AND CIVIL AVIATION	
90.	Ministry of Tourism and Civil Aviation	18,70,000
91.	Meteorology	5,75,05,000 1,23,45,000
92.	Aviation	8,28,34,000 12,60,52,000
93.	Tourism	1,54,82,000 2,61,67,000

14.49 hrs.

14.49 hrs.

MR. SPEAKER: Sir, I would plead with you that after all they are in the Government and they are the ruling party. We are entitled to have our say and I am the first speaker on the Budget. I hope you will be interested to know what I have got to say in view of the fact that I have been the custodian of the economy of this country during this critical period. But if they think that because of arrogance of victory, they should not allow me to speak..... (Interruptions). Sir, at the same time I would like to point out, particularly to the Prime Minister and his colleagues that there is a particular pattern of the people's verdict which will have to be taken note of. The whole of the South has given a particular pattern of verdict. Are you going to say that it is of no consequence what the South thinks about the political situation? Are you going to say that the non-Hindi-speaking people are a matter of no concern for us? Therefore, when I said that the verdict of the people has been gracefully accepted by the former Prime Minister, I want to point out to the present Prime Minister that there has been a particular pattern in the verdict particularly in the southern States by 17 crores of people and this will have to be kept in mind.

I am sorry I have some more unpleasant things to say. Even the three members who adorn the Janata Party from Tamil Nadu today did not come as Janata Party people. They came in the disguise of Cong. (O). They came not by hoisting the Janata flag or by adopting the Janata symbol but by adopting the old Congress (Organisation) flag and symbol, Trading in the name of Kamaraj, these three escaped the verdict of Tamil Nadu. If they had dared to stand on the Janata symbol, they

would have learnt what would have been their fate. It does not stop there. Take all the mighty Janata heroes—Shri George Fernandes, Shri Madhu Limaye, Shri Ravindra Varma, Shri H.V. Kamath—all of them sought political asylum in the enlightened State of Bihar, instead of facing people in their own home State. (Interruptions). I am sure there will be greater opportunities to deal with these aspects when the President's Address is discussed, but I thought taking advantage of the debate on the General Budget, I could make some observations on the political situation also.

I would like to congratulate the hon. Finance Minister on the presentation of his first budget, even though I am sorry I have nothing to congratulate him upon so far as the contents of the budget speech are concerned. There is nothing much stated there and obviously he could not. But at the same time he is an old hand so far as the Finance Ministry is concerned. He has been in charge of Finance Ministry and he has experience of the functioning of the Government of India in all its aspects. My only hope is, while it is an old hand it will not be an old mind. The Government also have the advantage of having Shri Morarji Desai who had played a notable role in shaping the economic structure of the country first as Minister of Commerce and Industry and later on as Minister of Finance.

The Government do have the definite advantage of the experience of Morarjibhai also. What I want to place before the House is that there is a qualitative change in the economic situation of our country, not only of our country but of the whole world today. As Members are aware, there has been an unprecedented economic crisis in the whole world due to inflation and due to the collapse of the international monetary system and this has not been solved to any considerable extent. We are

[MR. SPEAKER]

still drifting. As a matter of fact, many important questions are under consideration in the international forum in which India will have to play a very significant role. The monetary system which was evolved by the Bretton-Wood Conference has collapsed and today, we have, what they call, a floating system of exchange hoping that something would emerge out of it. In many committees and conferences, they are trying to find out a rationale for a new monetary system, particularly the one that suits the needs of the whole world—both the developed and the developing countries. But unfortunately, till now, no rational system has emerged. In this what we have to take care is that this new monetary system should not be such which would be to the advantage of developed countries only. The system should be such which would be to the advantage particularly of the developing countries. This is the real issue and the powerful countries, industrialised countries are trying to foist decisions on us so that they may gain further advantage through this new monetary system. They want to have a monetary system so patterned, so structured so that through this monetary system they would be able to exploit the developing countries more and more. Therefore, we have to be very cautious about it. I am sure with all the experience the Finance Minister has he will be able to play a leading role particularly in the committees and international conferences which will be coming about very soon and which, I am sure, he will be attending.

The second problem which is confronting the whole world is one of inflation, not only inflation but inflation coupled with increasing unemployment. All classical economic theories or even the new Keynes theory are proving inadequate to explain the phenomena which are coming about in the international

economy today and therefore, with regard to the inflation the fight is still going on and we should realise that in spite of the enormous strength which the developed countries have, they are still not in a position to completely eliminate inflation. Even though some countries have tamed it but many other countries are still grappling with the problem. Therefore, we have got to take note that we are living in a world of inflationary trend.

15.00 hrs.

The third aspect is with regard to the emergence of a new economic order in the world. This new economic order has to be based on the reduction of disparities between the developed countries and the developing countries. This can take place only on the basis of transfer of real resources from the developed countries to the developing countries. And we have what we call the dialogue between the North and the South, where India has to play a leading role. I am sure all these problems will be tackled, not only with expertise but with leadership as well, because as far as the developing countries are concerned, we do form a significant part of the developing Third World. Therefore, we have not only to change the face of the Third World, but also to provide leadership and initiative for finding out proper solutions with regard to the various international problems with which we are confronted. And it is, Mr. Speaker, in the context of this international economic crisis that we have to look at the economic performance, prospects and problems in our own country.

It is rather unfortunate, because of the political tension which had developed particularly during the last 2 months during the elections—which is natural—that some Members do not seem to feel happy when the achievements of the Indian economy are recounted. I was watching carefully

when the Railway Minister was reeling off performance after performance, and achievements after achievements of the Railway Ministry—and the railway system as such. Some Members felt extremely unhappy. Some Members felt even irritated at the Railway Minister: Why should he recount all these achievements? These are not achievements of a particular Ministry or Minister; but they are achievements of the nation, about which we should be proud. There is nothing to feel unhappy about. If I put forward the economic achievements of India, it is not for the purpose of claiming kudos for myself. It should be a matter of satisfaction that this nation is capable of achieving things in the midst of an unprecedented economic crisis. This is what we have got to realize. *(Interruptions)*.

SHRI VASANT SATHE (Akola): He is talking of something higher.

SHRI C. SUBRAMANIAM: It is in this context that we have to consider whatever achievements have been there during the last few years. And, therefore, I would like to submit for the consideration of the House that this should have been done by the Finance Minister himself even though he might not have been in a position to give the new approaches and the new solutions which he wants to put forward. He should have at least given an account of the state of the economy in the country, so that the new Members, particularly, may be aware of what is the state of the economy to-day. He probably took a lesson from the treatment which the Railway Minister received at the hands of his party and adopted a judicious attitude of not saying anything about the achievements of the country during the last 2 or 3 years. This is probably what made him completely silent. *(Interruptions)*.

As the House is aware, India has a most successful record in curbing the violent inflationary pressure, which

gripped most of the countries of the world in 1974. The most notable feature of recent economic management in India is the successful anti-inflationary measures went hand in hand with substantial increase in output. The national income increased by 8.8 per cent in 1975-76. The estimates of national income for 1976-77 are still not available. However, it is worth noting that the index of industrial production, which went up by 5.5 per cent in 1975-76, is expected to show a further increase of 10 per cent in 1976-77.

Thanks to the vigorous export promotion and import substitution measures, the country's balance of payments position has greatly improved. The country's foreign exchange reserves have reached an all time record. The current level of food stocks with the public sector agencies amounting to 18.7 million tonnes also represents another all time record.

The highly favourable developments on the food and foreign exchange fronts, I want the hon. Finance Minister to take note of this, provides the Government with wider options than at any other time in the history of Independent India. It is up to the Government to choose the options. *(Interruptions)* Unfortunately, it is job of the new government to look after the employment and unemployment problem; not mine.

MR. SPEAKER: I would request the hon. Members not to make too many interruptions. Otherwise, you will lose time and, to that extent, lose two more speakers. If hon. Members speak without being interrupted, then it will be possible for a large number of members to speak from both sides. Once in a way an interruption is all right, but not like this. It does not help anybody. I am making this appeal to both sides, not to one side alone. He was the Finance Minister till the other day; he is now speaking to the present day Finance Minister. When he is talking, if you interrupt him in this manner, it

[Mr. Speaker]

will not be helpful to you. You are losing time. As the Speaker I am worried about losing time. Otherwise, I can give chance to two more speakers. So, I would appeal to the hon. Members to allow him to speak. Once in a way an interruption can be made, but not continuous interruption, which is not going to help anybody.

श्री मनोहर लाल (कानपुर): हिन्दुस्तान की 62 करोड़ जनता ने श्रीमती इन्दिरा गांधी की बात नहीं सुनी है, तो हम इनकी बात क्यों सुनेंगे।

MR. SPEAKER: That is all over now.

SHRI C. SUBRAMANIAM: I was on this point that in view of these developments that have taken place, we have options now, not just one option but very many options are available, and it is up to the Government to choose the options, try to find out the various alternatives available and choose the best alternative according to their judgment, which would meet the needs of the country and will be in accordance with the priorities which they have indicated in the President's Address. That is what I am saying. I do not know why people should feel uncomfortable when I say that we have got the economic strength to deal with the national situation.

I will not go into the performance in the agricultural sector.

An hon. Member: Why?

SHRI C. SUBRAMANIAM: Because, it is very well known and it is a process which I had the honour to start, the green revolution, and therefore, it might be thought that I am boasting or feeling a little proud about it.

Now that Babuji is on that side I am sure they would be happy to concede that agriculture has done very well and that it has a bright future.

If he had not been on their side, agriculture also would have been shouted down. This is the unfortunate state of affairs.

In agriculture also we have built up the capability to produce more and there is also greater potential for development so that we may not be the victims of the vagaries of nature. There is no difference of opinion with regard to the priorities either of the Government or of the Opposition. We have given the highest priority to agriculture and I am sure the same priority, if not a higher priority, will be given by the present Government also to agriculture.

But what does agriculture mean? First of all, agriculture would require irrigation for the purpose of greater production. In the Budget which I had the honour to prepare for the consideration of this House if we were returned to power, we had provided the maximum amount necessary for the purpose of major, medium and minor irrigation. I had given clear instructions to the Planning Commission that as far as agriculture was concerned, whether it was major, medium or minor irrigation projects, finance should not stand in the way, but only the capacity to implement by the various State Governments at various levels. If there can be further improvement with regard to the allocation for irrigation, I would be the first person to welcome it, but before increase the allocation I am sure the hon. Finance Minister would see how far further moneys could be allocated without resulting in infructuous expenditure. Subject to that I would subscribe to any amount being provided for irrigation.

The next important input with regard to agriculture—I am glad the Agriculture Minister is here—is quality seeds. Coming from Punjab as he does, I am sure he understands the significance of quality seeds. If there was some stagnation in agricultural production before 1974 for a few years, that was mainly due to the fact that

the quality of seeds began to deteriorate because there was no agency responsible for the production and distribution of quality seeds. When I was in temporary charge of agriculture for three months soon after Fakhruddin Saheb assumed the Presidentship of this country, I looked into this and made some structural changes with regard to the National Seeds Corporation. I brought together the National Seeds Corporation and the State Farms Corporations and formulated a scheme costing Rs. 120 crores of which Rs. 60 crores was to be provided by the World Bank. I am glad to find that this has delivered the goods and today we are in a position to say that we have quality seeds in sufficient quantities to be distributed not only with reference to cereals but, it is covering to other areas also, like cotton, oilseeds and pulses. I am glad to inform the House, and I am sure the Agriculture Minister is aware of it, that we have already started export of quality seeds, but I am told that recently that organisation has got into certain difficulties. I would request the Agriculture Minister to look into it quickly and see that there are no obstacles placed in the way of the functioning of the Seeds Corporation because that is the surest way to allow the quality of the seeds to deteriorate which would affect production ultimately. I need not go into details, but from the records he will be able to find out the difficulties that have emerged there—purely personal, I am told.

Apart from irrigation and seeds, the other input is fertilisers. Fortunately production of fertilisers has considerably improved in our country as also its consumption. In 1976-77 the consumption of fertilisers is estimated to have gone up by 27 per cent. Increased consumption has been made possible by a series of price reductions effected in the last two years. In order to enable farmers to purchase modern inputs, commercial bank lending to agriculture has gone up by 36 per cent in 1976-77.

In addition, 45 rural banks with 4 branches have been set up to promote savings and investments in rural areas. Today, there is a lacuna, that is, a gap with regard to the credit availability, particularly in the rural areas. No doubt, this moratorium on writing off of debt of the poor farmer and the poor agricultural labour have been beneficent measures, but, unfortunately, alternative systems have not come into existence to provide small credit which is required by the small farmers. This could be provided by the rural banks. That is why, we started this idea of the rural bank. As I said, we have already set up 45 rural banks and the idea was to have 50 banks, I think they will now be increased. I am sure the Finance Minister will go into it. It was contemplated that every rural bank would have hundred branches. That is how the whole country would be covered by the rural banking system. We have to increase them if sufficient credit will have to be made available to the farmers. I am sure the hon. Finance Minister will go into this aspect.

As far as industrial production is concerned, I have already stated that this year it is likely to reach an increase of 10 per cent. Then I am glad to find that the public sector undertakings have done much better than the private sector undertakings, and thanks to the stewardship of my respected colleague, Shri T. A. Pai, a former Minister of Industry and particularly incharge of heavy industries. He has given a new orientation with regard to the management of these public sector projects. In the past, there was always some criticism with regard to the functioning of the public sector projects; and as a philosophy to which my hon. friend (Swatantra Member) subscribed to that public sector projects can never thrive in this country and for that matter in any other country except in a communist system, but, fortunately, it has been demonstrated that public sector projects could achieve results and better results than the private sector projects. That is what we

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have got to take note of. As a matter of fact, private sector units are being taken over by the public sector management for the purpose of executing them well and giving them better help. I hope the hon. Finance Minister will not carry his old Swatantra prejudices when he mentions about the role of the public sector which has got to play a significant part particularly in the economy of our country. It is not so easy to forget the past.

(Interruptions).

The other area in which we have achieved significant progress is in the area of export. Thanks to the energetic export promotion measures. Our exports displayed a healthy rising trend. In this connection, I am glad to find that my erstwhile colleague Shri Mohan Dharia, in the Planning Ministry, has been put in charge of this very important Ministry. He is a very dynamic person. I am sure he will make a success of the responsible charge he has been entrusted with. I hope and trust that this trend in export will be kept up, in 1975, it increased by 18 per cent. In the first nine months of 1976-77, it amounted to Rs. 3,546 crores showing an increase of 31 per cent over the corresponding period of 1975-76.

चौधरी बलबीर सिंह (होशियारपुर) :
मेरा एक व्यवस्था का प्रश्न है। एक माननीय सदस्य बोल रहा है और उस व्यवस्था में उसके दमियान से कोई आदमी गुजर सकता है।

MR. SPEAKER: I know that. He is a new Member. Therefore, I kept quiet. He ought not to cross the floor between the Chair and the member speaking.

SHRI C. SUBRAMANIAM: I was saying, in the first nine months of 1976-77, exports amounted to Rs. 3,546 crores, showing an increase of 31 per cent over the corresponding period of 1975-76. At the current rate, there is little doubt that they will exceed or, perhaps, they have already exceeded

the target of Rs. 4,500 crores for the year. Unfortunately, I do not have the current figures with me now. What is equally important is that on a volume basis also exports will exceed the target of 8 per cent laid down in the Fifth Plan. I hope, he will not revise it for the sake of revising it.

The commodity pattern and the geographical destination of India's exports is now fairly diversified so as to permit a steady growth in export earnings. Award of turn-key jobs to Indian firms in countries, such as, Kuwait, Libya and Saudi Arabia, in face of stiff international competition shows that Indian industry has acquired new resilience and strength. The fact that engineering goods now top the list of export products is a measure of the vast structural transformation of India's economy. At the same time, because of the import substitution and because of the various products being produced within the country, the imports in 1975-76 were 14 per cent higher than in the previous year at Rs. 5,158 crores and food, fuel and fertilisers accounted for 60 per cent of the total. In 1976-77, data for the first nine months show that imports have declined by over 8 per cent at Rs. 3,916 crores. This is due mainly to a decline in the imports of foodgrains and fertiliser.

Another miracle which has happened and about which we should be proud is with regard to exploration and exploitation of oil. This has transformed the economy of the country. Therefore, this is another area about which we have got to be vigilant. But, I was sorry to find that till now I do not find any Minister in charge of Oil... (Interruptions).

एक माननीय सदस्य : अध्यक्ष महोदय, व्यवस्था का प्रश्न है। मालूम हो रहा है कि माननीय सदस्य ने चुनाव से पहले जो बजट स्पीच सदन में देने के लिए तैयार की थी उसी में से बोल रहे हैं और हमारा समय बरबाद कर रहे हैं।
(व्यवधान)

MR. SPEAKER: You had your say. Now, allow him to speak.

SHRI C. SUBRAMANIAM: I do not know why this has happened. I am sure, the hon. Prime Minister will take note of it. Till now, I do not find any Minister in-charge of Oil except the Prime Minister himself being in-charge of everything that has been left out. This is an important area which requires immediate attention because I know some of the problems which have arisen there. I hope, some Minister with capacity to deal with these problems will be put in-charge of it immediately so that there is not a gap with regard to the performance in the field of oil which is one of the most encouraging developments that has taken place in the Indian economy today.

The strength of our balance of payments is also due to increased inward remittances. Gross inward remittances increased from a level of Rs. 645 crores in 1974-75 to Rs. 1185 crores in 1975-76 and Rs. 1303 crores in the first ten months of 1976-77. This seems to be the combined result of the response to schemes for attracting funds from Indians abroad and checking leakages in the inflow of foreign exchange through a crack down on anti-social activities and smuggling. The figures of remittances above give a fairly good measure of the harm the anti-social elements were causing to the economy and the benefit that has accrued to the community from the firm handling of such elements. Now that we have lifted the Emergency, all these gentlemen are at large now.

श्री बलबीर सिंह : आपने अपने बचाव के लिए खुद खत्म की है ।

SHRI C. SUBRAMANIAM: Now Government should give serious consideration as to how they are going

to deal with these smuggling elements because once they are given an opportunity to build themselves up, it would require another great effort to put them out of action. Therefore, immediate attention will have to be paid with regard to the action to be taken to see that the smuggling activities do not get revived in any way whatsoever.

The successful performance in different sectors has created certain problems. Unfortunately, success itself brings new problems. This is the law of progress. What is progress, after all? I am sorry to philosophise a little bit; you will pardon me for that. What is progress after all? You find solutions to old problems, and those very solutions create many new problems. A society which is tackling those new problems is progressive, and a society which goes on tackling, and struggling with, the old problems is a stagnant backward society. Therefore, what we consider to be a success in one area creates new problems in another area. I was saying what we have built up by way of foreign exchange and what we have built up by way of foodstocks. But these have created a situation now where the money supply has increased beyond the tolerance limit. Therefore, unless we take sufficient measures, this is likely to lead to upsurge of inflation. I thought I should make a mention about it because this requires immediate attention while the hon. Minister may take his own time for the purpose of formulating his priorities and finalising the budget.

As far as controlling prices is concerned, particularly the prices of the essential commodities, it can brook no delay, for, in 1976-77 the increase has been 15.8 per cent in the first eleven months. And what is the state of our country today as compared to September, 1974, when the price level reached its peak? At that time, because of the various measures that we had taken, it fell down by 15 per cent. And this 15 per cent has been made

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up now. Our situation now is that the price level is as it was in 1974. I want to point out that no other country in the world can boast itself of this situation where they have, in 1977, the same price level which existed in 1974. This is the state of affairs. But this should not lead us to complacency. The only relieving feature in this is that this 15.8 per cent is not an all-round increase. As a matter of fact, it is two or three commodities which have contributed to the major portion of this rise, and those are edible oil and cotton. Fortunately, we are in a position to import as much as we want of this edible oil and cotton; as a matter of fact, the previous Government have already taken sufficient measures to import adequate edible oil and I find from the newspapers that it is already shaving an effect on the edible oil price situation. In the same way, we have taken steps for the purpose of importing enough fibre, houth man-made fibre and natural fibre. These are the two areas where we have to be cautious.

Till now, particularly during the last two years, we were concerned with demand management. Now we have to take up the supply position also. Fortunately, today we have the economic strength, the resources, to improve the supply position also. There should be a two-pronged attack on both demand management as well as improvement of the supply position of the various essential commodities. Particularly in this area, I would like to pass on my thoughts to the Finance Minister for what he thinks they are worth, and whatever, he thinks, is worthwhile, he should take them into consideration.

What is now important is to see that the prices of essential commodities do not run away. Those essential commodities will have to be necessarily foodgrains, edible oils, sugar, cloth through cotton and domestic fuel. These are the main commodities which will have to be taken care of. Fortunately, we have the economic

strength to-day. We have the resources to deal with these commodities. Therefore if these are taken care of, automatically, I have no doubt in my mind that the price situation can be controlled to a great extent and this should be one of the highest priorities which the Government[•] should adopt for this purpose.

In this respect, we have also to take care to see that the money supply does not increase to an intolerance limit. There are tolerance limits and already, particularly, during the last two months, I find that there has been a little bit of relaxation with regard to financial discipline. I am sure the Finance Minister will look into it and whatever steps are necessary for the purpose of controlling the money supply, they should be undertaken as an urgent measure.

The third area of concern relates to the question of unemployment about which the hon. Members are very much agitated. Such statistics as there are of employment in the organized sector increased by 4.59 lakhs or 2.3 per cent in 1975-76. Vacancies notified and placements effected during January-October 1976 were higher by 26.4 per cent and 24.1 per cent respectively compared to the figures of the corresponding period of the previous year. Admittedly these statistics do not give an adequate picture of employment in the organized sector, let alone the unorganized and agricultural sector. Here, I would like to place for the consideration of the Government. How are we going to tackle this problem of unemployment which leads to poverty? After all, eradication of poverty depends upon first of all providing employment to the people, so that they may have enough purchasing power and production of all commodities of mass consumption. Therefore, how do we achieve it?

In all humility I want to submit having gone through the experience of various Ministries, particularly,

when I was dealing with the Department of Science and Technology, we have evolved a new pattern of integrated development for the rural areas. It is nothing but the application of science and technology for the purpose of uplifting the rural areas. I need not go into the details of it. As a matter of fact, I submitted a detailed document when I submitted the Budget last year and this has been considered not only in various seminars and forums inside India but... it has been discussed in the international forums also and it is accepted that perhaps there is no other alternative except the integrated rural development for the purpose of solving the rural problem the rural unemployment and eradication of poverty. I am glad to find that a mention has been made in the President's Address with regard to integrated development. But some of us are under the impression that when we have to deal with the rural problems, we do not require high science and high technology. I differ from it. As a matter of fact, it is for the purpose of solving the rural problems and for tackling poverty that we require the most sophisticated technology. Take for instance one basic thing which has got to be done for the purpose of introducing and implementing the integrated rural development. That is the need of an inventory of all the natural resources available in any particular area. If we start surveying in the traditional way, it will take a generation perhaps to find out what we have by way of natural resources. To-day we have the advantage of the satellite, the earth satellite circling around the earth. Then we have the advantage of aerial surveys. And, based on that, it is possible to identify areas of natural wealth.

For the purpose of rural development you have to use the latest technology available so as to find out the natural resources available.

I can go on giving number of instances where highest science and

technology would be necessary. But for the purpose of exploiting natural resources what is important is if you go in for sophisticated technology, it would be at the cost of the local manpower. Therefore, that is where appropriate technology comes in for the purpose of exploiting and giving employment to the large manpower available in the rural areas.

One area in which we can be proud of our achievement is with regard to our scientific competence and technological capability. I am sure the hon. members would be glad to hear that we have the third largest scientific and technological manpower in the world. With regard to quality, they stand in comparison to quality of manpower in any part of the world and they are manning most sophisticated areas in the various parts of the world.

To-day we are in a position to tackle poverty. We have the technical manpower. We have built up scientific competence and technological capability in the country and this science and technology will have to be made available not merely for the purpose of sophisticated technology for various purposes for urban improvement, it has to be applied to the rural areas also. This is the new turn which we have given and fortunately this rural integration has been blessed by Vinobhaji. He requested the Prime Minister that in addition to the 19 districts taken up for the purpose of pilot project during the current year, Wardha District may also be included. We added Wardha District as the 20th district.

With all humility I want to submit this—if we want to eradicate poverty, it is not by more and more industries. Those are necessary for backing up the rural efforts. But it is only by upgrading rural capability, by providing more employment opportunities for the exploitation of the local resources, natural resources. That is the only way to solve the problem of poverty and also giving a new life

"That the Demand for Grant on Account under the head 'Ministry of

Information and Broadcasting' be reduced by Rs. 100."

[Need for starting a T.V. Station at Tirupati.(5)]

"That the Demand for Grant on Account under the head 'Atomic Energy Research, Development and Industrial Projects' be reduced by Rs. 100."

[Failure to instal an atomic energy plant in Andhra Pradesh. (6)].

SHRI C. K. CHANDRAPAN (Canonore): I beg to move:

"That the Demand for Grant on Account under the head 'Department of Agriculture' be reduced to Re. 1."

[Failure in taking steps to set up Coconut Board. (7)]

"That the Demand for Grant on Account under the head 'Department of Agriculture' be reduced to Re. 1."

[Failure in taking over the wholesale trade in foodgrains when there is adequate buffer stock.(8)]

PROF. SHIBBAN LAL SAKSENA (Maharajganj): I beg to move:

"That the Demand for Grant on Account under the head 'Department of Agriculture' be reduced by Rs. 100."

[Failure to make the Dehradun Forest Research Institute fully autonomous. (9)]

"That the Demand for Grant on Account under the head 'Department of Agriculture' be reduced by Rs. 100."

[Failure to stop the import of all foodgrains and other agricultural products by making the country self-sufficient in them by raising agriculture prices to the extent of import prices.(10)]

"That the Demand for Grant on Account under the head 'Department of Agriculture' be reduced by Rs. 100."

[Failure to take the Gandak Canal by Syphon under the Rohin river to Pharinda Tehsil and spread a network of irrigation canals all over Pharinda Tehsil as has been done in Maharajganj Tehsil of Gorakhpur District.(11)]

SHRIMATI PARVATHI KRISHNAN (Coimbatore): I beg to move:

"That the Demand for Grant on Account under the head 'Agriculture' be reduced by Rs. 100."

[Need to provide remunerative price to agriculturists for their products. (12)]

"That the Demand for Grant on Account under the head 'Agriculture' be reduced by Rs. 100."

[Need to undertake drought relief measures in all drought stricken areas in Tamil Nadu, Karnataka, Bihar, Orissa, Kerala, Maharashtra and other areas on a war footing basis with special attention to drinking water facilities. (13)].

"That the Demand for Grant on Account under the head 'Fisheries' be reduced to Re. 1."

[Failure in stopping the entry of subsidiaries of multi-national corporations and monopoly houses from entering the fishing industry. (14)]

"That the Demand for Grant on Account under the head 'Fisheries' be reduced to Re. 1."

[Failure to reorganise the fishing industry on cooperative basis, with a view to saving the poor fishermen from exploitation by middlemen. (15)]

[Need to examine the feasibility of the Ganga-Cauvery Canal.(22)]

[Failure to give assent to the proposed Ordinance of the Kerala Government for the nationalisation of foreign-owned tea plantations. (25)]

[Need to give rehabilitation grants to the MISA datenus and to the heirs of the deceased victims. (26)]

[Failure to take action to check closures, lay-off, retrenchment and other attacks by employers such as increased workloads on the workers(28)]

"That the Demand for Grant on Account under the head 'Ministry of Works and Housing' be reduced to Re. 1."

[The demolition of dwelling places of the poor in the big cities in the names of beautification. (29)]

"That the Demand for Grant on Account under the head 'Ministry of Works and Housing' be reduced to Re. 1."

[Failure in instituting an enquiry into the Turkman Gate incidents and firing which resulted from indiscriminate demolition. (30)]

PROF. R. K. AMIN (Surendranagar): Sir, I would like to congratulate the Finance Minister for giving us a very short, brief and well-balanced speech but I don't know what words I should use for the very long speech given by the shadow Finance Minister Mr. Subramaniam. I can only pardon him because, in the hope of becoming the Finance Minister, he must have prepared his speech and where can he utilise it except speaking in this House? Any way I would like to bring to your notice, Sir, the Subramaniam trap which has been presented by the shadow Finance Minister. What is it that he referred to by referring to national achievements in his speech? He wanted to show that he rises above parochial considerations. But here is a trap. By saying "national achievements" he has pointed out to us to India's achievements and therefrom that to India's achievements. Especially he referred to one of the achievements during the years 1975-76 as the increase of eight per cent in the national income. But, Sir, we should remember that that was because of a very prosperous agricultural year. It was because of the grace of weather-gods, not because of any emergency or not because of any Indira's efforts, but it was due to the efforts of the

rain-gods. Further he talks about prosperity of India. Let me ask one pertinent question to him. Our Finance Minister also can reply to this matter. In a very prosperous year why had you to import 7.5 million tonnes of foodgrains from abroad and thereby wasting our slender foreign-exchange resources? Despite the fact that there was prosperity in the country and you were selling foodgrains at very cheap prices in the fair-price shops, why the issued quote by the Government, has not been taken by the fair price shops? Why in fair price shops, the stocks were getting accumulated and not sold out? That was because real purchasing power was not there with the masses; there was severe unemployment. They were unable to buy them despite the fact that they were available in fair-price shops. This indicates very poor conditions in which the masses were living. And yet Mr. Subramaniam talks about the achievements of the Indira Government.

There are two or three specific things which I would like to bring to the notice of the hon. Finance Minister. He is very much concerned about the price-rise. The price rise during the last year was of the order of 12.5 per cent in respect of the whole-sale price index. But the real issue is this. We are very much concerned with the purchasing power of the common masses.

The wholesale price index does not reflect the purchasing power of the commonman. Therefore, what he should evolve is the new index number giving guidance to the common people like us. That is, he should give the index number of the most essential commodities which the poor-man or commonman requires. What happens to the rise or fall in price of those commodities in terms of this index is most important. If that is given one can find out what has happened to the purchasing power of the commonman. I hope that when he comes next time with his budget, he

[Prof. R. K. Amin]

will come with that sort of the price index in which the common man is interested.

The deficit financing estimated last year was of the order of Rs. 2328 crores but actually it had come to be of Rs. 425 crores now. I hope he will throw some light on this. How is it that despite the fact that our revenue has increased, there is deficit financing to this extent? Time and again the Finance Minister on the floor of the House had assured the people that there would not be any increase in the deficit financing, and still, there is an increase in the deficit financing.

I would now refer to another thing. The hon. Finance Minister said that next year there might be a deficit financing to the extent of Rs. 1432 crores, and when we draw upon from our foreign exchange reserves a sum of Rs. 800 crores, still there will remain a deficit upto the extent of Rs. 632 crores next year. I would now request the Finance Minister to tell us one thing. Of course in these three days he might have been helpless for making changes in the estimates which the earlier Govt. has prepared but at least he could have changed the proposals of incurring expenditure and making an investment, next year, i.e., some of his proposals of expenditure could have been curtailed and by so curtailing, he could have reduced the deficit from Rs. 1,423 crores to a very very low figure. Having said this I would like to suggest to him it is wrong to think that Rs. 800 crores proposed to be drawn upon from the foreign exchange reserves will not lead to inflation. I would draw the attention of the House to the fact that the supply of money has already increased considerably in this country during the last two year. Money is at present sitting and not on wing. The velocity of circulation is low at present. But this condition which is prevailing in the country shows that, probably, the velocity of circulation

will increase. So, the money will be on the wing instead of sitting. Although you may draw upon from the foreign exchange reserves, the inflationary pressure which is existing at present may affect the price rise. Therefore, he should find out what is the inflationary potential at present and then decide about the extent of deficit financing.

Some of the part of the last year's expenditure was of a political nature. I want to know especially after 18th of January when Parliament was dissolved, when there was a caretaker Government, how many promises have been made which had involved an additional expenditure for this Govt. because the previous Govt. wanted to satisfy the electorate. That must be clearly shown to us by our Finance Minister.

SHRI SOMNATH CHATTERJEE
(Jadavpur): Mr. Speaker, Sir, Mr. Subramaniam spoke about the democratic spirit of the people which was expressed in the last election and he also congratulated the people of this country who, in no uncertain manner, have expressed their faith and belief in democracy. In spite of the repression that was let loose by the previous Government for the last nineteen or twenty months by denying the people their fundamental and human rights, they have by means of a silent revolution, brought about these political changes in this country and have rejected this discredited party which has brought the country to this position.

Mr. Subramaniam was speaking about the genuine achievements. Having been rejected by the audience outside the House, we have been subjected here to a catalogue of the so-called achievements prepared by the DAVP, it seems, a la V. C. Shukla's style.

Sir, he was speaking of South India. Having been rejected by the vast majority of the people in this

country he is now trying to create division amongst the Indians by referring especially to South India as if people in North India do not represent a large segment of the Indian masses. I am sure our friends, brothers and sisters in South India have realised the mistake they have committed and they will soon rectify it in the elections that are bound to come soon.

Sir, he was speaking of Mr. George Fernandes and Shri Madhu Limaye taking so-called shelter in Bihar. But it is better that leaders like them should be adopted by any and every part of the country. But what about their own leader who has been rejected by her own people in spite of the loaded development projects which had been carried out in Rae Bareilly as if Rae Bareilly is whole of India. And what about their Yuvaraj and our hon. friends there paying obeisance with their conscience mortgaged. These so-called leaders of the people had surrendered their conscience even to that youngman who had no accountability to the people of this country and today they are shouting about democratic institutions! Their political credibility depended on the blessings of that youngster who had no credentials. Therefore, the lesser they talk about democracy the better it will be.

Sir, whatever progress this country has made, has been made in spite of that party and in spite of these people. It is the achievement of the people and not of the Congress party. That is why we are supporting this government because we are respecting the verdict of the people. In spite of the reign of terror that has been carried on in this country, people have expressed themselves in favour of democracy and we are all for this.

So far as the budget speech of our present Finance Minister is concerned. I do not envy him because he has to hold a de-formed baby of a diseased progenitor. The new government has

taken charge with the unequivocal support of the people not only against autocratic rule but also against the economic policies which have been followed in this country for the last thirty years, which have made the poor poorer and the rich richer and have also widened the disparities between the people of this country and allowed stranglehold of monopolists and foreign capitalists over the vast masses. This is the achievement of the last thirty years. During this emergency we were given the mantra of 20-point programme as if by chanting this mantra we can get rid of poverty. The more they chanted this mantra the greater was the poverty in this country.

Sir, we witnessed an unusual spectacle during the emergency. When the prices were actually rising, with a manipulation of some sort of agency in Simla, we saw the price level going down statistically, and taking advantage of that they reduced the amount of DA and brought compulsory deposit scheme. And so far as the big monopolists and capitalists are concerned they were allowed to retain the money in their hands by way of reduced payment of DA and they were making more and more profit at the expense of the common people.

Sir, the people of this country are prepared to give sufficient time to this Government because we have to undo the misdeeds of 30 years so that the Government can evolve proper policies which will eradicate poverty and achieve economic growth consistent with our social objectives and which will generate employment opportunities and reduce disparities. And we are committed to support this Government so long as it keeps its pledges to the people of this country.

Sir, 30 years of Congress misrule has resulted in 70 per cent of the people of this country living below the poverty line. They don't feel ashamed. They talk of potentials and

[Shri Somnath Chatterjee]

export performances when the people who are living below the poverty line represent 70 per cent. Sir, more people are living on footpaths than ever before. Thanks to the 20-point programme, there are more and more unemployed, the highest number of unemployed people now in the country, thanks to the 'Garibi hatao' programme, from 50 lakhs in 1971, the registered unemployed is only one crore and they do not feel ashamed about it.

Sir, we are facing acute financial distress. Now there is greater disparity. Monopoly houses are making more profits, their capital has trebled during the last three years and Sir, the country has been sold away to multinational corporations and we are now steeped in foreign debts and we are paying through our noses by taxing the common people in the country and 800 to 1000 crores of Rupees every year were given as interest by Mr. Subramaniam's Government to foreign countries.

Sir, we are supposed to have been going forward. But as I have been saying, we don't see any indication except by the writings on the buses that the nation is on the move. nowhere else. This country is supposed to be moving forward by writing slogans. Sir, an unreal situation is created to hoodwink the people. Sir, as I said earlier in the previous House that it was a fake Emergency and a spurious emergency and that was taken advantage of not only to consolidate the position of a single individual in the country, but that was taken advantage of for the purpose of declaring a war on the people of this country and specially the working class. They lost their bonus, they lost their DA. An infamous scheme was introduced like the CDS. When the people's economic condition was getting worse, their money was kept

with the Government and the Government was utilising that money and that big capitalists and company owners were utilising the money of the common people of this country.

Sir, you know they deprived the LIC people. You will kindly recall and as some of the hon. Members and those who keep information are well aware, that regarding bonus, there was a specific agreement with the LIC people. One of the clauses was for the payment of annual cash bonus. Mr. Chavan, the then Finance Minister and Mr. Raghunatha Reddy had blessed that agreement which was entered into in 1974 and when the time for payment of bonus to LIC people came they issued an illegal circular to stop payment of the bonus. I went to the Calcutta High Court on behalf of the employees. We won there. The High Court directed payment of bonus and how they showed respect to the High Court was by coming before this House with an Act and because of the arrogance of the then majority, and now they have been cut to their size, they passed the Bill by which one clause of that solemn agreement was deleted and bonus was refused. This is the way they treated the people of the country and treated the solemn agreement entered into with the active support of the Government and active participation of the Government. Bonus was taken away by this means and the LIC people were treated in that manner. When we challenged it in the courts, in the Supreme Court, the law officers of the Government wanted time for a settlement to be arrived at. After one month, they said 'no settlement will be possible'.

The Government was so arrogant that it was not prepared to listen to the employees' difficulties.

16.00 hrs.

Apart from this, frontal attacks were made on government employees.

Leading office bearers of government service associations and unions were dismissed for no fault except that they were leading cadres of different service organisations. Large numbers of employees were dismissed under art. 311(2) (c) without inquiry. When this was challenged in the courts and the courts directed them to show the reasons why they had been dismissed, they did not wish to disclose the reasons; they claimed privilege. It was because they had no reasons to disclose. Only those people hide reasons who have no reasons to disclose. This is the position. I have already written to the Finance Minister in this connection. In the income-tax department, in the audit and accounts department and in the commercial intelligence department, people have been singled out for dismissal by taking recourse to draconian measures like the extraordinary provision in art. 311(2)(c) of the Constitution.

What has happened to the ordinary, normal functioning of all trade unions and service associations? Take the Reserve Bank of India. Taking advantage of the emergency, all their activities have been stopped. Even deputations to the Manager are not allowed. There was a circular issued which says:

"No employee of the bank shall participate in or lead any mass deputation including mass deputation to the Manager or the head of the department or any other officer of the Bank whether during or outside office hours within any premises for the time being occupied by the Bank."

I cannot ventilate my grievances even to the head of my department. This is the sort of difficulties created for the employees taking advantage of the so-called emergency, for the control of an internal situation, all bogus; it was all utilised for the purpose of taking away the minimum

rights of the citizens of the country and of the government employees.

The circular I referred to is dated 23 March 1976. This concerns the Reserve Bank. There are similar circulars concerning other departments. I am sure the hon. Finance Minister will follow the same principle as enunciated by the hon. Railway Minister with regard to the dismissed and suspended employees. I am sure he will do justice to these employees very soon.

16.03 hrs.

[SHRI TRIDIB CHAUDHURI *in the Chair*]

As for the other aspects of bulldozing measures adopted by taking advantage of the emergency, getting only 47 per cent of the vote for parliament but having 75 per cent of the seats, they misused their majority to pass certain laws. You will recall the measure concerning separation of audit from accounts. The real object of the measure was to prevent proper scrutiny of wasteful expenditure, prevent discovery of the same. That was why audit was separated from accounts.

I am sure during the next session the Finance Minister will come up with the main budget proposals. I am sure at that time he will bring forward proposals for doing good to the people, for reducing the rigours of unemployment, and the disparity between rich and poor. These are proposals to which the people of the country are certainly looking forward. Meanwhile there are certain things which require immediate attention, like the restoration of bonus, DA and scrapping of CDS as also the withdrawal of dismissal and suspension orders on Central Government employees. There has been large-scale victimisation of State Government employees also but we are not concerned with this at the moment. But so far as the Central Government

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employees are concerned, I have already written to him. I am sure he will look into the matter and take necessary steps to withdraw the circulars which are inhibitive of the normal, lawful, constitutional functioning of the employees' organisations and associations. If this is done, a healthy atmosphere will be created and there will develop a spirit of co-operation between the departments concerned and the employees. I am sure nobody can blame the workers and employees organisations for having stood in the way of progress. Those were the ideas of a discredited, discarded party. I am sure we shall not be following that.

I do not wish to take more time. I will mention only about one thing. Shri C. Subramaniam referred to smuggling. Certainly, we are totally against smuggling. But now that the requirement for contribution to the Congress fund is not there, now that that source has dried up, the incidence of smuggling will be reduced. They were the beneficiaries of this, naturally they had to pay black money to finance them. The ordinary laws of the country, I am sure, would be able to help you stop smuggling; but if they are used in a lackadaisical manner they would help the smugglers. If they are implemented properly, you can stop smuggling. You have to associate people in this matter; you have to have faith in the department and activate the department in a manner that they are also inculcated with the spirit of patriotism and love of the country. That will be the best thing for the purpose of stopping smuggling and also stopping the drain of foreign exchange in an illegal manner. Given the will of the people of the country, it can be done. With all his experience, Mr. Patel, with the support of competent colleagues would be able to achieve this by formulating proper policies and implementing them. They should remove the long

standing grievances of the people and raise the standard of living of the people at least to the minimum necessary. With these words, I support the budget proposals of Mr. Patel and I am sure that the main budget when it comes will help the people.

SHRI A. C. GEORGE (Mukandapuram): Mr. Chairman, at the outset may I congratulate the new government, the new Prime Minister and the new Finance Minister Mr. Patel. I have the unique privilege of conveying the greetings to this new government the Prime Minister and the Finance Minister from Kerala, a small state in the extreme south of India. It so happens that they did not send anybody to Parliament who would support the present government or its allies. Out of 20 Lok Sabha seats, the enlightened and highly literate people of Kerala just refused to send one member of the Janta Party or its close cousins and relatives from the CPM. It was interesting to hear from Shri Somnath Chatterjee what he says; he was congratulating and aligning himself with the new government.

SHRI SOMNATH CHATTERJEE: You are making a mistake if you think that you can make us deviate as from our path; we know what we stand for.

SHRI A. C. GEORGE: If you kindly wait half a minute, I shall explain to you what the mistake is. Even Palghat which used to be represented by that revered leader A. K. Gopalan was lost to the CPM because of their new relative, the Janata Party. Then there is the most progressive state of Andhra Pradesh. I am sorry that the hon. Speaker is not here. That state sent only one person Mr. N. Sanjiva Reddy simply because they were assured that he would be elected as Speaker and he would immediately resign from that Party and so they happened to elect him.

The enlightened people of Andhra Pradesh thought of sparing only one

persons, the highly respected elder statesman, because they had the assurance that as soon as the Parliament was convened, he would honour them by resigning from that party. And that he has done. I am sure he must have done that.

(Interruptions)

Sir, many of the hon. Members on the other side think that I am still a Minister and it is their duty to interrupt me. I am not a Minister and I am a Member on the Opposition side. Sir, I cannot think of any other Government in free India and any new Finance Minister who is luckier than Mr. H. M. Patel. He has been handed down the Treasury and a state of economy which is anybody's envy. The economy is stable, the foreign exchange position is stable, the balance of payment is stable and the price stability can be compared with any other developing country.

SHRI K. S. CHAVDA (Patan): What about the unemployment position?

SHRI A. C. GEORGE: You solve it. I think Mr. Chavda still thinks that I am a Minister.

SHRI K. S. CHAVDA: I will not commit that mistake.

SHRI A. C. GEORGE: Sir, I am only trying to offer my helping hand for whatever it is worth to the new Finance Minister whose job is to see that what has been achieved during the last few years especially in the economic sector it is consolidated and do not allow your friends to spoil it. It would be rather difficult to spoil the economy that is at present existing in the country. Sir, you have a unique advantage now of playing with the foreign exchange reserves that have accumulated during the last few years and to feed the people and not to operate in a restrained and constricted economy that was forced upon us a few years back.

Sir, the wholesale price index number stood at 331 in September 1974 and it was going up. They were agreeing to that. But it is very interesting to note when the figures were mounting and at the end the inflation figure was as high as 30 per cent and the wholesale price index was steadily going up, shooting up like a star, all these friends said that the figures were correct. When the wholesale price index number was coming down, they said that the figures were cooked up. This is a paradox. We were able to bring it down to 312 in June 1975 and 282 in April 1976. I do concede that in a few items the prices went up but still let us realise that the price of the essential commodities is at the level of September 1974 when it was tabulated last month. This is the advantage where the Finance Minister should consider himself lucky. The crop estimate is good. The edible oil prices were used to be going up. Now, in the case of rabi crop especially the mustard seeds and the new rabi crop, in most of the important areas which grow groundnut, the estimates are good and I am sure the Finance Minister can consider himself to be lucky that the prices can be managed if there is a will. Sir, I do consider that the people of India must have a change of Government and they gave a massive majority to the new Government. But I have a feeling that this new Government is elected on emotions.

Let me make a subtle distinction. This government does reflect the feelings of the people as at present but it will take some time for us to see whether it reflects the thinking of the people. That is why I said this government has been elected on emotions.

In 1975-76 the export performance of this country was extremely good. It went up by 18 per cent over what was achieved in 1974-75 and we reached the figure of Rs. 3961 crores. In spite of that, because of the record import bill of Rs. 5158 crores, we had the biggest adverse balance of payment in

[Shri A. C. George]

1975-76 to the tune of Rs. 1200 crores. But in spite of this, we had a favourable foreign exchange situation. Why? In 1974 the remittances from our patriotic Indians abroad was Rs. 46 crores on an average. In 1975 because of the rigorous enforcement measures and alert administrative measures, because of the various other attractive measures taken by the Finance and Commerce Ministries in 1975, the average went up to Rs. 86 crores. In 1976 it stood at Rs. 126 crores per month, i.e. about Rs. 1500 crores per year. It is this phenomenon which, in spite of the biggest adverse balance of payment gave us a favourable foreign exchange situation. The Finance Minister must remember that this was because of the rigorous enforcement measures taken. Mr. Somnath Chatterjee is not here at the moment. He was giving a very constructive advice to the Finance Minister to stop smuggling, saying "You must appeal to the patriotic sense of the smugglers". It is on record. The great revolutionary, Mr. Somnath Chatterjee, who was advocating that smugglers must be hanged, hand-cuffed abandoned and sent out of the country now asks the Finance Minister to appeal to the patriotic sense of the smugglers! This new advice is really interesting. I do not know whether this is due to the new relations with Janata Party! The advice is that the Finance Minister must spare some time, go to the smugglers of Bombay and on the western coast and the eastern coast, sit with them and say, "Friends, I appeal to your patriotic sense!"

This is an important point. This country has a strong currency now. It is widely known that the power and influence of any country is directly proportional to the strength of its currency. There is no question of mincing words about that. In international relations, there is nothing like absolute friendship. If a country is strong and powerful, it means its currency is strong and powerful.

Please do not think that just by appointing Shri Atal Behari Vajpayee as External Affairs Minister, we are going to get new friends, in the international sphere.

Do not think that by just appealing to the patriotic sense of the smugglers you will be in a position to achieve anything. We will have to adopt very rigorous measures. Of late—I never question the bonafide of Mr. H. M. Patel—for the past ten days, there is an atmosphere in the country that you can get away with anything. The industrialists, the traders, the wholesalers somehow feel that here is a Government where we may be comparatively safe. I am happy Mr. Somnath Chatterjee has come. I was correctly advising them what you have said.

SHRI SOMNATH CHATTERJEE: I said that if there is a proper implementation, the normal course of law is enough. You terrorised them and you took money for election purposes. (Interruptions).

SHRI A. C. GEORGE: In the new circumstances, I am sure Mr. Somnath Chatterjee will be more interested in the normal course of the law especially in the matter of smugglers.

As I said, I will never attribute motives or mala fides to them but simply because of your party and some allies, somehow a feeling is going on that any economic criminal can escape. This is a dangerous trend. With all humility, with all the best intentions I am giving this suggestion to the Finance Minister that if you will allow this feeling to strengthen you will never be able to check and control economic offenders. Already they have got a feeling in Bombay, in the coast of Gujarat and other places that here is a Government which is at least a different one than the earlier one. (Interruptions). I am telling a few things in their own interest. Here is a Finance Minister who has been given a state of economy which is very healthy compared to any other

developing country. The inflation has been controlled to a great extent. The wholesale and consumer price index has been brought down. It is their duty to see that this tempo is not slowed down. It is their duty to see that it is preserved and at least the part of progress is not retarded.

DR. SUBRAMANIAM SWAMY (Bombay North East): Mr. Chairman, it is very interesting to hear Congressmen speaking from the Opposition benches and trying to hide the fact as to why they were not voted back to power. I am even more surprised that a distinguished former Minister like Mr. Subramaniam should undertake a digression into an area about which he hardly knows anything.

Mr. Subramaniam proposed a new doctrine, that those who are from a particular region must fight from that region. He quoted the example of George Fernandes. He quoted the example of people like Madhu Limaye; but he forgot to mention me.

SHRI C. SUBRAMANIAM: I am sorry I did not mention the modern Netaji.

DR. SUBRAMANIAM SWAMY: I would like to take this opportunity to say that all of us in this country regard every other part as much or as equally as any other part. I am surprised that Mr. Subramaniam would go to the extent of saying, 'their own people'. What does that mean? How far should we push or apply this doctrine? May I ask Mr. Subramaniam, what about your former distinguished colleague Mr. Krishna Menon or Mr. Ajit Prasad Jain? What about Mrs. Indira Gandhi herself? She is from Kashmir. By his doctrine, she should fight from Kashmir. By her own admission, she should fight from Gujarat, because she said that she was the daughter-in-law of Gujarat. Or, because her husband was a Parsi, maybe Mr. Subramaniam's suggestion would be that she should fight from Iran, and not from India. And considering the

form of government being practised there, I am sure she would feel very comfortable there. I think this kind of logic cannot be utilized. He must have spoken this when he was in a hot moment. He is known to speak a lot of illogical things when he is angry. He easily gets angry. The Constitution says that a man may be registered as a voter anywhere, but he can fight from anywhere else. This constitutional principle he abides by and respects.

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATE): When did he respect the Constitution?

DR. SUBRAMANIAM SWAMY: Yes; maybe he has not read the amended Constitution. That part is still there. I would urge Mr. Subramaniam that in order to get rid of the petty mind and narrow vision, he should fight from somewhere else during the next election, which would teach him that actually India is one and that all of us can go outside our own villages and get some affection. Maybe he can come to Bombay in the next election, and fight against me. And maybe, because of the name-confusion, he may get my votes also. I am willing to come just now.

Now, I would like also to take very strong exception to Mr. Subramaniam's statement that government very gracefully handed over power. What does that mean? Government is expected to hand over power. Gracefully, of course. We did not expect anything else. This is a surprising statement to make, as if the earlier government had any option. I would have dared them to do anything else. Let them try and not hand over power and see what would have happened. They would have tried, because even when the election-results were coming out, people who were in high offices, instead of immediately resigning—being in government—asked for re-count and for repoll; and perhaps some of them sought police inspectors; and some of them acted in a disgraceful way; and

[Dr. Subramaniam Swamy]

some of them even had bullet shots at them. This is the kind of drama that they enacted. (*Interruptions*) I would say that if this is the kind of logic that would be applied, we can say that we were equally graceful in that we have not arrested Mr. Subramaniam and put him under MISA. He is a free man; and he can say what he likes. As long as the Janata Party government is there, I am sure he can speak with full freedom; he need not worry.

We shall certainly prosecute people under the normal laws. One of his colleagues talked about smugglers. We are a little apprehensive that if we caught all the smugglers, the Congress party would get decimated, because most of their workers would be in jail, having the profession that they do.

The other thing that I must take exception to is the talk of economic achievement. I can understand that under the Emergency, all of them were afraid that if they did not come out with the sings-song about economic progress, they would lose their ministerships.

But after the whole thing is over, when the facts have all come out, they should at least have the honesty to come out and put the whole matter in perspective. The Economic Survey, which should have been published by now, has not been still published. Perhaps, the election would have been an embarrassment; perhaps, they were occupied doing other things in the election, when they should be doing official work, and that is why perhaps it has got delayed.

I myself prepared a booklet in 1975 where I pointed out the economic progress since emergency. All the facts in this booklet were taken from newspapers, censored Indian newspapers, and put them together. What happened? I sent it openly for print-

ing. It was during the emergency and before the elections were announced. What happened? The Government impounded all the 5,000 copies of the booklet and still I am yet to get possession of it. Of course, Government was in a very difficult position. They could not catch me. So, they caught my book instead.

Kindly take facts, step by step, I ask Shri Subramaniam: which of these can be questioned? He says the prices have been brought down. Since when were they brought down? The prices were brought down from September 1974 to March 1976, which really consisted of nine months before the emergency and nine months after the emergency, and they were brought down for a variety of other factors. Which of the prices were brought down? If you consider the retail level, it is the price of food and the price of edible oil. The price of food came down because there was a very good harvest. Considering that 75 per cent of our crop is rain-fed crop, the production is based on the fact that rains come on time. The price of crop came down because of the rains. It is said that the trains run on time because of the declaration of emergency. I hope it would not be said the Gods were terrorised and so the rains came on time; I hope they would not claim that.

Even at that time if the prices of edible oil came down, to whom the credit should go? Much of the edible oil is coming from groundnut and a large portion of it is produced in Gujarat, which at that time was under the Janata Morcha Government. So, the credit should go to the Janata Morcha Government. But we do not claim credit for it. We know the rains came on time and that is the reason why the commodity prices have come down, why the prices of other commodities have come down.

The Government did reduce the prices for air-conditioners and television sets. But these, of course, do

(Dr. Subramaniam Swamy)

growth rate went up because agricultural production went up, but in 1976-77 rains were not on time, there were cyclones and floods. This Congress Government had never done anything to meet them. Therefore, the growth rate has dropped to 2 per cent. They talk of their stewardship of the economy and its strong position, but I am sure the Finance Ministry will soon be releasing these figures for the benefit of all.

Similarly, they talk of industrial output and say that this year's industrial output is going to be 10 per cent, but you increase industrial output for what, in which sector? It has been increased in the public sector. What is the use of increasing coal production when the rest of the country is not in a position to buy that coal? There is a huge stockpile of coal at the pitheads, also of steel, fertilisers and every other commodity. Mr. Subramaniam will remember that in July, 1974, this Congress Government totally bankrupt of ideas, did not have any clue how to control inflation. At that time some independent economists got together and came up with the idea of credit squeeze as a short-term strategy. That is what he adopted, but he continued it for a long period. Prices are like temperature and credit squeeze is like aspirin. Mr. Subramaniam being a poor doctor kept on giving the aspirin. The patient was about to die, but luckily we have been brought in and we shall bring some life back into the economy. If he had been there, the patient would have been dead.

Then they talk of the foreign exchange that they have accumulated, but they do not mention what the trends are. Certainly in the first few months foreign exchange reserves went up, but that was largely due to larger remittances by Indians abroad, those in England and Canada, due to the fact that in those countries there

was racial violence and tension. In the beginning they were giving monthly figures, but what about the period after September, 1976? Is it not a fact, I would ask the Finance Minister also, that remittances from abroad, especially since August, 1976, have been steadily coming down because the panic of Indians abroad is going down?

SHRI A. C. GEORGE: The remittance in February was Rs. 124 crores and on 18th March, 1977 the foreign exchange figure was Rs. 1419 crores.

DR. SUBRAMANIAM SWAMY: But are you going to keep it in a museum or transfer it to a Swiss bank? What are you going to do with it? Why have you accumulated all this foreign exchange? In fact, it is a criminal act that this foreign exchange was not utilised for proper imports. Instead of that they just kept it in the Reserve Bank and issued rupees to the Indian Public.

SHRI JYOTIRMOY BOSU: Are you losing sight of the fact that Mr Subramaniam was the author of "Devaluation of 1966"?

(Interruptions)

DR. SUBRAMANIAM SWAMY: You will come to know very soon what we are going to import. They talked about that the value of the rupee had gone up. I want to know against which currency it has gone up? I know what they have done about it. This is all tall talk; this is all publicity and total falsehood; this is total falsehood to say that the value of the Indian rupee has gone up. It went up some time back against the pound because India had the mysterious concept of linking its value to a basket of currency in which the dollar happened to play the biggest role. It went up automatically like *gadha* and its *poonch* (donkey and its tail), that is, wherever the *gadha*

oes its poonch also goes. The same way, the value of the rupee went up against the pound. If you consider the value of the rupee vis-a-vis dollar, you will find that it has gone down. This is the present position of the rupee vis-a-vis dollar. Therefore, this has no merit at all. That is what the Congress Party had been doing. In the first place, none of them had the courage to stand up. Secondly, their leader came up with a programme which had no basis. They came out with the 20-point programme for getting some people released from the jails. That is what all about it. What is the 20-point programme?
(Interruptions)

I am one of the few persons who have actually read the 20-point programme. Mr. Vasant Sathe went to Paunar and came back with lovely messages and all that. What is the 20-point programme. It says that we must increase production. Some people came and told me, "Are you against increasing production?" Even my grandmother told me that production should be increased, but she never became the Prime Minister. The duty of the Prime Minister is to specify where we have to increase our production because this country has got certain priorities. There are limitations on our resources. Every body can say that production should be increased. It is the duty of the Prime Minister to specify exactly what are the priorities and which are the areas where production has to be increased.

(Interruptions)

Let us look at the intellectuals of the 20-point programme.

SHRI VASANT SATHE (Akola): You tell us what is important according to you.

He himself does not know what he is talking about.

(Interruptions)

DR. SUBRAMANIAM SWAMY: This House must know what a fraud of 20-point programme is. The question is that there are certain statistics in the 20-point programme. I want Mr. Subramaniam to answer my question. He says, "In one year, in the 20-point programme, we shall increase irrigation potential by 50 lakh hectares."

But the Five Year Plan says that in one year we can increase only by 9 lakh hectares. And the achievement is only 8 lakh hectares. The Prime Minister's 20-point programme says, 50 lakh hectares whereas the Planning Commission says, 9 lakh hectares. The achievement is only 8 lakh hectares. What was going on in the Government? Did you have guts to tell Mrs. Indira Gandhi that the 20-point programme figures were different from those of the Planning Commission? No. Because Mrs. Indira Gandhi happened to be the Minister of Planning, the Chairman of the Planning Commission and the author of the 20-point programme. How can you say, in one breath, 50 lakh hectares and, in another breath, 9 lakh hectares? And the achievement is only 8 lakh hectares.

Regarding the power development, it was said that the power generation will increase by 2,600 MW, that is, that would be the capacity created or the potential created. But the Energy Minister says, it is only 1700 MW and the achievement is only 1440 MW. That is what was going on. Did you expect that anybody will ever confront you with actual figures and find out what fraud you were perpetrating on the people of India? All this make-believe economic progress in the last 20-months must be fully exposed. I would urge upon the Finance Minister to come out with actual facts and figures and let the people of India know what actually happened in the last 20 months, how much the poor people suffered in the last 20 months

[Dr. Subramaniam Swamy]

and how the Emergency benefited only a handful of people. They did not have guts to speak out and allow anybody to have his say. They did not allow even the speeches made by the Members of Parliament to be reported in the newspapers. With all this *purdah*, the 20-point programme might look very big. But it is not so. This is what a poor man told me in my constituency where 45 per cent of the people live in slums. He said, "Mrs. Indira Gandhi promised to remove the poverty in 1971. We are going to Delhi to tell her to return the poverty of 1971 to us because the poverty of 1971 is much better than the riches of 1977."

SHRI ARAVINDA BALA PAJANOR (Pondicherry): Mr. Chairman, Sir, I rise to participate on the General Budget discussion. I will be failing in my duty if I do not congratulate the Ministry headed by Shri Morarji Desai and also the Finance Minister, Shri H. M. Patel, who has to his credit varied experience of civil service and also as a Member of Parliament. But as a Member of the All-India Anna D.M.K., I have to say certain things to both the sides.

I am really proud to see many of the old Ministers, the Foreign Minister, the Finance Minister, the Commerce Minister and other Ministers sitting as a shadow Cabinet on this side. At the same time, I welcome the new Ministers on the other side, the persons like Shri Mohan Dharia, Shri Madhu Dandavate and others. This is the first time that the country has got such an opportunity to strengthen parliamentary democracy and let us not waste it.

As I said last time, the people cannot be fooled for long by showing progress mainly on paper. They should feel that there is real progress in the daily life. I gave that warning last time and the verdict has now come.

I am not sorry for it. We have to respect the verdict of the people. We have been supporting the Government whenever progressive measures were undertaken and, at the same time, criticising the Government whenever the mistakes were committed by them. Now, the verdict has come and it has to be respected by both the sides. I mean the people on the opposition side also have the verdict of the people to sit and oppose the government as and when required for dissent is the essence of the democracy.

This is the first time that we are having a large number of Opposition Members on this side to balance the parliamentary system of Government. There is another group like us to tilt the balance whenever required in the interest of the people of this country. If the ruling party goes on the wrong track, we will not be cowards and we will point it out with all the might at our command and, at the same time, we will not be failing in complimenting them whenever good things are done for the people.

When I came for the first time to this House, I could not even utter a word because several Members used to get up at the same time and none could be heard and the poor Speaker had the hectic time. I hope, that is over now. And I humbly request the members on both the sides to adhere to a peaceful and dignified parliamentary system in our country.

This is the best Parliament that we have this time, in all these 30 years. Dr. Subramaniam Swamy was very eloquent in pointing out the 20 months' so-called achievements, imbalance, etc. But this is not the time for us to criticise the past Government. It is alright; we had all gone before the people, and the people have given their verdict. This is the time for us to act, and if we do not act, people will punish us in the same

SHRI K. GOPAL (Karur): On a point of order. Can a Minister sleep in the House? The hon. Minister of Health and Family Planning is sleeping in the House.

The people of this country are watching how the Janata Government is going to help them, how the All India Anna DMK Party is going to give constructive opposition support and how the Congress Party is going to give constructive criticism. I do agree with Mr. C. Subramaniam when he came out with certain facts which cannot be denied. Of course, there was misuse of Emergency, but we cannot also deny that there were gains of Emergency. There was discipline in the country as far as the economy is concerned. I was able to send my son and daughter to the school peacefully. But at the same time I do not agree that they had done everything in a proper manner, and when I raised it in the House at that time, many Members said that I would be sent to Alipore Jail if I did that, and my reply was that I would prefer to go to Alipore Jail rather than being sentenced by the people of this country. I said that that was the last chance for them to survive, and many of them never listened to me and they paid the price for it. Now in the very first step, I am afraid, the same old mood of brushing aside constructive suggestions is being revived. I do not warn you, but I recall to your memory what happened in the past. This is not the way you are supposed to function. While I congratulate the Prime Minister, I would remind him of this; let it be a real Janata Government, not a hypocrite or unreal Janata Government. I know, you blamed the previous Government that they never went to the people to understand their problems. And when we all went to the people for votes, it was not all positive votes; many negative votes were also there for people are not very much concerned only about the civil liberties such as the writ of *Mandamus*, *Quo Warranto* and *Certiorari*.

[Shri Arvinda Bala Pajanor]

The people of this country expect bread, the people of this country expect shelter; the people of this country expect food, and not only food but also clothes. What is the programme you have suggested for that in this Budget? Will it take such a long time for the Finance Minister to spell out the simple philosophy as to how you are going to help the "Janata" by the "Janata rule"? I just want to know in clear terms.

I appeal to you to tell the people first that we are going to give you employment by these methods. Not only that, I know from my little experience of my own constituency of Pondicherry and also other places in Tamil Nadu what people expect of us.... (Interruptions) I can understand our young men's anxiety. People said that the old generation is going to rule. But when I saw Mr. Subramaniam Swamy getting up, I thought here is a young brain in the Government and there will be a compromise, the compromise of mixed economy. I will come to the economy part later on. If you are going to disturb the peace of the House and say that this is a different House, I am not prepared for that and at the outset I may say that I cannot be a party to that kind of things being perpetrated in the House. I want sincere work, I want sincere and constructive work in the House. We have to rise to the occasion and this is the time for us. If you do not rise to the occasion not only people will condemn us but also other forces will lead to a revolution in the country. That is the warning of the recent elections.

I agree that this government cannot be blamed for the present state of affairs. But also remember that we were not a party to the previous government's misdeeds, we lent them selective support. Similarly, we assure you that we will also support you. But may I tell you? People want to know what is your policy so that we can select and support? Are you going

to give bonus to the labour? What is your policy with regard to rural indebtedness? When this matter of bonus was represented to the Finance Minister, I am sorry, I could not say that he was positive but he was neither negative but he was highly evasive. You must tell categorically that bonus will be given to them. When Mr. Amin was speaking about the economic philosophy, I tried to understand his thinking on our economy. Unless you give money to them, they will have no purchasing power. You take away by the left hand what you give by the right and I want to know from the Finance Minister what sort of balanced economy he is going to have in this country then? In this context I tell you about the people in the rural areas. I know many of us got the votes from the common man. We always go and talk about the poor man in India for the sake of slogans. But when you go to the rural people, what is their position? He is indebted upto his neck. I tell you. The previous government protected the poor only from the private money-lenders. But the poor is not protected from the harassment of the Govt. credits. Even today I have received te'grams from my people that they are harassed and put to lot of difficulties in recovering the dues from them. The cooperative and bank officials harassed and tortured the poor common man. In Pondicherry I saw for a petty loan of Rs. 50 or Rs. 60 the poor man is being harassed by the cooperative bank. I expected Mr. Swamy to give some suggestion. What has he got to help the man in the rural areas in tiding over this indebtedness? I have one suggestion. We have the post-offices throughout our country. Why not make them as a lending institution? Mr. Subramaniam said that the Rural Bank has come up to help. May be it is very good, for theoretical purposes but we have seen in the past that all this does not help the common man. But why don't you make the post-office as a lending institution? Why don't you suggest such a kind of constructive programme? That is what is expected of Mr. Patel. I know Mr.

Patel. He is very busy there. When he used to sit here, he used to advise us also. Perhaps he thinks from the opposition I cannot give him any suggestion. But, please remember that all of us are elected as representatives of our people who require considered attention. Your statement, I admire, is well-written and in good English. I know pretty well that the Finance Minister has varied experience as Finance Secretary member of this House, in the past. You are a very clever man. My humble request to you is: let us not be escapists. I say that the previous government were escapists in certain matters and they were punished. But I do not blame all of them. Many of them were sincere people and they tried their best to help the country. When the achievements were there, I heard Mr. Chatterjee saying, 'They are people's achievements.' You do not want to give any credit to them. It is not proper.

17.00 hrs.

[MR. SPEAKER in the Chair]

I agree with them that there was progress in the country and certain economic discipline was there. But at the same time the Reserve Bank of India had given a verdict inflation is going on. As far as educated unemployment is concerned, it is more than 60 lakhs. The position in regard to uneducated is still worse. Purchasing power is going down. What is the measure and what is the policy which the Government is going to adopt?

You are taking Vote on Account for four months. We will be wasting four precious months of the year. What are the programmes which you are taking after four months? We were used to such kind of things in the past whatever Government may

be. The slogan was that within a short span of time it cannot be done. In economics, in the long run everybody will die and nobody will survive to Judge the results.

The other day the Prime Minister was saying that he had plan for 10 years. We have five years, seven years or ten years plans. We should give a good-bye to all this. What is your programme. Janata Party has approached the people with the programme. Where is it in your budget?

MR. SPEAKER: Please conclude.

SHRI ARAVINDA BALA PAJANER: I request the Members to take it seriously. I request the hon. Finance Minister... (*Interruptions*).

MR. SPEAKER: He is concluding. Could you not conclude in a minute or two?

SHRI ARAVINDA BALA PAJANER: I will take another ten minutes.

MR. SPEAKER: Then, to-morrow.

17.02 hrs.

PAPERS LAID ON THE TABLE—
contd.

PROCLAMATION ISSUED BY THE GOVERNOR
OF JAMMU AND KASHMIR

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH): I beg to lay on the Table a copy of the Proclamation No. P-1/1977 dated the 27th March, 1977 issued by the Governor of Jammu and Kashmir, under section 92 of the Constitution of Jammu and Kashmir, published in Jammu and Kashmir Government Gazette dated the 27th March, 1977. [*Placed in Library. See No. LT-13/77*].

17.03 hrs.

MOTION FOR ADJOURNMENT

DISSOLUTION OF JAMMU & KASHMIR

STATE LEGISLATIVE ASSEMBLY

MR. SPEAKER: We will now take up the Adjournment Motion.

DR. KARAN SINGH (Uddampur):
I move:

"That the House do now adjourn."

The nation has just emerged from the world's greatest and largest general election and the maturity of the Indian people and the capacity for a smooth transition has evoked world-wide admiration.

Announcing the elections, the former Prime Minister had called that an act of faith, I would submit that although our party has lost its majority, our faith in the inherent good sense of the Indian people is absolutely justified. Parties and individuals may come and go, but if the unity and strength of India is maintained and its secular and democratic foundations strengthened, the future of people is assured. It is, therefore, in this context that I consider it nothing short of tragic that within 48 hours of the installation of the new Government in the Centre, in the crucial border State of Jammu and Kashmir, all democratic norms were thrown to the wind. A shameful and shocking political affair took place where on the advice of a person with three other Members in the House—a total of four Members in the House of 75—the Assembly was dissolved. I would like to say that this has been not only a question of any one party or the other party, this has been the national disgrace. I think it is something which I am sure when the hon. members opposite have heard us out I am sure they will also agree that what has happened in Jammu and Kashmir has not brought any credit to this country.

May I briefly recount the political events in the State over the last four or five years. In 1972 in the general election the congress party got a clearcut majority and the government under Syed Mir Qasim was formed and it was functioning smoothly. As that time Shri Sheikh Abdullah announced his desire to return to the political mainstream and said that he was going to wind up the plebiscite front and treat the accession as final and would like to come back to the political mainstream. So, in keeping with the political traditions of the country, negotiations were opened with him. Ultimately a political agreement was arrived at. It was indeed a very rare and unique act of political self-abnegation on the part of the congress government with a clear cut majority—support to make way for Sheikh Sahib. Not only that. Two Congress M.L.A.s. resigned their seats so that Sheikh Abdullah and Minze Afzal Beg can be elected to the Assembly I would submit that the situation in Jammu and Kashmir has always been very delicate. It is not a question of one party or another party but the broad national interest and in that the Congress willingly and happily gave its power and Sheikh Sahib was inducted into the Government.

For two years thereafter the Congress extended full support to Sheikh Abdullah Government despite the fact that there were numerous provocations, despite the fact that the Congress was often-enough abused and ill-treated by Sheikh Abdullah and his colleagues. The Congress said that as it is in the national interest even if we suffer some humiliation we should not mind, we should support it. But, Sir, what happened,—I am pained to say this,—had belied the high hopes that had been generated by the accord. The Congress was not represented at the Cabinet level. We left it entirely to Sheikh Abdullah. But unfortunately the Government displayed indifference to the people's welfare and displayed utter insensitivity to the needs of the common people.

As you know, Jammu and Kashmir is a very far-flung, mountainous and backward area. What was required to be done was that there should be rapid economic development and that the needs and the aspirations of the people should be met. But unfortunately what happened was that the developmental process slowed down. Unemployment increased, to our great dismay. The basic feature of the accord was that all the secular, democratic and patriotic forces should get together. But what happened was that the National Conference, which had come into being when the Plebiscite Front was wound up, was not ever able to overcome its deep-seated allergy and antipathy to the Congress. The situation deteriorated and matters came to a head in the recent general elections that were held. It became very clear that the accord was not functioning at the ground-level at all. In fact tensions increased. We would have been hoodwinking the people if we had continued to support Sheikh Abdullah. And therefore, after due consideration, the Congress parliamentary party decided to withdraw support to the Sheikh Abdullah Government and, on the 25th of March, the Leader of the Party wrote to the Governor that they have withdrawn the support, enclosing a list of Congress members and saying that they would be prepared to form a new stable Government. They did not act irresponsibly. They realised that Jammu and Kashmir is a sensitive State and we should ensure a stable Government in Jammu and Kashmir. We knew very well that we had a very clear-cut majority in the House. This has not been disputed by anybody so far.

Therefore, the party wrote to the Governor. Now, this is where an extraordinary development starts happening. Sheikh Abdullah, for many years, has been proclaiming his democratic professions and he has been claiming to be a great democrat. Was it not his duty, at that time, when he enjoyed power, as a

result of two years' Congress Members' support—was it not a simple, straightforward and clearcut political responsibility—to have immediately resigned and ask the Governor to call upon the Congress to form the Government?

He had only three people in the house. It is unprecedented, I think, in the history of the constitutional functioning throughout the world, that one person with three musketeers should have the affrontry to advise the Governor to dissolve the House when there was a clearcut majority there. First of all I would like to make this point. Where was political morality or propriety of Sheikh Abdullah in recommending the dissolution of the House when he knew fully well that the Congress Party had a clearcut majority? As a result of this undemocratic action, he would stand condemned in the eyes of the people. I think this is the first important point that this honourable House should realise.

Then, Sir, what happened? What has the Governor done? Sheikh Abdullah should have resigned and asked the Governor to call upon the Congress to form the government there. He did not do that. Despite his professions, he threw them to the winds and said 'dissolve it'. Then comes in the Governor. What has the Governor done? The Governor should have clearly pointed out that he had only three Members in the House and here was a party which had a clearcut majority. Before I dissolve the House, I must call upon this Party to form the Government. What has the Governor done? The Governor was here in Delhi. On the 25th letter to the Governor goes. And on 26th the Governor flies back to Jammu and without waiting, without even meeting the members of the Congress Legislature Party—if he had any doubts

[Dr. Karan Singh]

about our claim, he should have called us—but, he goes back and the decision to dissolve the House is taken, within three hours of his going back to Jammu, and he dissolves the House.

SHRI BALBIR SINGH: Sir, I rise on a point of order.

MR. SPEAKER: What is your point of order?

SHRI BALBIR SINGH: This point cannot be agitated before the House.

MR. SPEAKER: No, please. I have admitted it now. When the Assembly is not in session and when there is President's rule there, this House has full power to discuss that. Please sit down.

DR. KARAN SINGH: Sir, I would submit that, Sheikh Abdullah had not acted in a proper manner in recommending to the Governor for the dissolution of the Assembly. This was nothing short of outrage. Sir, I am not a constitutional lawyer but I do have some knowledge of political science and of the Constitution. In fact it will be interesting to note that Jammu and Kashmir Constitution became law when I signed it. That is a historical fact. We are now being told that under Article 53, it was obligatory on the part of the governor to dissolve the House. Article 53 is only an enabling provision.

Art. 53 of the Jammu and Kashmir Constitution says that the Governor may, from time to time, prorogue the House or either House or dissolve the Legislative Assembly. But, Sir, under no Article has it been said that a Chief Minister who has got three people with him in the House has got the power? The Governor, on the advice, of the Council of Ministers could dissolve the House. Where is the advice of the Council of Ministers to the Governor? It has not been taken.

I would submit another point. Here there are many eminent lawyers. Under Art. 36, the appointment is made of the Chief Minister under the State Constitution. But the Governor is not bound by the advice of the Council of Ministers when he knew that Sheikh Abdullah had only got three people in the House and the Congress Parliamentary Party had a clearcut majority. Under Art. 36, he should have called upon the Leader of the Congress Party to form a Government. Why did he not do that. Unless he had some specific instructions to dissolve the House in this undemocratic manner.

Then, again, under Art. 92, he has assumed the power because of the breakdown of the constitutional machinery. Where has the constitutional machinery broken down? I do not think it has broken down. In fact, he has broken down the constitutional machinery by recommending to the Governor to dissolve the House in this undemocratic manner. Art. 92 says that if the constitutional machinery is broken down, then the Governor takes over the power. Can you find a parallel anywhere in the way the Constitution has been distorted in this manner? Even if he was able to do this, why did he not act under 356? I would submit to you—this is a very important point—that under Art. 356, at least, the power of this Sovereign Parliament would have been operative in Jammu and Kashmir. At least there are democratically elected representatives of Jammu and Kashmir sitting here and also in the Rajya Sabha. What did he do? What has he done? The whole State has been handed over to a civil servant. There is no Assembly there. There is no democratic functioning. There is no way by which the will of the people can be expressed. Sir, I would like to stress that not only has constitutional propriety and political morality been

thrown to the wind, but also the sovereignty of this House has been eroded in Jammu and Kashmir. Are the people of Jammu and Kashmir not an integral part of India? Do the people of Jammu and Kashmir not have the democratic rights and privileges in the same way as people of other parts of India? What is the meaning of this extraordinary attitude that was adopted? Surely, Sir, a very eminent person has become the new Law Minister and the hon. Home Minister is here.

I find it unpleasant to have—so soon after the formation of the Government—to say this. Sir, I remember the Prime Minister said soon after he took office: If we go wrong people should pull our ears. Now, of course, it would be hypothetical and most imprudent for me to do that but I have to point out that you have slipped up within 48 hours of the formation of your government. You have not given this matter the correct consideration that it deserved. You have not realised the delicate situation—political and constitutional—of Jammu and Kashmir. You have thrown democracy to the winds within 48 hours. You have wrongly advised the President to accept the proclamation—just now the proclamation has been laid on the Table of the House. Under this proclamation the sovereignty of this Parliament is curtailed. The budget will not come before the Parliament. Where is the democratic representation in the budget? The budget is going to be passed by the civil servants. Is this the way that the new government is going to maintain and strengthen democratic traditions? I would like to submit, Sir, that what has happened is morally indefensible, legally untenable and constitutionally questionable.

Sir, let me make one thing very clear that we are not lamenting the fact that Congress was not asked to form the government. This very Congress legislature party voluntarily gave up power two years ago.

What we are lamenting is that the people of Jammu and Kashmir have been treated in a shabby manner. The people of Jammu and Kashmir who are integral part of the nation deserved better treatment at the hands of the.....

AN HON. MEMBER: Be ready to face them.

DR. KARAN SINGH: We are prepared. We have just faced the people of the State. We will happily face them. That is not the point. The point I am making is that I am very sorry to have to say that in a critical matter like Jammu and Kashmir, the government have slipped up and, therefore, it has become—wittingly or unwittingly—partner to a sordid act of political betrayal. And as watch-dogs of the welfare of the people it has become our duty to bring the matter before the House in the form of an adjournment motion and as such, I commend this adjournment motion before this hon'ble House.

श्री मधु लिमये (बांका) : अध्यक्ष महोदय, पहली बार सरकारी दल के सदस्य के नाते इस सदन में बोल रहा हूँ, इस लिए यह मुझे बड़ा अट-पटा-सा लग रहा है, जैसा हमारे दोस्त/सुब्रह्मण्यम साहब को भी अटपटा लग रहा था, जिस समय वे विरोधी दल के सदस्य के नाते बोल रहे थे।

अध्यक्ष महोदय मेरी तो सारी जिन्दगी ही विरोधी की राजनीति में बीती है, 16 साल की उम्र से 25 साल तक मैंने अंग्रेजी हुकूमत का विरोध किया, उसके बाद कांग्रेस सरकार का हम लोग विरोध करते रहे और जनता की लड़ाई लड़ते रहे। लेकिन हम लोग जिस प्रतिपक्ष में बैठ कर काम करते थे, वह बिखरा हुआ प्रतिपक्ष था, कई दलों में बंटा हुआ था।

[श्री मधु लिमये]

आज मुझे बड़ी खुशी है कि हमारा नया संविधान इस देश में स्थापित होने के बाद पहली बार एक संगठित प्रतिपक्ष इस सदन में स्थापित हुआ है, इस लिए मैं आशा करता हूँ कि सत्ताधारी/दल और प्रतिपक्ष, मेरा तात्पर्य मान्यता प्राप्त प्रतिपक्ष से है, दोनों मिल कर जन-स्वातन्त्र्य की रक्षा के लिए और संसदीय संस्थाओं की जड़ों को मजबूत करने के लिए मिल कर काम करेंगे।

मैं इस बात को बिल्कुल नजरान्दाज नहीं कर रहा हूँ कि हमारे दल में और विरोधी पक्ष में बुनियादी मतभेद है। लेकिन इन बुनियादी मतभेदों के बावजूद मैं उम्मीद करता हूँ कि राष्ट्रीय हितों का हम लोग सर्वोपरि रखेंगे। मैं यह मानता हूँ कि जब हम प्रतिपक्ष में थे तो हम से भी कुछ भूलें हुई होंगी। मैं यह नहीं कहता कि हमारे सारे काम ठीक ही थे लेकिन इस बात से इंकार नहीं किया जा सकता कि जब देश के ऊपर आक्रमण हुआ या देश के ऊपर अन्यराष्ट्रीय संकट आए, तब प्रतिपक्ष ने अपने ऊपर जिम्मेदारी ली और सत्तारूढ़ दल के साथ रह कर देश के हितों की और जनता के हितों की रक्षा की। उदाहरण के तौर पर मैं कहना चाहता हूँ कि जब 1965 की लड़ाई हुई, उस समय प्रतिपक्ष ने दलीय भावना से ऊपर उठ कर जनता और सरकार का साथ दिया। जब बंगला देश का मामला सामने आया, तो अध्यक्ष महोदय, आप जानते हैं कि प्रतिपक्ष ने सहयोग की भूमिका निभाई और जब कभी इस सदन में कश्मीर का सवाल उठाया गया और उस की चर्चा हुई तो काश्मीर के सवाल के महत्व को, उस की अहमियत को मद्देनजर रखते हुए, हम लोगों ने हमेशा राष्ट्रीय दृष्टिकोण अपनाया

था। संकट काल की घोषणा से पहले शेख अब्दुल्ला साहब और प्रधान मंत्री जी के बीच में जो समझौता हुआ था काश्मीर के मामले को लेकर और उस पर जो इस सदन में चर्चा हुई थी, उस की आज हमें याद आ रही है। मैंने उस चर्चा में भाग नहीं लिया था लेकिन मेरे मित्र श्री मधु दंडवते ने, जो अब रेल विभाग के मंत्री हैं, हमारी तरफ से भाषण किया था और अध्यक्ष महोदय, यदि आप और हमारे दूसरे मित्र उस भाषण को पढ़ेंगे तो पता चलेगा कि शेख अब्दुल्ला और प्रधान मंत्री जी के बीच जो समझौता हुआ था, उस का हम लोगों ने खुल कर समर्थन किया था। क्यों किया था। क्योंकि हमारी मान्यता थी कि काश्मीर का सवाल दलीय राजनीति का सवाल नहीं है। काश्मीर के साथ अगर आप दलीय राजनीति की बातें करेंगे तो मेरी अपनी मान्यता है कि न केवल सत्तारूढ़ दल को चोट पहुंचेगी, न केवल प्रतिपक्ष को चोट पहुंचेगी बल्कि समूचे राष्ट्र की स्वाधीनता खतरे में पड़ जाएगी। इसलिए हम लोगों ने राष्ट्रीय दृष्टिकोण को अपना कर काश्मीर समझौते का समर्थन किया था।

मेरे जिस लायक दोस्त ने आज यह काम रोको प्रस्ताव रखा है, वह मेरे मित्र हैं। उनका मैं बहुत आदर करता हूँ और जिस तरह से शेख अब्दुल्ला का स्थान काश्मीर की राजनीति से कोई नहीं छीन सकता है, उसी तरह से मैं मानता हूँ कि जम्मू व काश्मीर की सियासत में डा० कर्ण सिंह का अपना स्थान है। उससे मैं इंकार नहीं करता। इसलिए मैं उम्मीद कर रहा था कि मेरे मित्र दलीय भावना से ऊपर उठ कर औचित्य के आधार पर, राष्ट्रीय हित के आधार पर और संविधान की जो धाराएँ हैं, उन के आधार पर इस बहस को उठाएंगे और अपना भाषण

करेंगे। हो सकता है कि हमारा जो संविधान है, चाहे भारत का संविधान हो या काश्मीर का संविधान हो—बहुत सारे लोगों को शायद यह मालूम नहीं है कि काश्मीर का अपना अलग संविधान है।^I उसको ठीक से कुछ लोगों ने पढ़ा नहीं। अभी मेरे मित्र डा० कर्णसिंह ने कहा कि जब काश्मीर का संविधान बना था तो उस पर उन्होंने हस्ताक्षर किए थे लेकिन बता नहीं कि उन्होंने हस्ताक्षर करते समय उसको पढ़ा था या नहीं क्योंकि उस समय उन की उम्र बहुत छोटी थी और वे बहुत कम उम्र के थे। मैं कोई बयान के तौर पर नहीं बोल रहा हूँ। उस समय उनकी उम्र बहुत कम थी और इस लिए अगर उस समय उसको उन्होंने नहीं पढ़ा होगा, तो उसमें उन को कोई दोष नहीं लगता।

अध्यक्ष महोदय, इस में जो बातें हैं, उन के ऊपर हम लोगों को बिल्कुल निष्पक्ष और तटस्थ बन कर सोचना चाहिए।

मुझे बड़ा आनन्द हुआ कि इतना महत्व का सवाल कर्ण सिंह जी ने उठाया और आपने चर्चा के लिए उसको लिया। मैं अपनी सरकार से और हमारे सदस्यों से विनम्रतापूर्वक यह कहना चाहता हूँ कि जब कभी देश के महत्व का सवाल यहाँ आए तो यह देश की बड़ी पंचायत है, इसमें उसकी चर्चा जरूरी होनी चाहिए। मैं अपनी पार्टी की ओर से आपको आश्वस्त करना चाहता हूँ कि जिस प्रकार कांग्रेस पार्टी इससे भागती थी, हम कभी भी इस प्रकार के विवाद से भागेंगे नहीं। अगर हम से गलतियाँ होती हैं तो मैं अपने मंत्री महोदय और प्रधान मंत्री जी से कहूँगा कि वे विनम्र हो कर इस सदन के सामने आएँ और अपनी गलतियों को कबूल करें। गलतियाँ कबूल करने पर और विनम्रता से पेश आने पर

यह सदन उनको माफ करेगा। इसलिए अध्यक्ष महोदय, एक स्वस्थ परम्परा बननी चाहिए कि सत्ताधारी दल और विरोधी पक्ष के बीच जहाँ तक खुली बहस का सवाल है, वह हो। आपकी कोशिश होनी चाहिए, हमारी कोशिश होनी चाहिये, मेरी भी रहेगी, कि हर राष्ट्रीय महत्व के सवाल पर इस सदन में बहस हो और सभी मुद्दे सारे सदन के सामने आएँ और किसी को भी चर्चा से भागने का प्रयास नहीं करने दिया जाए।

मेरे स्वर्गीय नेता ने मुझ को सिखाया था कि जो दण्डधारी होता है, सत्ता में रहता है, उसको हमेशा विनम्रता से बात करनी चाहिए और विरोधी पक्ष के जो लोग होते हैं वे अगर गुस्से में भी बात करते हैं तो उसको बर्दाश्त करना चाहिए। मैं आशा करता हूँ कि हमारे दल में इस आदर्श का पालन होगा। मैं अपने स्वर्गीय नेता की जब बात करता हूँ तो मेरा तात्पर्य डा० राम मनोहर लोहिया से है और डा० राममनोहर लोहिया ने हमेशा कहा है कि जो दण्डधारी है, जो सत्ता में है, उसको बहुत कुछ पीना चाहिए, बर्दाश्त करना चाहिए। इसने लिए हमारी सदा कोशिश रहेगी। अगर हम गलती करते हैं तो आप हमको ठीक रास्ते पर लाने का काम कीजिए, हम आपकी बात को मानेंगे।

जहाँ तक आज के प्रश्न का सवाल है, कर्ण सिंह जी के भाषण को मैंने गौर से सुना है। उनका मुख्य मुद्दा यह था कि जिस मुख्य मंत्री के पीछे केवल तीन सदस्यों का समर्थन है, क्या ऐसे मुख्य मंत्री की सलाह पर राष्ट्रपति को या गवर्नर को—चूँकि इसमें राष्ट्रपति की सम्मति का सवाल आता है इसलिए मैंने राष्ट्रपति का नाम लिया—काम करना चाहिए? आपका मुख्य मुद्दा यही था कि क्या राज्यपाल या राष्ट्रपति को इसकी सलाह पर काम करने को परिस्थिति उत्पन्न होती है उसको समाप्त

[श्री मधु लिमये]

करना चाहिए ? आप कहते हैं कि मुख्य मंत्री के अलावा और लोगों का वहां बहुमत था । ठीक है जिस स्तर पर इसकी चर्चा होनी चाहिए उसी स्तर पर इसकी चर्चा करूंगा ।

आपने 1972 के चुनाव का उल्लेख किया है । माफ कीजिए मैं यह बात आज नहीं कह रहा हूँ क्योंकि मैं इधर बैठा हूँ । 1972 में जब तक चुनाव के नतीजे नहीं आये थे, मैं बिहार और पश्चिम बंगाल का दौरा करके आया था और कश्मीर के बारे में मेरे पास समाचार आये थे, तभी मैंने एक पत्रकार सम्मेलन में कहा था कि कश्मीर और पश्चिम बंगाल में जो चुनाव हो रहे हैं ये न तो निष्पक्ष हैं और न स्वतंत्र वातावरण में हो रहे हैं । मैं तो इससे भी आगे जाकर कहूंगा कि स्वतंत्रता प्राप्ति के बाद से कश्मीर में कितने चुनाव हुए वे सभी स्वतंत्र चुनाव नहीं हुए हैं । वहां स्वतंत्रता के वातावरण में चुनाव नहीं कराये गये । यह मेरी राय है । आप मुझ से मतभेद रख सकते हैं । इसलिए 1972 के चुनावों का जो आधार आप बता रहे हैं, मैं कहता हूँ कि यह बिल्कुल निराधार बात है । 1972 के चुनावों में जम्मू और कश्मीर की जनता का जो सही मत है वह अभिव्यक्त नहीं हुआ था । यह मेरी राय है ।

अध्यक्ष महोदय, दूसरी एक बात इस सदन को ध्यान में रखनी चाहिए । 1972 में जो विधान सभा चुनी गयी थी वह पांच साल के लिए चुनी गयी थी । आपने मनमाने ढंग से, एक व्यक्ति की गद्दी को बचाने के लिए, इस देश में संकटकाल की घोषणा की और संविधान की धाराओं का दुरुपयोग करके असेम्बलियों की मियाद को बढ़ाया, इस सदन की मियाद को बढ़ाया । आपने औचित्य और नैतिकता की बात की । मैं आपसे एक बात पूछना चाहता हूँ कि 25

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जून, 1975 को किसी ने इस देश में सशस्त्र क्रांति की बात की थी ? क्या कोई विद्रोह की स्थिति थी ? क्या लोकनायक जय प्रकाश नारायण शान्तिपूर्ण तरीकों को मन से स्वीकार नहीं करते थे ? यह बात भी कही गई कि लोकनायक जयप्रकाश नारायण सेना और पुलिस को उक्सा रहे थे लेकिन उन्होंने सिर्फ इतना ही कहा था सेना के सिपाहियों को, अफसरों को पुलिस दल के सदस्यों को कि गैर कानूनी और असंवैधानिक हुकम को नहीं मानना चाहिए । अगर केवल हुकम को ही आधार लिया जाएगा तो हिटलर के आदेश पर जो अत्याचार किए गए मुसोलोनी के आदेश पर जो अत्याचार किए गए वे क्षम्य मानने पड़ेंगे । इसलिए मैं आप से कहना चाहता हूँ कि लोकनायक जय प्रकाश नारायण ने सेना और पुलिस में विद्रोह फैलाने का कोई प्रयास नहीं किया । अगर संकटकाल को लगाना ही था तो गुजरात आन्दोलन जब चरम सीमा पर था तब लगाया होता और इस प्रतिशत आपकी बात सही है ऐसा जनता कहती । बिहार आन्दोलन जब चरम सीमा पर था तीन चार, पांच अक्तूबर को और बिहार बन्द का आह्वान . .

MR. SPEAKER: The time is limited and we can discuss it when we are discussing Bihar and other States later on. That is a bigger issue. Please come to Kashmir.

श्री मधु-लिमये : मैं यह इसलिए कह रहा हूँ कि संकटकाल से ही इस विधान सभा की मियाद को बढ़ाया गया । नहीं तो कर्ण सिंह जी को काम रोको प्रस्ताव रखने की छूट ही आप नहीं देते । मैं आप से नम्रतापूर्वक कहना चाहता हूँ कि जहां तक नैतिकता का सवाल है जम्मू कश्मीर की विधान सभा का कोई नैतिक आधार नहीं बचा था । वह टूट गई थी । उसको तो वैसे ही खत्म किया जाता मुख्य मंत्री की सलाह के बिना तो भी वह उचित होता, नैतिक होता । लेकिन उसकी बात मैं नहीं कह रहा हूँ ।

स्वयं कर्ण सिंह जी ने कहा है कि काश्मीर का अपन संविधान है । क्या है संविधान की धारा ? यह 35 (2) है जो ~~अंग्रेजी~~ में है और इसको मैं धीरे धीरे पढ़े देता हूँ ।

"All functions of the Governor except those under sections 36, 38 and 92 shall be exercised by him only on the advice of the Council of Ministers."

DR. KARAN SINGH: Council of Ministers, not the Chief Minister.

श्री-सद्यः स्तिमये : मैं इसलिए कहता हूँ कि आपकी उम्र तब छोटी थी, आपने उस समय संविधान को नहीं पढ़ा था । अब दुबारा आपको इसको पढ़ना चाहिये । आपने जिस पर हस्ताक्षर किया उस में आपने सिर्फ कहा है । आपने हस्ताक्षर किए हैं मैंने नहीं किए हैं । मैं तो प्रतिपक्ष की राजनीति उन दिनों किया करता था । आपने हस्ताक्षर किए हैं । इस में लिखा हुआ है कि जिस मुख्य मंत्री के पीछे तीन लोग हैं, चार लोग हैं, पांच लोग हैं, सौ लोग हैं, दो सौ लोग हैं, जहां तक डिमोल्यूशन का सवाल है, विघटन का सवाल है, वह तो मुख्य मंत्री की सलाह पर या प्रधान मंत्री की सलाह पर ही होता है । आप अगर मुझे बहस में ले जाना चाहते हैं तो मैं सिफारिश करता हूँ कि यह आइवर जेनिंग्स की किताब है, कैबिनेट गवर्नमेंट इसको आप पढ़िये । मैं सदन का समय बरबाद नहीं करना चाहता क्योंकि यह कोई डिबेटिंग यूनियन नहीं है । हम जनता के प्रतिनिधि हैं और जनता की बात हम लोग बोलेंगे । यह कोई यूनिवर्सिटी की छात्र यूनियन नहीं है । मैं कहना चाहता हूँ कि सदन को विघटित करने का अधिकार इंग्लैंड में हमेशा प्रधान मंत्री का ही रहता है । उसके बारे में अगर आप चाहते हैं तो मैं एक वाक्य पढ़े देता हूँ । मैं कोई तोड़मरोड़ कर बातों को कहने का आदी नहीं हूँ ।

"During the last 100 years there is no instance of refusal of dissolution by the King when advised by the Cabinet."

हां भाई कैबिनेट है लेकिन होता है सब प्रधान मंत्री के कहने पर । इन्दिरा जी भी आप को पूछती नहीं थीं, आप को इत्तिला देती थीं । हमारे बाबू जगजीवन राम जी कहते हैं कि हम को इत्तिला दी जाती थी । सलाह नहीं की जाती थी । जिन मंत्रियों ने, जब संकटकाल की घोषणा की गई, कई नेताओं को गिरफ्तार किया गया तो उस के ऊपर सबेरे हां करने के अलावा और कुछ नहीं किया । कम से कम उन लोगों को कैबिनेट की बात नहीं करनी चाहिये वरना बड़ा मामला मुश्किल हो जायगा आप लोगों के लिये ।

"There has been nevertheless a persistent tradition that he could refuse if the necessary circumstances arose."

आगे वह कहते हैं :

"It is difficult to see what those circumstances would be."

और अब तक ऐसी स्थिति पैदा नहीं हुई कि जिसमें वहां की रानी ने या राजा ने मंत्री की सलाह को ठुकराना उचित समझा हो । अगर इधर 50 साल में कोई उदाहरण दे सकते हैं आप तो दे दीजिये ।

मैं आप से यह कहना चाहता हूँ कि आप ने कहा कि यह बहुत असाधारण बात मालूम पड़ रही है कि जिस व्यक्ति को तीन व्यक्तियों का समर्थन है ऐसे मुख्य मंत्री की सलाह पर विधान सभा को बर्खास्त किया गया । लेकिन मैं पूछता हूँ कि जब आप का बहुमत जम्मू काशीर में था तब आप को जरूरत क्यों पड़ी इस व्यक्ति के पीछे भागने की ?

डा० कर्ण सिंह : मैंने समझाया आप को ।

श्री-मन्मथ सिंह : नहीं समझाया। क्योंकि शेख/अबदुल्ला असाधारण स्थान रखते हैं कश्मीर की परिस्थिति में इसलिये रिग्ड इलेक्शन में बहुमत पाने के बाद भी आप ने स्वयं महसूस किया कि कश्मीर की जनता आप के साथ नहीं है। तो कश्मीर का और भारत का जो रिश्ता है उस को सुदृढ़ करने के लिये आप ने यह मुनासिब समझा कि शेख साहब के साथ बातचीत की जाय और उन के साथ समझौता किया जाय। उस समझौते के बारे में अगर किसी ने संदेह उपस्थित किया था तो ऐसे व्यक्ति थे जो आज सरकारी बँचों में हैं। लेकिन आप नोमों में से किसी ने भी यह संदेह नहीं प्रकट किया था। और आज शेख अबदुल्ला के बारे में आप जो बातें कह रहे हैं मैं पूछता हूँ कि क्या यह राष्ट्रीय हित से है?

प्रधान मंत्री ने उस समय चर्चा का समापन करते हुए क्या कहा है वह मैं बताना चाहता हूँ, हालांकि इन्दिरा जी को उद्धृत करना मैं उचित नहीं समझता हूँ, लेकिन वह प्रधान मंत्री थीं इसलिये बहसियत प्रधान मंत्री मैं उन को उद्धृत कर रहा हूँ, न कि इन्दिरा जी को। एक तो पहले इन्दिरा जी ने यह कहा:

"A distinctive constitutional feature in respect of Jammu and Kashmir is that it has its own Constitution supplementing the Union Constitution under specific provision in Article 370.

आगे शेख अबदुल्ला के बारे में प्रधान मंत्री जी कहती हैं :

"Even so, he managed to look dignified and every inch a leader. He was attracted to the message of the national freedom, civil liberties and religious equality which our national movement propagated and these became the guidelines of

his own National Conference which mobilised the people of Kashmir."

यह चूँकि शेख साहब का स्थान कश्मीर की सियासत में था इसीलिये प्रधान मंत्री ने उचित समझा उन के साथ बातचीत करना और हमने मुनासिब समझा कि इस में आप का समर्थन करें। आप ने जब कश्मीर में असाधारण स्थिति पैदा की कि तीन व्यक्तियों का समर्थन जिस व्यक्ति को प्राप्त था ऐसे आदमी को आप ने मुख्य मंत्री बनाया। अब आप यह कहते हैं। तो इस से माफ़ होता है कि शेख अबदुल्ला का यह संदेह ठीक था कि आप उन को अपने बहुमत में फाँसकर उनको गुलाम बनाना चाहते थे और उन को स्वतंत्र बुद्धि से कश्मीर की सरकार चलाने नहीं देना चाहते थे।

मैंने यह भी सुना है कि संकट काल में बहुत सारे काम करने के लिये उन पर दबाव डाला गया। वह तो गिरफ्तार करने के लिये तैयार नहीं थे। आज मैं शेख अबदुल्ला को बधाई/दिना चाहता हूँ कि उन्होंने जल्द से जल्द आर० एस० एस०, जमायने इस्लामी और विपक्ष के लोगों को छोड़ा। मैंने जेल से उनको पत्र लिखा था, मुझे पता नहीं कि वह पत्र उनके पास पहुँचाया गया या नहीं? मैंने शेख साहब को पत्र में कहा था कि मुझे बड़ी खुशी है कि आप पूरी बात तो अपने दिल की नहीं कर सके, लेकिन कम-से-कम रिहाई के मामले में आप अग्रसर रहे हैं। इसी प्रकार लोकतंत्र की रक्षा आपको भविष्य में भी करनी चाहिये।

इन्दिरा में यह क्या चाहता है कि असाधारण व्यक्ति असाधारण ढंग से मुख्यमंत्री बनाया गया। यह ठीक-ठीक पहले सोचना चाहिये था कि 3 व्यक्ति उनके पीछे हैं। हो सकता है कि 3 सदस्य उनके पीछे थे, लेकिन

काश्मीर वैली की अधिकांश जनता शेख साहेब के पीछे थी, यह मैं कहना चाहता हूँ। वह मिड/होना।

आप पूछेंगे कि जब मुख्यमंत्री की सलाह पर असेम्बली को विघटित किया गया तो वास्तव में सवाल यह उठना चाहिये कि असेम्बली को विघटित करने के बाद मुख्यमंत्री को मुख्यमंत्री पद से क्यों हटाया गया? मैं तो यह सवाल उपस्थित करने जा रहा हूँ लेकिन उसमें हमारी लाचारी है। इंग्लैंड में जब सदन को विघटित किया जाता है तो केयरटेकर प्राइम-मिनिस्टर रह जाता है। इसलिये चुनाव की घोषणा होने के बाद आपने जो परिस्थिति हमारे सामने पेश की है कि चुनाव के दरम्यान कर्मचारियों का वोट हासिल करने के लिये मंहगाई भत्ते की घोषणा करना, मजदूरों के लिये वेतन वृद्धि की घोषणा करना, किसी क्षेत्र के मतदाताओं का समर्थन प्राप्त करने के लिये किसी प्रकल्प की घोषणा करना, यह तो गोरखधन्दा आप करते आये हैं, लेकिन मेरी राय में जब चुनाव की घोषणा होती है, उसके बाद इस तरह का काम किसी भी सरकार को नहीं करना चाहिये और केवल अन्तरिम सरकार, केयरटेकर गवर्नमेंट के नाते वह काम करती। यह काश्मीर में क्यों संभव नहीं हुआ? अब मैं बहुत उदाहरण देने लगूँगा तो अध्यक्ष महोदय टोकेंगे कि बहुत समय नहीं है, लेकिन मैं उदाहरण के तौर पर बोल रहा हूँ।

अध्यक्ष महोदय, मैं यह कहने जा रहा था कि वास्तव में शेख अब्दुल्ला को रहने देना चाहिए था मुख्यमंत्री, लेकिन क्यों नहीं रहने दिया गया? हमारी लाचारी थी क्योंकि 1 अप्रैल, के पहले हमको बजट पास करना था। केन्द्र में बजट पास करने के लिये बिल्कुल यह राय भूतपूर्व प्रधान मंत्री को दी गई थी कि लोक सभा में अगर संदिग्ध स्थिति रहती हो तो, मैंने यह सुना था कि प्रधान मंत्री राष्ट्रपति को यह सलाह देने वाली हैं कि लोक-सभा को विघटित करो और फिर से चुनाव कराओ और अध्यादेश के जरिये बजट पास करो। लेकिन जहां तक मैं समझ पाया हूँ कि केवल

साधारण विधेयक अध्यादेश के जरिये पास होता है कोई भी वित्तीय विधेयक या विनियोग विधेयक इस तरह अध्यादेश के जरिये पास करना संविधान के साथ खिलवाड़ करना है। लेकिन मान भी लीजिये कि वित्तीय विधेयक अध्यादेश के जरिये पास किया जा सकता है, मगर अनुदान की मांग का क्या होगा? हमारी धारा 113 में लिखा है कि लोक सभा के द्वारा अनुदान मांगों के समर्थन के बिना आप अप्रोप्रियेशन बिल पास ही नहीं कर सकते, तो असेम्बली के बिना हम क्या करते। असेम्बली होनी ही चाहिये, नहीं तो अनुदान की मांग कैसे पारित करते? यह स्थिति उत्पन्न हुई, इसीलिये वहां राज्यपाल को कहा गया कि मामला राष्ट्रपति की सलाह से उनका अनुमान लेकर तय कीजिये। राष्ट्रपति ने अनुमति दी कि वर्तमान स्थिति में और कोई चारा नहीं है, यह बजट का मामला इस सदन में न आये, काश्मीर संविधान के खंड 92 के तहत सुलटाया जाय इसलिये वहां पर राज्य का शासन लागू किया गया है।

आपको मैं आश्वासन देना चाहता हूँ कि हमारा इरादा यह नहीं है कि देर तक यह चुनाव न कराये जायें, 6 महीने के अन्दर चुनाव करना लाजमी है काश्मीर में। मुझे तो कोई अधिकार नहीं है, मैं एक साधारण सदस्य के नाते बोल रहा हूँ, लेकिन मुझे पूरा विश्वास है कि जल्द से जल्द हमारी सरकार चुनाव कराने का प्रयास करेगी और उस समय यह फैसला होगा कि नैतिकता, औचित्य और लोकतंत्र का प्रेम किस को है, जनता किस के साथ है। आप इस चुनौती को चुनाव के क्षेत्र में स्वीकारियेगा। यहां इस तरह की बात से कोई नतीजा निकलने वाला नहीं है।

इसलिये सारे सदन से मेरी अपील है कि स्थगन प्रस्ताव को ठुकरा दिया जाये।

SHRI C. M. STEPHEN (Idukai):
Mr. Speaker, Sir, there are two additional points that I want to make. The copy of the proclamation that

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was laid on the Table of the House shows that the proclamation was issued under Article 92 of the Jammu and Kashmir Constitution. Now this 92 corresponds to Article 356 of our Constitution. Our Constitution was made applicable to Jammu and Kashmir by the 1954 Order of the President issued under Article 370. The Constitution (Application to Jammu and Kashmir) Order, 1954 is before us. And that order says:

"The provisions of the Constitution (as in force on the 20th day of June, 1964), and as amended by the Constitution... shall apply in relation to the State of Jammu and Kashmir and the exceptions and modifications subject to which they shall so apply shall be as follows:

The point I am making is, of course, for Jammu and Kashmir there is a Constitution. That was the case upto 1954. In 1954 under Article 370 of the Indian Constitution the present order was promulgated on Jammu and Kashmir. Therefore, subject to the narration in this order, the entire Constitution of India applies to Jammu and Kashmir. And Article 13 of that Application Order makes Article 356 applicable to Jammu and Kashmir. There are certain articles which are exempted. Article 356 is made applicable to Jammu and Kashmir. This is what it says:

"In clause (1) of article 356, references to provisions or provision of this Constitution shall, in relation to the State of Jammu and Kashmir, be construed as including references to provisions or provision of the Constitution of Jammu and Kashmir."

Under Article 92, sub article 2 it is stated that certain modifications may be made under the Jammu and Kashmir Constitution. That power is also taken under Article 356. What is the difference between Article 356 of the Indian Constitution and Article 92 of the Jammu and Kashmir Constitution? Whereas Article 356 of the

Indian Constitution, sub-clause (b) of clause 1 says: 'declare that the powers of the Legislature of the State shall be exercisable by or under the authority of Parliament.', this is omitted under Article 92 of the Jammu & Kashmir Constitution. The result is that under the Jammu & Kashmir Constitution the legislative power, the budgetary power, all powers are vested in the officer who takes over the administration whereas under our Constitution the power is vested in the Parliament of India. By applying this Article 356 to Jammu and Kashmir, this Parliament has taken over power under the emergency provisions to legislate even in the same manner as in the case of Tamil Nadu, Pondicherry and other States which are under President's Rule. My first question is this. When Article 356 is applicable to Jammu and Kashmir, this Parliament has got the power to legislate for the people of Jammu and Kashmir, grant budgetary grants and everything for the people of Jammu and Kashmir, why is it that the Government of India advised the President to sanction proclamation of Order under Article 92?

That is a very grave and important question, on which I would ask for elucidation, because we want Kashmir to be part of the entire India. Kashmir is a part of the entire India. Kashmir has come into the national main-stream of India. In order to make it so, this promulgation order was passed. We could take the entire power. Why was Article 92 preserved, when article 356 is available? Why is the officer or the bureaucrats given all the powers, when you have got the power to take over legislative functions and everything? This is important, particularly with respect to a State like Kashmir; on this a clarification is called for. I submit that whereas under the Presidential Order, Article 356 is applicable nullifying thereby Article 92 i.e. making it inoperative, the order passed under Article 92 by passing an order to be passed under Article 356 as per the application order of the President, this order passed by the Governor with

the consent of the President of India, is absolutely null and void. This is my first point.

My second point is that the Government of India have got to explain to this House why they preferred Article 92 to Article 356; and why they preferred Mr. Jha to legislate *vis-a-vis* the Parliament of India doing it. Again, Mr. Madhu Limaye said that when an advice is given, it has got to be accepted. Let us look at Article 35; it says that all the functions of the Governor except certain things shall be exercised by him only on the advice of the Council of Ministers. May I submit that the law with respect to the dissolution of Parliament has now been spelt out? I will read out an authority, where it is spelt out as to what exactly is meant by convention, and what exactly the rules are. I do not want to read all the rules; I would read only this:

"The Crown may, under certain circumstances, refuse a dissolution to a minority government, whether defeated or undefeated, provided an alternative government is possible and able to carry on with the existing House."

This is a Cambridge University publication and accepted as an authority in the constitutional law. It sums up the law on the matter in these terms: "most constitutional lawyers seem to support the idea that in a divided House, particularly with a multi-party system, a minority government, whether defeated or undefeated, is not entitled to a dissolution if an alternative government is possible; and furthermore, it is capable of carrying on with the existing House". Therefore, I submit that the law with respect to the constitutional conventions are these. The Crown has got the authority to dissolve. This is number one. Secondly, the Crown can dissolve on the advice of the Prime Minister. Thirdly, the Crown can dissolve on the advice of the Council of Ministers. Fourthly, the Crown can refuse the dissolution if an alternative government is possible.

What the Jammu and Kashmir constitution has done is that it has vetoed the proposition that the Prime Minister can advise and that a dissolution can be on the basis of the Prime Minister's advice. This has been a contended proposition and the settled law is that the Prime Minister, as distinct from the Council of Ministers, can advise. But the Jammu and Kashmir constitution says: "not the Prime Minister, but the Council of Ministers." Secondly, it is stated that the arbitrary power of the Crown to dissolve without the advice of the Prime Minister or the Council of Ministers is taken away. Thirdly, the point is that by the use of the word 'may' in the subsequent clause, the power to refuse is preserved. That is the convention, by giving the authority to refuse, if an alternative government is possible. That is preserved by the constitution of Jammu and Kashmir. If so, the first question I would like to raise is this: Did you apply your mind as to whether this advice was given by Mr. Sheikh Abdullah or by the Council of Ministers? The news is that Mr. Sheikh Abdullah arrived here on the 24th; and he was here on the 25th and 26th. Six of the Council of Ministers had resigned. Their resignation was not accepted.

Therefore, they were the Council of Ministers. So, this question has to be gone into whether the Council of Ministers met, whether the Council of Ministers have recommended, or whether this recommendation was by the Chief Minister. Even going by article 35 of the Jammu and Kashmir constitution, a recommendation by the Chief Minister shall not be accepted; it is only a recommendation by the Council of Ministers that shall be accepted. I would like to get the report to see as to what exactly the position is. If the advice is only by Shri Sheikh Abdullah, it is absolutely without legal basis.

Then, even if it is by the Council of Ministers, it is undisputed that an alternative Government is possible. When an alternative Government is

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possible, I do not know how this section 92, or article 356 applies. Section 92 applies only when the government of the State cannot be carried on in accordance with the provisions of the Constitution, only when the Governor is satisfied that the government of the State cannot be carried on in accordance with the Constitution it is only then he has got the jurisdiction to dissolve the Legislative Assembly. But the factual position is that the government could be carried on, because it is not disputed that there was an alternative party, which was prepared to take over and run the administration. Therefore, even if section 92 would apply, even if article 356 would apply, the basic question is whether the government could or could not be carried on. There was no break down of the Constitution. Therefore, there was no justification for an officer to take over the powers which remain vested in the Legislative Assembly.

One more quotation from the same book. It says:

"Dissolution of Parliament is in this country one of the prerogatives of the Crown. It is not a mere feudal survival, but it is a part, and I think a useful part, of our constitutional system.....It does not mean that the Crown should act arbitrarily and without the advice of responsible Ministers, but it does not mean that the Crown is not bound to take the advice of a particular minister to put its subjects to the tumult and turmoil of a series of General Elections so long as it can find other Ministers who are prepared to give contrary advice. The notion that a Ministry which cannot command a majority in the House of Commons.....a Ministry in a minority of 31 per cent.....in these circumstances is invested with the right to demand a dissolution is as subversive of constitutional usage, as it would, in my opinion be pernicious to the general and paramount interest of the Nation at usage."

My submission, therefore, is this is a dangerous constitutional precedent that you have set up. An alternative government is possible, the advice has been given not by the proper person, article 356 was by-passed, Parliament kept away from the whole thing, Parliament is not given the power to legislate for the people of the country and an officer was given all the powers, as if Jammu and Kashmir forms a separate country altogether, which has nothing to do with us, as if it is not a part of the national mainstream. This speaks ill of a government which is headed by Shri Morarji Desai. That is all what I have got to say.

I do not want to controvert all the allegations made by Shri Limaye. That can be done in a different forum altogether. But it was unfortunate that Shri Limaye made the observation that elections in Jammu and Kashmir were rigged. Let him remember that the top persons who now guide the administration on the other side, they were part of the Government of India, they were the guiding fathers in the Government of India, when the elections in Jammu and Kashmir were taking place. It is absolutely against the national interest that on the floor of the Parliament of India we should make a statement that whatever elections were held in Jammu and Kashmir from 1947 onwards were all rigged. By this statement we are giving grist to the mill or international anti-Indian propaganda, which will give a good handle to Pakistan. I am sorry this statement was made. I firmly repudiate this statement. That is all what I have to say.

SHRI K. S. HEGDE (Bangalore South): Mr. Speaker, Sir, I am extremely happy that the Congress Party has developed faith in democratic norms. But the *bona fides* of this claim have still to be examined in the days to come, to know whether it is only a political stunt or whether they really believe in democracy. Be-

cause, the last 20 months' rule of the Congress Party has demonstrated completely that it has absolutely no faith in democracy. Every democratic institution in the country has been damaged, every organ of the State has been either damaged or partly destroyed.

18.00 hrs.

Coming to the imposition of Governor's rule in Jammu and Kashmir, the Congress Party will remember what it did in Tamil Nadu. I am not here to consider whether the Tamil Nadu Government was a good or a bad government, but it was not for the Central Government to decide whether it was good or a bad government, it was for the people of the State to decide whether it was good or bad.

SOME HON. MEMBERS: And they have decided.

SHRI K. S. HEDGE: The Members of the Congress Party say that they have decided. If they have decided, the people of India have also decided that the Congress Party was a, corrupt party.

DR. HENRY AUSTIN (Ernakulam): Was the election in Tamil Nadu also rigged?

SHRI K. S. HEDGE: I do not know, you are in a better position to speak about it.

SHRI M. KALYANASUNDARAM (Tiruchirappalli): On a point of order. We are now discussing the Kashmir situation and not Tamil Nadu. Is it in order for the hon. Member to compare Tamil Nadu with Kashmir?

MR. SPEAKER: There is no point of order. Both are parts of India and they can be compared.

SHRI K. S. HEDGE: He seems to be very touchy when I refer to the democracy of the Congress Party supported by the CPI earlier.

Let us now consider the question from the political as well as constitutional points of view. So far as the first is concerned, there was a political agreement between Sheikh Abdullah and the Prime Minister of India. Under that agreement the Congress Party agreed to hand over the reins of power to Sheikh Abdullah. It was an agreement entered into, though not permanently, but at least for the duration of the Assembly's life. Sheikh Abdullah appears to have made several attempts to hold local board elections, but the Congress Party persistently stood in his way because they were afraid of facing the people. They did not want an election at all.

I am not going into the question whether the elections in 1972 were rigged or not, but there is no doubt that there were complaints. They may have been true or not, but the fact remains that there were complaints and therefore the genuineness of the elections was an open issue.

Let us examine it from the constitutional point of view. What was the basis on which the Congress Party made over the power to Sheikh Abdullah and his Party? Congress members were the elected representatives. It was their duty to carry on the Government if they were the real representatives of the people. Under the Constitution of India as well as under the Constitution of Jammu and Kashmir, it is the representatives of the people who must govern the State, not anybody and everybody. If the Congress Party really represented the people, if the Congress Party believed that they represented the people, they could not have handed over power to Sheikh Abdullah. It was not a property right or a transferable right. What is the necessary implication arising from their handing over the reins of government to Sheikh Abdullah and his party? It is that they have recognised Sheikh Abdullah as

[Shri K. S. Hegde]

the real leader of Kashmir and his party as the real representatives of the people of Kashmir. Having done that, they have no right now to say that they will again take over the government.

Can you show me one constitutional provision or legal provision under which an elected party can hand over the power to any other party?

(Interruptions)

SHRI C. M. STEPHEN rose—

(Interruptions)

MR. SPEAKER: I do not allow like this. You are a senior Member of the House. Anybody can do it. We will be helpless.

(Interruptions)

SHRI K. S. HEGDE: It shows that that party is the real party of the representatives of the people of Kashmir. What happened? The term of the Legislature was for five years. The Congress government at the Centre declared emergency, imprisoned people extended the life of the Legislatures and thereafter, the Congress party in Kashmir withdrew its support extended to Sheikh Abdullah. The real question to decide is whether Sheikh Abdullah, when he demanded the dissolution of the House, was voicing the opinions of the people or not? There is one established convention about it. When the Prime Minister asks the Head of the State to dissolve the Legislature and if the Head of the State comes to the conclusion that the demand is supported by public opinion, then it is the duty of the Head of the State to dissolve the Legislature.

Mr. Speaker, you will remember what has happened recently in Australia. The Governor General of Australia dissolve the Legislature. In Australia, the Labour Party was in majority in the Lower House. The Governor-General opined that the majority in the Legislature did not represent the majority in the country.

Similarly, the Government of Kashmir has evidently come to the conclusion that the Congress majority in the Legislature does not represent the majority of the people in the state. It was open to him to come to that conclusion. I do not know why the Congress Members are very touchy in facing the elections. I know, they probably know, what the result will be and that is why, they are not willing to face elections. I am quite confident that elections will be held there very soon and the democratic process will again be restored. Then you will find the free representatives of the people there governing the State. Under these circumstances, I support the action of the Governor and oppose the adjournment motion as it has no substance.

SHRI ABDUL AHED VAKIL (Baramulla): Mr. Speaker, Sir, the controversy raised by the Congress Members about the imposition of President's Rule in Kashmir is to be looked in the background of Article 317 of the Constitution of India wherein the special constitutional position has been given to Kashmir. According to the Constitution of Kashmir, it is the Chief Minister concerned who advises the Governor on the functioning of the Government and whether it functions according to the law of the Constitution or not.

Now, the whole episode is to be looked into from the background which is totally political. When Sheikh Abdullah was installed in power, that was the consequence of an agreement between the Congress party and the National Conference in consequence of which the then Chief Minister of Kashmir stepped down and Sheikh Abdullah was restored to Chief Ministership of Kashmir. I would like to know first, whether the suppression of the rights of the people of Kashmir is murder of democracy or restoration of democracy. Our friends here have said that it is murder of democracy. I say, it is restoration of democracy in Kashmir.

After a very long time, the people of Kashmir have been given an opportunity to send their real representatives to the Assembly. The Congress has also got an open field to field their candidates to fight elections and measure the strength, if any, they have.

I am very confident and I repeat with full confidence that the reverses in the whole of India alerted the Congress people in Kashmir to take event from Sheikh Abdullah by saying that they withdraw the support or they do not want to give any further support to him. What do they say to the statement of their own Congress General Secretary who says, "Most of the Members side with me and we do not want to withdraw the support to Sheikh Abdullah"? The Congress in Kashmir is itself a divided house. In the circumstances, when the Congress party having a majority in the Legislative Assembly was divided against itself, when the machinery of the Government could not be run, Sheikh Abdullah, who according to them is the accredited leader of the people of Kashmir, advised rightly to the Governor that, under these circumstances, it was not possible for the Government to function in accordance with the Constitution, in accordance with the law and the political atmosphere that had developed through the misdeeds of the other side, that the Assembly should be dissolved and, therefore, the elections be held so that the people of Kashmir get a chance, after a very long time, to elect their own real representatives to the Assembly.

I do not want to spell out that stifling atmosphere created in the last 20 months in Kashmir. I do not want this opportunity to be taken for narrating the atmosphere which was built deliberately for the suppression of the rights of the people of Jammu and Kashmir State. The action taken by the Governor and supported by the Central Government

is absolutely constitutional and right and the people of Kashmir, as the information goes, are solidly behind it. They have hailed the decision of the Government. Therefore, I say that the President's Rule imposed in Kashmir is a right decision and it has come at a right time.

SHRI JYOTIRMOY BOSU (Diamond Harbour): Mr. Speaker, Sir, it is good to see that you have readily admitted this adjournment motion because, as I gather, from 25th June, 1975, all the windows and ventilators even were closed. Previously, we had seen the ruling party trying to seek shelter under the table of the Speaker. Well, that has not happened in this case.

The adjournment motion betrays Congress fear to face the people. What is sauce for the gander is not sauce for the goose. That is revealed very clearly. What does the Constitution say? It was signed by the mover of the adjournment motion himself. Whether he was mature or not is a matter for me to question. If the people wanted to amend the Constitution, they could change it. That is different. But according to the Constitution, the procedure followed by the Governor was the only course left to him. I want to be enlightened by the hon. mover, Dr. Karan Singh, the erstwhile Minister of Nasbandi. How does the question of censoring the present Government arise? I would like to be educated on that. According to the Constitution which he had signed—I do not know whether he has read it; Mr. Madhu Limaye has correctly pointed out—in article 35(2), it clearly says:

"All functions of the Sadar-i-Riyasat except those under sections 36, 38 and 92 shall be exercised by him only ..."

Mark the word 'only'

"...only on the advice of the Council of Ministers."

[Shri Jyotirmoy Bosu]

Coming to 53(2)(b), it says clearly:

"The Sadar-i-Riyasat may from time to time dissolve the Legislative Assembly."

I would like to be educated as to where the lapse is, how you propose to censure the Government and for what lapse. This Adjournment Motion is a censure motion. Therefore, we would like to be enlightened where you have discovered the lapse on the part of the present Government sitting opposite to you.

Of course, if you look into the recent past or even the past, you would see that the Congress Party sitting on my right where the cushion hurts them, I, know, has been the topple masters and mistresses. This has come in their mouth in 1959: '*Samara Vimochanam*' in Kerala. We know how it was done. We know who was the President of the Indian National Congress at that time, now gone into oblivion in 1, Safdarjang Road. We know what they did in 1967. In West Bengal, Mr. Dharma Vira did a wonderful job of toppling. But we went back to the people in 1969, and as against 44 seats, got 88 seats. Again in 1971, there was a total of 135 seats and our Party alone, if I remember correctly, had 117 seats. In spite of that, the Leader of the Party was not called to form the Government. Therefore, I would say, 'Doctor, heal thyself'. What did they do in Tamil Nadu, I would like to know

MR. SPEAKER: Tamil Nadu can be taken up on some other day.

SHRI JYOTIRMOY BOSU: Let us see how pious are they in their minds. Take the Anti-Defection Bill, 1973. The Chairman of that Committee is sitting here. From 1973 to 1976, there have been seven extensions. If defection is in their favour, it is very good, but if it is against them, then it is very bad. Mrs. Indira Gandhi, the erstwhile Prime Minister, thrown into the waste paper basket by the people

of this country, has said that it is very bad because in Kashmir, the Congressmen had defected to the Opposition. But when it happened elsewhere, defection to the Congress Party, it was very good. I want to find out from my friends in the Congress Party why they are frightened to face the people. It is because there are two things. Firstly, they know that the people would throw them into the Bay of Bengal or the Indian Ocean, and secondly, I know, it is certain that the money bags are not coming forward this time to help them.

Mr. Dogra, the Congress leader in Jammu and Kashmir, came out saying that the decision 'is politically wrong'. I understand, it is politically inconvenient. It is not 'wrong', it is 'politically inconvenient'. What did they do? Even local body elections, they were frightened to face. That is why they went and caught the feet of Sheikh Saheb and said, 'Please save us from this debacle, otherwise, the whole country will be influenced by them'. So, even the local body elections had to be postponed. The fact of the case here is that the Congress Party started withdrawing the support when they came to know that Sheikh Saheb had decided to go to the polls to seek the people's mandate. I will quote from Mr. K. K. Birla, a great friend of the Congress Party, from the *Hindustan Times*, dated the 26th March, 1977, it says:

"According to reliable sources, the Congress Party decided to withdraw support to Sheikh Abdullah after coming to know that the Chief Minister was thinking of dissolving the Assembly and ordering fresh elections."

That was the fire alarm, and the moment it came, they tried to run away through the fire escape. That is simple. I know it very well. The whole trouble was there. To Mr. Abdullah, our friend, Syed Mir Qasim, who must be hearing us, always gave a good certificate. I am quoting from a

paper owned and controlled by the Congress Party, 'National Herald', February 25, 1977. It says:

"In a statement Mr. Qasim assured Mr. Sheikh Abdullah of full reciprocation The understanding between the two parties was based on certain fundamental and shared ideals."

Suddenly, Mr. Abdullah, when he refused to oblige them, when he refused to become a stooge and when he refused to become their henchman—he is too big for the Congressmen to be swallowed—became a bad man and it is for the House to decide. There was no no-confidence motion against Sheikh Abdullah on the floor of the House. We do not go by the pep talks and the bazar gossip. Was there any no-confidence motion tabled on the floor of the House? It is because he decided to go to the polls, immediately they thought that the fire was coming, the plague was coming and 'we have to run away and quickly withdraw the support and topple it.' But that did not work. Mr. Abdullah is a seasoned politician and suffered long imprisonment at the hands of these people.

I say people's demand has been to do away with the Congress government and they wanted fresh polls. I would say the Kashmir University, the Regional Engineering College and even many many Youth Congress leaders had sought the dissolution of the present Assembly and seeking a fresh mandate from the people. Therefore, under the circumstances these crocodile tears that they are saving democracy—we have seen enough of it and in the whole world we had a tarnished image in the last 20 months. So, Sir, I oppose this adjournment motion which should be thrown into the waste paper basket.

श्री मुहम्मद शफ़ी कुरेशी (अनंतनाग) :

स्पीकर साहब, मुझे अपने साथियों की तकरीरें सुनने के बाद इस बात का पूरा एतमाद हो चुका है कि तकरीरें तो बहुत अच्छी हुई, लेकिन

उन में न जान थी और न मवाद थी। हमारे दोस्त मधु लिमये जी ने बड़ी अच्छी तकरीर शुरू की, लेकिन वह चन्द उन बातों का जवाब नहीं दे पाये जो डाक्टर साहब ने अपने ओपनिंग रिमार्क्स में उठायी थी। सवाल यह नहीं है कि कश्मीर में क्या होगा, क्या नहीं होगा। सवाल यह है कि जो शेख साहब से हमने ऐकॉर्ड किया था उस के पीछे कौन सा हमारा नज़रिया था ? कांग्रेस ने 1972 में सरकार बनायी और आज यह कहना कि वह इलेक्शन जीते नहीं थे, यह इल्जाम तो तब भी लगा जब 1951 में शेख साहब ने इलेक्शन करवाये थे। तब भी लोगों ने कहा कि इलेक्शन जीते नहीं थे। उस समय यह बात पाकिस्तान कहता था। उस के बाद जब भी चुनाव हुए पाकिस्तान और उस की लोबी हमेशा यह कहती आयी है कि कश्मीर में कोई भी चुनाव आज़ादाना नहीं हुआ है। मुझे अफ़सोस इस बात का है कि इस ऐवान में भी आज इस किस्म की बातें उठ रही हैं। हालांकि 1972 के चुनाव में जनसंघ लड़ी और उन के दो मेम्बर जीते, बी० एल० डी० लड़ी और उनके भी दो मेम्बर जीते, जमायते इस्लाम लड़ी और उस के भी पांच मेम्बर जीते। क्या यह सब जनता की मर्जी के वगेर वहां पर हुआ ?

अब शेख साहब ने यह देखा कि दुनिया के हालात बदल रहे हैं, बांगला देश एक ऐसी मिसाल हमारे लिये कायम हो गई जिस ने यह साबित कर दिया कि मज़हब के नाम पर कोई हुकूमत इकट्ठा नहीं रह सकती, कश्मीर के लोगों को इस बात की हमेशा यह गिज़ा खिलाई गई क्यों कि पाकिस्तान में मुसलमानों की अक्सरियत है इसलिये कश्मीर के मुसलमानों का इल्हाक कश्मीर स्टेट का इल्हाक पाकिस्तान से होना चाहिए। उस वक्त हमने इस थ्योरी को रिजेक्ट किया कि नहीं यह नामुमकिन है, मज़हब की बिना पर कोई रियासत किसी दूसरी रियासत से ऐक्सीड नहीं कर सकती। बांगलादेश ने इस हकीकत को बाज़े कर दिया कि मुसलमान

[श्री मुहम्मद शफी कुरेशी]

होते हुए भी ब. गलादेश गयूर बांग्लादेशी अलग हो गये पाकिस्तान से और अपनी हुकूमत उन्होंने अलग कायम की। शेख साहब ने तवारीख से शक सीखा है, किसी को पढ़ाने की जरूरत नहीं है।

तारीख ने उनको बताया कि जिस रास्ते पर वह चल रहे हैं, वह रास्ता सही नहीं है। अब सवाल शेख साहब ने खुद किया कि अगर आप मुझे हिन्दुस्तान की मिनिस्ट्री में लाना चाहते हैं तो मुझे वह साधन दिये जायें, जिसमें मैं जनता की खिदमत करूं। साधन वही जिस हुकूमत की उनको तलाश थी। वह हुकूमत हम उनको दे भी सकते थे और नहीं भी दे सकते थे। लेकिन कौम और देश के हित में हमने सोचा कि कांग्रेस पार्टी का बहुमत है, वहां पर हमारे 47 मेम्बर हैं, अगर शेख साहब मिनिस्ट्री में आते हैं और कांग्रेस को ताकत छोड़नी पड़ती है तो छोड़ दे, क्योंकि यह हमारा उल रहता है कि व्यक्ति कोई चीज नहीं है, व्यक्ति से बढ़कर ... (व्यवधान)

अध्यक्ष महोदय, मैं यह कहता हूं कि अगर कांग्रेस पार्टी को मुल्क, जमात और व्यक्ति के दरम्यान किसी का चुनाव पड़े तो कांग्रेस पार्टी सबसे पहले मुल्क को चुनेगी, जमात की परवाह नहीं करेगी। यह हमने साबित कर दिया है जम्मू-काश्मीर में नेशनल कांग्रेस की असेम्बली में अक्सरियत थी लेकिन देश के हित की खातिर हमने एक बड़ी बात की कि हम अपनी ताकत को छोड़ते हैं और शेख साहब को चीफ मिनिस्टर बनाते हैं। शेख साहब के लिये प्राबलम यह थी कि वे असेम्बली के मेम्बर नहीं थे। हमारे दो मेम्बरों ने इस्तीफे दिये और उनकी जगह पर शेख साहब और अफजलबेग साहब को मेम्बर बनाया। उस समय वजूहात कुछ ऐसे थे, हम चाहते थे कि फिरकापरस्त ताकत काश्मीर में सर न उठाये, लोगों को अच्छा एडमिनिस्ट्रेशन मिले। लोगों को मालूम था कि उनके नाम पर डेवलपमेंट होगा, लेकिन

हमने देखा कि तमाम चीजें मुमकिन नहीं हो रही हैं, तो कांग्रेस ने साफ कह दिया कि कांग्रेस पार्टी सपोर्ट नहीं दे सकती। उसका लाजिम नतीजा यह निकलता था कि अगर उनकी जुरंत सरकार चलाने की नहीं थी तो उनको चाहिये था कि कांग्रेस ने उनको ताकत बख्शी थी, कांग्रेस को ही उन्हें ताकत वापिस करनी चाहिये थी, बजाय इसके कि उन्होंने गवर्नर को खत लिखकर डिज्योलूशन किया। आइन के हिसाब से उसकी कोई जगह नहीं है।

अब पार्लियामेंट के जो इलैक्शन हुए, उसमें शेख साहब और हमारे दरम्यान यह सनझौता हुआ कि 3 सीटें वह लेंगे, और 3 सीटें हम लेंगे। कुल 6 सीटें वहां की हैं। शेख साहब ने एक सीट हारी, कांग्रेस ने दोनों की दोनों जीती। इसका मतलब यह है कि जम्मू-काश्मीर में कांग्रेस जिन्दा जमात है और शेख साहब कुछ नहीं है। आप ही की जमात उनको हराकर आई है।

अध्यक्ष महोदय, मैंने कोई ऐसी बात नहीं कही जो कि आलरेडो कही गई हो। मैं यहां पर रैपेटिशन नहीं करना चाहता। साफ तौर पर यह बात कहना चाहता हूं कि उस तरफ के एक व्यक्ति ने शेख साहब के कैंडीडेट को वहां पर हराया है। कांग्रेस ने दोनों की दोनों सीटें जीती हैं। मुझे उमीद है कि लद्दाख की एक सीट बाकी है, उस पर भी कांग्रेस थम्पिंग मैजोरिटी से जीतेगी।

सवाल इस बात का है कि जब यह कहा जाता है कि काउंसिल आफ मिनिस्टर्स, इसमें बयान कर दिया है कि —

“There shall be a Council of Ministers with the Chief Minister as the Head to aid and advise the Governor in exercise of the functions. All functions of the Governor except these in Sections 36, 38, 92 shall be exercised by him on y on the advice of the Council of Ministers.”

जैसा मधु जी ने और हमारे साथी श्री स्टोफेन ने कहा कि बाकी जगहों पर प्राइम मिनिस्टर को राइट है, अगर वह मैजोरिटी क्लेम कर ले तो डिज्यूल्गेशन की एडवाइज कर सकता है। लेकिन जम्मू-काश्मीर के आईन में यह बात साफ है कि एडवाइज होनी चाहिये काउंसिल आफ मिनिस्टर्स को। कांस्टिट्यूशन के जिस दफा के तहत गवर्नर ने यह स्टैंड लिया है, उसमें यह प्रोवाइड है —

If at any time the Governor is satisfied,

उसकी सैटिस्फैक्शन होनी चाहिये, सबजेक्ट टू सैटिस्फैक्शन। उसकी सैटिस्फैक्शन तभी होगी जब कि उसे एडवाइस देगी काउंसिल आफ मिनिस्टर्स।

Here is the proclamation issued by the Governor. It does not contain even a single sentence indicating whether he did it at the advice of the Council of Ministers?

"Whereas, I, L. K. Jha,

(एल० के० जे० से "लहाख" जम्मू और काश्मीर बन सकता है)

Governor of the State of Jammu and Kashmir, am satisfied that a situation has arisen in which the Government of the State cannot be carried on in accordance with the provisions of the Constitution of Jammu and Kashmir (hereinafter referred to as "The State Constitution").

Now, therefore,...."

It has not mentioned a single word about the advice he got from the Council of Ministers.

काश्मीर में अनसस्टेन्टी और बेश्मीनानी को खत्म कर दिया गया था। जनता सरकार की पहली देन यह है कि उस ने काश्मीर में फिर बही हालत पैदा कर दिए हैं। इलैक्शन के सिलसिले में मैंने जगह-जगह तकरीरों में कहा था कि जब यह सरकार ताकत में आएगी तो उस के

हाथों में काश्मीरियों की गैरत, अस्मत और इज्जत महफूज नहीं रह सकेगी। सामने के माननीय सदस्य इस को पार्टी का मसला बना कर आग से खेल रहे हैं। यह एक नैशनल प्राबलम है, एक कौमी मसला है।

इस सरकार ने काश्मीर के लोगों के विश्वास पर एक कारी जरब लगाई है, उसने डेमोक्रेसी का कल्ल किया है और यह साबित कर दिया है कि वह काश्मीर के लोगों को खैररब्बाह नहीं है। (व्यवधान) अगर कोई शख्स यह कहे कि शेख अब्दुल्ला काश्मीर के वाहिद लीडर हैं, तो मैं कहना चाहता हूँ कि अखबारों में ये खबरे आ रही हैं— आज तो अखबारों पर सेन्सर नहीं है —कि तमाम वादी में शेख अब्दुल्ला के खिलाफ डिमांड्सट्रेशन हो रहे हैं। जिस तरीके से उन्होंने अपनी बीबी और एक दूसरे साथी का इन्तजाम कराया है, उस से डेमोक्रेसी की गर्दन शर्म से झुक जाती है। आपोजीशन के कैंडिडेट को बोलने का मौका नहीं दिया गया, उस की जीप जला दी गई, शिया-मुन्नी फसाद कराया गया और फिर्कापरस्ती को हवा दी गई। हम ये बातें नहीं कहना चाहते थे, लेकिन इस सरकार ने एक ऐसा दरवाजा खोल दिया है कि हम ये बातें कहने के लिए मजबूर हैं।

इस मुल्क की कोई भी स्टेट जब प्रैजिडेंट्स रूट के मातहत आ जाती है, तब उस पर पार्लियामेंट में डिसकम होता है। यह इस मुल्क का सब से बड़ा ऐवान है, लेकिन जम्मू काश्मीर का बजट यहां नहीं आ सकता है, और एक सरकारी अफसर बैठ कर हमारी किस्मत का फैसला करेगा। माननीय सदस्य मोचें कि वे किस तरफ जा रहे हैं। वे यह न समझ लें कि काश्मीर की सरकार अफसरशाही या

[شری محمد شفیع قریشی]

تاناशाہی کے جریع چلائی جا سکتی ہے۔ اس سرکار نے لوگوں کے حقوق کو پامال کیا ہے اور ان کے ججبات کو جھمی کیا ہے۔ اس کی ساری جیمہداری اس کے سیر پر ہے۔

[شری محمد شفیع قریشی: سٹیج پر]

صاحب۔ مجھے اپنے ساتھیوں کی تقریریں سننے کے بعد اس بات کا پورا اعتبار تو ہو گیا ہے کہ تقریریں ہو بہت اچھی ہوئیں۔ لیکن ان میں نہ جان تھی اور نہ مواد تھا۔ ہمارے دوست مدھولمیتہ جی نے بڑی اچھی تقریر شروع کی لیکن وہ ان چند باتوں کا جواب نہیں دیکھے جو ڈاکٹر صاحب نے اپنے اوپننگ ڈیمانڈس میں اٹھائی تھیں۔ سوال یہ نہیں ہے کہ کشمیر میں کیا ہوگا۔ کیا نہیں ہوگا۔ سوال یہ ہے کہ جو شیخ صاحب سے ہم نے اکرورت کہا تھا۔ اس کے پیچھے کونسا ہمارا نظریہ تھا۔ کانگریس نے ۱۹۷۲ میں سرکار بلائی۔ اور آج یہ کہنا کہ وہ الیکشن جیتے نہیں تھے۔ یہ الزام تو تب ہی لگا جب ۱۹۵۲ میں شیخ صاحب نے الیکشن کرائے تھے۔ تب بھی لوگوں نے کہا کہ الیکشن جیتے نہیں تھے۔ اس وقت یہ بات پاکستان کہتا تھا۔ اس کے بعد جب بھی چلائے ہوئے پاکستان اور اس کی لوبی ہمیشہ یہی کہتی رہی کہ کشمیر میں کوئی بھی چلائے آزادانہ

نہیں ہوا ہے۔ مجھے افسوس اس بات کا ہے کہ اس ایوان میں بھی آج اس قسم کی باتیں اٹھ رہی ہیں۔ حالانکہ ۱۹۵۲ کے چلائے میں جن سلیکٹڈ اور ان کے دو امیدوار جیتے۔ بی۔ ایل۔ تی۔ ائی اور ان کے بھی دو امیدوار جیتے۔ جماعت اسلام لڑی اور اس کے بھی پانچ امیدوار جیتے۔ کیا یہ سب جیتنے کی مرضی کے بغیر وہاں پر ہوا۔

جب شیخ صاحب نے یہ دیکھا۔ کہ دنیا کے حالات بدل رہے ہیں۔ بلکہ دیہے ایک ایسی مثال ہمارے لئے قائم ہو گئی جس نے یہ ثابت کر دیا کہ مذہب کے نام پر کوئی حکومت اٹھنا نہیں رہ سکتی۔ کشمیر کے لوگوں کو اسے بات کی ہمیشہ یہ غزا کھلائی گئی کہونکہ پاکستان میں مسلمانوں کی اکثریت ہے اس لئے کشمیر کے مسلمانوں کا اتفاق کشمیر سٹیٹ الائنمنٹ پاکستان سے ہونا چاہئے اس وقت ہم نے اس تھوڑی کو ریجسٹر کیا۔ کہ نہیں یہ ناممکن ہے۔ مذہب کے بنا پر کوئی ریاست کسی دو۔ جی۔ ریاست سے ایسود نہیں کر سکتی۔ بلکہ دیہ نے اس حقیقت کو وازا کر دیا۔ کہ مسلمان ہوتے ہوئے بھی بلکہ دیہے الگ ہو گیا پاکستان سے اور اپنی حکومت انہوں نے الگ قائم کی۔ شیخ صاحب نے تاریخ سے سبق سیکھا ہے۔ کسی کو پوہانے کی ضرورت نہیں ہے۔ تاریخ

نے ان کو بتلایا کہ جس راستے پر وہ چل رہے ہوں وہ راستہ صحیح نہیں ہے۔ اب سوال شیخ صاحب نے خود کہا۔ کہ اگر آپ مجھے ہندوستان کی ممبری میں لانا چاہتے ہیں۔ تو مجھے وہ سادھن دئے جائیں جس سے میں جلدی کی خدمت کروں۔ سادھن وہی جس حکومت کی ان کو تلاش تھی۔ وہ حکومت ہم ان کو دے بھی سکتے تھے۔ اور انہوں بھی دے سکتے تھے۔ لیکن قوم اور دیس کے ہمت میں ہم نے سوچا۔ کہ کانگریس پارٹی کا بہرمت ہے۔ وہاں پر ہمارے ۲۷ ممبر ہوں۔ اگر شیخ صاحب ممبری میں آئے ہیں اور کانگریس کو طاقت چھوڑنی ہے۔ تو چھوڑ دے کہونکہ یہ ہمارا اصول رہا ہے کہ ویکتی کوئی چیز نہیں ہے۔ ویکتی سے بڑھ کر۔۔۔

اندھکھس مہوہ میں یہ کہتا ہوں کہ اگر کانگریس پارٹی کو ملک جماعت اور ویکتی کے دوستان کسی کو چلتا ہڑے تو کانگریس پارٹی اوشیہ پہلے ملک کو چلے گی۔ جماعت کی پرواہ نہیں کریگی۔ یہ ہم نے ثابت کر دیا ہے۔ جس میں کشمیر میں نیشنل کانگریس کو اسمبلی میں نااکثریت تھی لیکن دیس کے ہمت کی خاطر ہم نے بڑی بات ایک کی۔ کہ ہم ایڈی

طاقت کو چھوڑتے ہوں۔۔۔ اور شیخ صاحب کو چھٹ ممبر بنا دے ہوں شیخ صاحب کے لئے ہر بلیم یہ تھی کہ وہ اسمبلی کے ممبر نہیں تھے۔ ہمارے دو ممبروں نے استعفیٰ دئے اور ان کی جگہ پر شیخ صاحب اور افضل بیگ صاحب کو ممبر بنایا۔ اس سے وجوہات کچھ ایسے تھے۔ ہم چاہتے تھے کہ فرقہ پرست طاقتیں کشمیر میں سر نہ اٹھائیں۔ لوگوں کو اچھا ایڈمنسٹریشن ملے۔ لوگوں کو معلوم تھا کہ اب ان کے نام پر ڈیولپمنٹ ہوگا۔ لیکن ہم نے دیکھا کہ تمام چیزیں ممکن نہیں ہو رہی ہیں۔ تو کانگریس نے صاف کہہ دیا کہ کانگریس پارٹی سپورٹ نہیں دے سکتی۔ اس کا لازم نتیجہ یہ نکلا تھا کہ اگر ان کی ضرورت سبکار چلانے کی نہیں تھی تو ان کو چاہئے تھا کہ کانگریس نے ان کو طاقت بخشی تھی۔ کانگریس کو ہی انہیں طاقت واپس کرنی چاہئے تھی۔ بجائے اس کے کہ انہوں نے گورنر کو خط لکھ کر ڈیولپمنٹ کیا۔ انہوں کے حساب سے اس کی کوئی جگہ نہیں ہے۔

اب پارلیمنٹ کے جو الیکشن ہوئے اس میں شیخ صاحب اور ہمارے دوستان یہ سمجھوتہ ہوا کہ تین سیکشن وہ لوہنگے اور تین سیکشن ہم لوہنگے۔ کل چھ سیکشن وہاں کی ہوں۔ شیخ صاحب نے ایک سیکٹ

[شری محمد شفیع قریشی]

لڑی - کانگریس نے دونوں کی دونوں جیتیں - اس کا مطلب یہ ہے کہ جموں کشمیر میں کانگریس زندہ جماعت ہے - اور شیخ صاحب اچھے رہیں ہیں - آپ ہی کی جماعت ان کو ہرا کر آئی ہے -

ادھیکش مہودے نے کوئی ایسی بات نہیں کہی جو کہ آکر روک کھڑی گئی ہو - میں یہاں پو ریپلیکیشن نہیں کرنا چاہتا - صرف طور پر یہ بات کہنا چاہتا ہوں کہ اس طرح کے ایک ویکٹی نے شیخ صاحب کے کھینچدیت کو وہاں پر ہوا ہے - کانگریس نے دونوں کی دونوں جیتیں جیتیں ہیں - مجھے افسوس ہے کہ لداخ کی ایک سوٹ خالی ہے اس پر بھی کانگریس ٹھہرنا چاہتی ہے - جیتے گی -

سوال اس بات کا ہے کہ جب یہ کہا جاتا ہے کہ کونسل آف منسٹرز اس میں بھان کر رہا ہے کہ -

"There shall be a Council of Ministers with the Chief Minister as the Head to aid and advise the Governor in exercise of the functions. All functions of the Governor except these in Section 36, 38, 92 shall be exercised by him only on the advice of the Council of Ministers.

جیسا مذکورہ جی نے اور ہمارے ساتھی سٹیپن جی نے کہا کہ ہائی کورٹ پر پروانہ منسٹر کو رائٹ ہے اگر وہ میجسٹریٹ کلیم کرتے ہوں تو وہ ریپریزنٹیشن کی ایڈوائس کر سکتا ہے - لیکن جموں کشمیر کے آلہوں

میں یہ بات صاف ہے کہ ایڈوائس ہوئی چاہئے کونسل آف منسٹرز کی - کانسٹیٹوشن کے جس دفعہ کے تحت گورنر نے یہ سٹیپ لیا ہے اس میں یہ پرووانڈ ہے -

If at any time the Governor is satisfied.

اس کی سیٹیفیکیشن ہوئی چاہئے - سبجیکٹ تو سیٹیفیکیشن اس کو سیٹیفیکیشن ہی ہوئی جبکہ اسے ایڈوائس دے کی کونسل آف منسٹرز -

Here is the proclamation issued by the Governor. It does not contain even a single sentence indicating whether he did it at the advice of the Council of Ministers?

"Whereas I, L. K. Jha Governor of the State of Jammu and Kashmir, is satisfied that a situation has arisen in which the Government of the State cannot be carried on in accordance with the provisions of the Constitution of Jammu and Kashmir (hereinafter referred to as "the State Constitution").

Now, therefore,....

It has not mentioned a single word about the advice he got from the Council of Ministers.

کشمیر میں انسٹیبلٹی اور بے اطمینانی کو ختم کر دیا گیا تھا - جلتا سرکار کو یہاں دین یہ ہے کہ اس نے کشمیر میں بھر وہی حالات پیدا کر دیے ہیں - الیکشن کے سلسلے میں میں نے جگہ جگہ تقریروں میں کہا تھا کہ یہ سرکار طاقت میں آئیگی تو اس کے

ہاتھوں میں کشمیریوں کی غیبت
عزت اور قسمت محفوظ نہیں
سکیگی - سامنے کے ماننے سدسہ اس
کو پارٹی کا مسئلہ بنا کر آگ سے
کھیل رہے ہیں - یہ ایک نیشنل
پروبلم ہے - ایک قومی مسئلہ ہے -

اس سرکار نے کشمیر کے لوگوں کے
وشواش پر ایک کڑی چوٹ لگائی ہے -
اس نے دیموکریسی کا قتل کیا ہے -
اور یہ ثابت کر دیا ہے کہ وہ کشمیر
کے لوگوں کی خیر خواہ نہیں ہے -
اگر کوئی شخص یہ کہے کہ شوخی
عہد نامہ کشمیر کے واحد لیڈر ہیں تو
میں کہتا چاہتا ہوں کہ اخباروں
میں یہ خبریں آ رہی ہیں - آج تو
اخباروں پر سانس نہیں ہے - کہ تمام
راہی میں شیخ صاحب کے خلاف
ڈیمانڈیشن ہو رہا ہے - جس طریقے
سے انہوں نے اہلی بیوی اور ایک
دوسرے سانپ کا انتخاب کروایا ہے -
اس سے دیموکریسی کی گردن شرم
میں جھک جاتی ہے - ایوزیشن کے
کیلیڈیٹیٹ کو بولنے کا موقعہ نہیں
دیا گیا - اس کی جیمپ جلا دی
گئی - شیا سٹی قساک کروایا گیا -
اور فرقہ پرستی کو ہوا دی گئی -
ہم یہ باتیں نہیں کہنا چاہتے
تھے - لیکن اس سرکار نے ایک ایسا
دروازہ کھول دیا ہے - کہ ہم یہ باتیں
کہنے کے لئے مجبور ہیں -

اس ملک کی کوئی بھی ستھیت
جب پریذیڈنٹ رول کے ماتحت
آجاتی ہے تو اس کا بحث پارلیمنٹ
میں قساکس ہوتا ہے - یہ اس
ملک کا سب سے بڑا ایوان ہے -
لیکن جموں کشمیر کا بحث یہاں
نہیں آ سکتا ہے - اور ایک سرکاری
افسر بیٹھ کر ہماری قسمت کا فیصلہ
کرے گا - ماننے سدسہ سوچیں کہ وہ
کس طرف جا رہے ہوں - وہ یہ نہ
سمجھ لیں کہ کشمیر کی سرکار افسر
شامی یا تانا شامی نے ذریعے چلائی
جا سکتی ہے اس سرکار نے لوگوں کے
کے حقوق کو پامال کیا ہے - اور ان
کے خیالات کو زخمی کیا ہے - اس
کو سادو ذمہ داری اس کے سر پر
ہے -

विदेप मंत्री (श्री अटन बिहारी
वाजोपः) अध्यक्ष महोदय, घड़ी की
मुई पूरा धूम गई है। काल के चक्र ने
ऐसा परिवर्तन किया है कि 25 जून,
1975 में पहले जो इस सदन में काम-
रोको प्रस्ताव पेश किए जाने का विरोध
करते थे, आज वे काम-रोको प्रस्ताव
पेश करने की स्थिति में आ गए, और
जो पेश किया करते थे आज वे उन काम-
रोको प्रस्तावों का माहलनापूर्वक उत्तर
देने में समर्थ हो गए हैं।

जब डा० कर्ण सिंह भाषण कर रहे
थे, तो मुझे महाभारत के कर्ण की याद
आई। युद्ध में जब कर्ण का रथ धरती में
धंस गया, और उसे वाणों से बिद्ध किया
जाने लगा तो उसे धर्म का स्मरण हुआ।
कर्ण ने कहा कि निहत्ये पर प्रहार करना

[श्री अटल बिहारी वाजपेयी :

न्यायसंगत नहीं है। अर्जुन थोड़ी देर के लिए असमंजस में पड़े। लेकिन सारथी के स्थान पर विराजमान भगवान कृष्ण ने कहा—कर्ण के मुंह से धर्म का उल्लेख शोभा नहीं देता। धर्म कहाँ था जब छलकपट से पाण्डवों को द्यूत से परास्त कर उन का राज्य ले लिया गया? धर्म कहाँ था जब भारी सभा में द्रौपदी को निर्वसन किया गया? धर्म कहाँ था जब लाक्षा गृह में पाण्डवों को जीवित जलाने की चेष्टा की गई। मैं डा० कर्ण सिंह से पूछना चाहता हूँ—जिस लोकतंत्र की वे दुहाई दे रहे हैं वह लोकतंत्र कहाँ था जब तामिलनाडु की विधान सभा में डी एम के का स्पष्ट बहुमत होते हुए केन्द्र में बैठी हुई कांग्रेस सत्ता ने चुनी हुई सरकार को भंग कर दिया, लोक तंत्र को ताक पर रख दिया संविधान को रद्दी की टोकरी में फेंक दिया?

AN HON. MEMBER: Do you want to do the same thing?

श्री अटल बिहारी वाजपेयी : मैं उस पर भी आ रहा हूँ। इस विवाद में उल्लेख किया गया

SHRI K. MAYA THEVAR (Dindigul): Sir, I rise on a point of order. The hon. Minister of External Affairs here referred to the Tamilnadu Government. I say that that was dismissed by the then Governor because of corruption charges.

MR. SPEAKER: There is no point of order. Will you please sit down?

श्री अटल बिहारी वाजपेयी : मैं तमिलनाडु को छोड़ देता हूँ। मैं उड़ीसा की बात करता हूँ। वैसे अगर काश्मीर की चर्चा हो तो कन्याकुमारी का स्मरण

आए बिना नहीं रह सकता। आखिर दोनों भारत के भाग हैं। उड़ीसा में क्या हुआ था? 1973 में उड़ीसा में मेरे मित्र श्री बीजू पटनायक के नेतृत्व में विधान सभा में उन्हें बहुमत प्राप्त हो गया। उस बहुमत का राज्यपाल के सामने प्रदर्शन किया गया था, संख्या गिन कर के किया गया था। लेकिन केन्द्र के निर्देश पर राज्यपाल ने कहा कि बहुमत को सरकार बनाने का मौका नहीं दिया जाएगा क्योंकि सरकार टिकेगी नहीं। स्थायित्व के आधार पर अपने विवेक से राज्यपाल ने उड़ीसा में निर्णय लिया। क्या जम्मू काश्मीर के राज्यपाल अपने विवेक के आधार पर निर्णय नहीं ले सकते? क्या अलग अलग मानदण्ड होंगे।

एक माननीय सदस्य : उसी के खिलाफ ही आप लोग बोल रहे थे ?

श्री अटल बिहारी वाजपेयी : मैं उस मुद्दे पर भी आ रहा हूँ।

अध्यक्ष महोदय, जम्मू काश्मीर का पृथक संविधान है। इस संविधान के अनुसार अगर राज्यपाल संतुष्ट है कि सरकार संविधान की धाराओं के अनुसार नहीं चल सकती तो वे विधान सभा को भंग कर सकते हैं। मैं एक बात स्पष्ट करना चाहता हूँ कि जम्मू काश्मीर में राष्ट्रपति का राज लागू नहीं किया गया है। राज्यपाल का राज लागू किया गया है। यह संविधान उन्होंने बनाया है जो आज इस संविधान को अपने लिए अड़चन का विषय पार रहे हैं। मेरी आ मा तो स्पष्ट है। हम तो प्रतिपक्ष में बैठ कर यह मांग करते थे कि जम्मू काश्मीर का पृथक संविधान नहीं होना चाहिए। भारत का संविधान पूरी तरह से जम्मू काश्मीर पर लागू करना चाहिए। इसे पृथक संविधान के अनुसार वे सारी बातें जम्मू काश्मीर पर लागू नहीं होती हैं जो अन्य प्रदेशों पर लागू होती हैं। क्या हमारा कांग्रेस के मित्र

अब काश्मीर की विशेष स्थिति को भूलना चाहते हैं ?

अध्यक्ष महोदय, 3 मार्च, 1975 को जब इस सदन में शेख साहब के साथ हुए समझौते की चर्चा हुई थी तो तत्कालीन प्रधान मंत्री ने क्या कहा था, उसका थोड़ा सा मैं उल्लेख करना चाहता हूँ :—

“This new political understanding is worthy of a person of Shaikh Abdullah's long record of service to the people and our cherished values. About 40 years ago Sheikh Abdullah became the foremost leader of the Kashmir people's fight against feudalism and he made his struggle a part of the larger national struggle for freedom and secularism.”

और भी उन्होंने शेख साहब की बहुत तारीफ़ की थी। उस समय किसी को यह ध्यान नहीं रहा कि शेख अब्दुल्ला के साथ कितने व्यक्ति हैं। तब शेख अब्दुल्ला का व्यक्तित्व सारे जम्मू काश्मीर पर छाया हुआ था। जब शेख अब्दुल्ला कांग्रेस पार्टी के लिये अनुकूल थे तो वे बड़े थे, तब उनका कद उंचा था, तब वे सब को साथ लेकर चलने का दायित्व निर्वाह कर सकते थे। जब कांग्रेस पार्टी ने देखा कि शेख अब्दुल्ला उनके इशारे पर चलने के लिये तैयार नहीं है तो जम्मू का मीर के स्थायित्व को खतरे में डालकर शेख अब्दुल्ला के प्रति अविश्वास प्रकट करने की गलती की गई।

मैं पूछना चाहता हूँ कि जब देश में चुनाव हो रहे थे, नई सरकार बनने वाली थी, जब देश संक्रमण काल से गुजर रहा था शेख अब्दुल्ला पर से विश्वास वापस लेने का निर्णय क्यों हुआ ? इसके पीछे भी एक चाल है। शेख अब्दुल्ला के साथ विश्वासघात किया गया, वह बात अलग है लेकिन जनता के समर्थन से जो नई सरकार बनी है उसके मार्ग में रुकावटें पैदा करने के लिये काश्मीर में गड़बड़ी की स्थिति उत्पन्न करने

की कोशिश की जा रही है। शेख अब्दुल्ला पर अगर विश्वास इतने दिन था तो क्या वह विश्वास कुछ और दिन नहीं रह सकता था ?
(व्यवधान)

जम्मू काश्मीर के संविधान में विशेष स्थिति है उसका मैं उल्लेख नहीं करना चाहता लेकिन आप स्वीकार करेंगे कि जम्मू काश्मीर के एक तिहाई भाग पर पाकिस्तान का कब्जा है और जम्मू काश्मीर में अभी तक संयुक्त राष्ट्र संघ के पर्यवेक्षक मौजूद हैं। सभी इस बात को स्वीकार करेंगे कि जम्मू काश्मीर का प्रश्न दलगत आधार पर नहीं देखा जाना चाहिये। यह एक राष्ट्रीय प्रश्न है। मैं पूछना चाहता हूँ कि जब नयी सरकार आ जाती उस सरकार के नेताओं से परामर्श करके जम्मू काश्मीर के बारे में कोई फैसला किया जाता तो क्या आसमान टूट जाता ? मगर इतना धैर्य नहीं दिखाया गया। चुनाव में परास्त हो गए तो एक कुचक्र शुरू कर दिया। एक ऐसी स्थिति पैदा कर दी गई है जो सारे देश को कठिनाई में डाल सकती है। मैं कांग्रेस पार्टी के प्रबुद्ध नेताओं से अपील करना चाहता हूँ, परमात्मा के लिए, आप तो हममें अनुभवी हैं, आप तो हमसे अधिक असम्प्रदायवादी होने का दावा करते हैं, आप तो हममें अधिक राष्ट्रवादी होने पर बल देते हैं, आप जम्मू काश्मीर में कोई ऐसा काम मत करिये जो हमारे लिये सिरदर्द बन जाये। वह सिरदर्द केवल सरकार के सिर पर नहीं होगा, वह सारे देश का सिरदर्द होगा और जनता कभी भी कांग्रेस पार्टी को माफ नहीं करेगी।

अध्यक्ष महोदय, स्थिति को सुलझाने का एक यही तरीका है कि चुनाव करवा दिये जायें। जम्मू काश्मीर की जनता स्वतंत्र और निष्पक्ष चुनाव में अपना अभिमत प्रगट करे। चुनाव जल्दी से जल्दी कराये जायें, इस बात का प्रबन्ध होना चाहिये लेकिन जनता के पास जाने में आपको संकोच क्यों ? आज कुरेशी साहब कहते हैं कि कोई एक व्यक्ति बड़ा

[श्री अटल बिहारी वाजपेयी]

नहीं है। सचमुच में जनता के निर्णय के बाद अब कोई भी एक व्यक्ति बड़ा नहीं रहा। अब दो दिन निकल गए। ~~(अब)~~ हमने कभी व्यक्ति पूजा नहीं की और न व्यक्ति पूजा करेंगे। हमने कभी एक व्यक्ति को भारत का प्रतिरूप नहीं माना और न ही मानेंगे। जम्मू कश्मीर के सवाल पर जो स्थगन प्रस्ताव आपने पेश किया है, वह ठीक किया है लेकिन जिस भावना से हमारे नेता उसको स्वीकार किया है उसकी आप कद्र कीजिए। लेकिन स्थगन प्रस्ताव के बाद, मैं चाहता हूँ कि कांग्रेस पार्टी के नेता और हमारे वरिष्ठ नेता मिल कर बैठें और जम्मू-कश्मीर में कोई ऐसी परिस्थिति पैदा होने से रोकें, जिस से कि अन्तर्राष्ट्रीय स्वार्थ लाभ उठा सकें। ये झगड़े घरे के झगड़े हैं, ये परस्पर के मतभेद हैं, मगर सत्ता की होड़ में कोई ऐसा काम नहीं होना चाहिये जो कश्मीर के बारे में एक अनिश्चय की स्थिति पैदा कर दे। मुझे विश्वास है कि कांग्रेस के मित्रों में कुछ देश के लिये भलाई की भावना जागृत होगी।

श्री मुहम्मद शफी कुरेशी (अनन्तनाग)

यह आप को पता कहना चाहिये था—इससे पहले कि प्राइम मिनिस्टर गर्वनर को एडवाइस करो, अगर हम मे राय ली जाती तो ज्यादा अच्छा था।

श्री अटल बिहारी वाजपेयी : अगर हमारे कांग्रेसी मित्र शेख अब्दुल्ला में अपना विश्वास वापस लेने से पहले हमें परामर्श कर लेते, तो यह स्थिति पैदा ही नहीं होती। खैर जो हो गया, मोहो गया मैं उसमें नहीं जाना चाहता, लेकिन भविष्य के बारे में मैं कहना चाहता हूँ—कि मिल कर कश्मीर के बारे में नीति का निर्धारण हो। इस दिशा में हमारी सरकार प्रयत्न करेगी, लेकिन कांग्रेस पार्टी चुनाव की पराजय के बाद कहां तक उंची उठती है—हमें यह देखना है।

भाषण समाप्त करने से पहले, मैं एक बात कहना चाहता हूँ—जब मैं प्रतिपक्ष में था तब एक मांग किया करता था कि धारा 370 समाप्त होनी चाहिये, लेकिन उस समय हम पर टीका-टिप्पणी की जाती थी कि हम जम्मू-काश्मीर की जनता की भावनाओं का आदर नहीं करना चाहते। आज वही धारा 370 के अन्तर्गत बना हुआ संविधान काश्मीर में राज्यपाल का राज्य लागू करने का कारण बना है। लेकिन एक बात मैं स्पष्ट कर देना चाहता हूँ कि नई सरकार धारा 370 में कोई एक-तरफा परिवर्तन नहीं करेगी, जम्मू-काश्मीर की जनता के विचारों को ध्यान में रखकर निर्णय किया जाएगा।

SHRI VASANT SATHE (Akola): Sir, at the outset I would like to reciprocate the sentiments expressed by Shri Madhu Limaye when he said that now in this country we must turn a new leaf in democratic system and parliamentary system if democracy is to be consolidated in this country. It is a good augury that a new party has emerged as an alternative party which can take the reins of Government and which is so very essential for democracy in a country and therefore, we would be very happy if this Government under the new Party, the Janata Party, consolidates and gives a stable government to this country and all our leaders have assured that we on our part would like to do nothing to disturb the working of this government. Therefore, Sir, I expected that the Government of the Janata Party under the leadership of Morarjibhai would maintain the tradition of which you just now quoted Ram Manohar Lohia, and the first thing Morarjibhai himself at the press conference had said was that he would do nothing and his government would do nothing to topple the State legislatures when a direct question was asked. He said, 'If they do it on their own, what can I do?' That was perfectly fair. But the apprehension in our mind—I must

be very clear; let us discuss it as friends—is this. The election to the office of the President has to be held before August, that is, within six months of the vacancy arising. You are also aware that in most of the States in this country, the Congress has a majority. In the Rajya Sabha also, we have the majority. It has been publicly stated that they have advised the Governors to dissolve all the State Assemblies and hold immediate elections before the presidential election is held. When Morarjibhai stated at his first press conference that his Government would do nothing to disturb or play the role of destabilisers to unseat the State Governments and legislatures, we believed him. But even before the breath was out of it, we were taken aback by this action of the Government of India.

I am not going into the question of the role of the Governor, because in terms of art. 92 of the Constitution of Jammu and Kashmir, to which Shri Atal Bihari Vajpayee referred, there is this provision in sub-section (5).

“No proclamation under sub-section (1) shall be issued except with the concurrence of the President of India”.

This is not referred to in other sections.

The Proclamation says:

“...Now, therefore, in exercise of the powers conferred under sec. 92 of the State Constitution and all other powers in that behalf and with the concurrence of the President of India, I hereby...”.

If this is with the concurrence of the President, obviously it is with the consent of the Council of Ministers, that is, the Prime Minister, under our Constitution as it was before and as it is now. There is no difference in that.

Therefore, I would beg of you to clarify this. We honestly believed you when you said that you were determined to lay down, and stand by, certain excellent democratic practices, and you would do nothing to unseat the State legislatures, unless they toppled themselves—which is a different matter. I would like to ask you this: did the Governor approach you? If so, what was his report? Did he tell you that the majority party cannot run the Government? On what basis, did you give your concurrence? Under what circumstances, did you agree to have the State Assembly dissolved? Of course, you can say ‘We will go to the polls at the earliest’. I do not want to go into the question whether the poll that was held there all these years from 1950 onwards till 1969, when you were yourself in a high position in the Government, in Nehru's time, was throughout rigged.

MR. SPEAKER: It will help if he addresses me. I am not a party to either this or that.

SHRI VASANT SATHE: We always address you. When I say ‘you’, it is addressed through you.

Therefore, I would beg of the Prime Minister to explain under what circumstances this was done. There is a saying in Marathi:

रहातारी मेल्याचे दुःख नाहीं बालमोकाबती

It is no matter of sorrow that an old lady is dead; the danger is of death getting habituated. We are not worried about what my friends from Kashmir are telling me; they are any day willing to go to the people; there is no question of having any apprehensions on account of that. But this thing can be extended to the rest of the country. You can say: hereafter you do not need to ascertain whether there is majority behind the government or not; all that you have to do in a state hereafter is to get the

[Shri Vasant Sathe]

Governor tell you that he recommends that it should be dissolved. What is your policy? If you give such a rude shock it will shake our faith in your word of having democratic functioning in the states. How can we have confidence in you? Even in the beginning this has happened. As the saying goes;

प्रथमग्रासे मक्षिकापातः

A fly in the very first mouthful. How can you infuse confidence in us? We want to cooperative with you.

18.56 hrs.

[SHRI D. N. TIWARI in the Chair]

Here, 356 was available to you; you did not resort to 356. Then there is article 92. Do you know what the Governor says? On page 2, he says: "In exercise of the powers of the legislature to make laws under or by virtue of this Proclamation. I shall prepare such Bills as I deem necessary and declare as respects any Bill so prepared the assent thereof...." What kind of democracy is this? Under 356 you have, in terms protection and it says that it is this Parliament. The representatives of the people of Jammu and Kashmir are here to safeguard their interests, both here and in the Rajya Sabha. 356(b) says that the powers of the legislature of the State shall be exerciseable by or under the authority of Parliament. Would it not have been better to have the Budget passed in this Parliament? Or is it better and more democratic to let the Governor say: I prepare the Bill and I also give assent to it. What kind of democratic norms are being followed. I want to say this to the Prime Minister. We have faith in his word. We know that he wants democracy to stabilise. That cannot be done unless there is co-operation from both sides. A new

stage has emerged in the country. And if right in the beginning you start shaking our faith, it does not augur well. What do you really mean when you say that you have faith in democracy? How can we have faith in you? Therefore, I submit that the entire action of this government, the very first act in giving concurrence through the President to such an act of the Government was most undemocratic and unconstitutional and contrary to all the excellent democratic norms that exist and also your proclamations. Therefore, we feel shocked.

THE PRIME MINISTER (SHRI MORARJI DESAI): He was referring to me. May I refer my hon. friend to the Leader of the Opposition and Dr. Karan Singh to whom I have said that I had no other option left in this matter and I have explained to them the facts and I believe they are satisfied. I do not want to speak further because the Home Minister deals with the problem and he will say whatever he has to say.

19.00 hrs.

SHRI SHYAMNANDAN MISHRA (Begusarai): Mr. Chairman, Sir, we find ourselves confronted with a peculiar predicament and the predicament is that while we try to agree with them they do not seem to agree with themselves. That is a peculiar situation which this House faces at the moment. This would be clear from my recital of the facts that have been obtaining in the State of Jammu and Kashmir. But let me state in the very beginning that there is no difficulty so far as agreeing with the general proposition that the party which commands decisive majority in a State must be asked to form the Government is concerned. Generally, I would emphasise that if we depart from this principle, that would be the end of democracy. And that is precisely what our Election manifesto

says in its political chapter. I would like to quote it here.

"Move to amend Article 356 to ensure that the power to impose President's rule in the State is not misused to benefit the ruling party or any favoured faction within it."

And I must state with all emphasis at my command that our party would adhere to it so far as the general proposition is concerned, in all areas except the one in which following their illustrious lead we want to go in a special way. This is precisely my contention. They want this area to be treated in a special way. Not only they but the entire country wanted that this area should be handled in a special way. They had also asked us to treat this area as a sensitive area. I would certainly like to agree with them wholeheartedly. But what exactly does it mean? The sensitivity of that area means that there should be a special sensitivity on our part to deal with it, and that requires that some special features of the situation in Jammu and Kashmir must be taken into account. In fact, Mr. Chairman, you will kindly recall that they had evolved a new arithmetic in the State of Jammu and Kashmir. They had asked the country and the whole world to believe that 45 was equivalent to 1 and 1 was more than 45. That is precisely the proposition which they had adumbrated in the year 1975, two years back when Sheikh Abdullah was enthroned as the Chief Minister of Jammu and Kashmir. Was it not a strange arithmetic on the face of it? But it was a real arithmetic to which all of us in this House subscribed.

Sir, I would not like to take my stand on the assumption that the elections in Jammu and Kashmir in 1972 were not free and fair or that they were rigged. I do not want to take my stand on this. But what exactly they had come to believe themselves? I would like to agree

with their belief. There was a State Assembly, they were in a predominant position there and yet they came to realise that the Assembly did not reflect the will of the people. What exactly did it mean? They brought in a person who became the Chief Minister of the State, who was not a Member of the Assembly then. And not only that. Did you ask Sheikh Abdullah to join your party and to defect from the National Conference? It had been your way to seduce people to join your party, but Sheikh Abdullah was not seduced by you to join your party. He continued to be the Member of the National Conference, and he continued to represent and lead the National Conference. Why my hon. Members do not recognise this position? Otherwise if Sheikh Abdullah had been offered the office of Chief Minister he would have joined your party and he would have become the leader of your party. There would have been absolutely no difficulty about it.

But Sheikh Abdullah was not a member of the party nor was he a member of the Assembly. This House does not seem to bear in mind that Sheikh Abdullah was allowed to form a government not a single member of which belonged to the Legislative Assembly of that State. Is that not the paramount fact to be taken into account? That is exactly what I am trying to emphasise on my friend, Dr. Karan Singh.

I had taken part in the debate which took place at that time and I am really proud of the contribution that I had made then. I said,

"Sheikh Abdullah has gone there as a partyless leader, as a partyless Chief Minister, as a Janata Chief Minister"

Now Sheikh Abdullah will become the Janata Chief Minister, but I predicted it in 1975. I further said:

"I ask my hon. friend, Shri Swaran Singh, who is a student of Constitutional Affairs, unlike the Prime

[Shri Shyamnandan Mishra]

Minister—Does not the Jammu and Kashmir Legislative Assembly stand as good as dissolved? What is the meaning of the Jammu and Kashmir Legislative Assembly in the present context? None of the Ministers of Sheikh Abdullah happens to belong to the Legislative Assembly."

If the Legislative Assembly were that important, at least one member of the Cabinet could have been contributed by that celebrated State Assembly. But not a single member of the Cabinet was contributed by that Assembly. Yet, you are laying all stress on the Legislative Assembly!

What then was the new factor brought into the situation to reflect the will of the people? That is precisely the point with which the House must grapple. The new element brought into the situation was the pact between the then Prime Minister and Sheikh Abdullah, because the then government realised that the Assembly did not reflect the reality of the situation there. It is the pact between the then Prime Minister and Sheikh Abdullah which provided the real breath to the Legislative Assembly. It is this pact which had been governing the State and not the Legislative Assembly there. So, you had come to the conclusion that a new pact was required with a person who had been in exile for 22 years. That reminds me of a very desirable development which has taken place in this House, namely, a man whom you had handcuffed and used to bring to the court in handcuff is now a minister governing this country! That has been precisely the tradition of a Gandhian country like this. So, at that time, a pact was brought about to reflect the reality of the situation. Now my hon. friend should again come to the view that a new relationship between the new Prime Minister and Sheikh Abdullah is required to reflect the reality of the situation. I am only stating the facts

which you have created there and I would like you to adhere to those facts. I would also like this hon. House to bear this in mind.

The one problem to which I do not find an easy solution is this. The State is now under Governor's rule which has been imposed with the concurrence of the President of India. Concurrence of the President of India means that it was done with the aid and advice of the Central Cabinet. Yet, in the Constitution of Jammu and Kashmir, the provision is that the budget would be passed by the Governor.

19.10 hrs.

[MR. SPEAKER *in the Chair*]

That creates problem which I am not easily able to solve. We have to go by the situation as it obtains according to the Constitution of Jammu & Kashmir (*Interruptions*).

Now, they have been subscribing all the time to the special Constitution of the State of Jammu & Kashmir. Although the provision in that Constitution is that the proclamation will issue only with the concurrence of the President of India, yet my hon. friends on the other side have been subscribing to the view that it is a wholly desirable provision in the Constitution of Jammu & Kashmir that there shall be a Governor's rule and that the Governor should pass the budget. Why had you been subscribing to this view? So far as the ruling party is concerned—and I am proud to belong to the ruling party—the hon. Prime Minister has always been saying that we must not do anything which will impair the unity of the country. But here are these gentlemen who have been talking in terms of the south or some States and so on. Please do not tell us that in these States you have got the majority. The country is represented by the party which reflects the predominant opinion of the people of the country. But you are pointing to State A or State B or State C and all these States happen to be in a parti-

cular area—and therefore you suggest that there has been a polarisation between the north and the south. We do not subscribe to these sinister assumptions and inferences and I must say that you are not true to your leader when you are talking in terms of the south and the north.

My final submission is this. This has to be solved in some amicable manner. It is a matter of gratification that the new Prime Minister always brings a constructive spirit to bear upon the problems of the country. He has shown during the last two or three days that he can be accommodating to an extent to which the Prime Minister after Nehru or Lal Bahadur Shastri has not been. Your leader was not so accommodating; otherwise she would not have to face this catastrophe. If there is a kind of some dialogue between the new Prime Minister and the opposition on this point they should evolve a practice that the House should take command of in some way the Budget proposals because it is in substance President's Rule but because of the special Constitution of the Jammu & Kashmir it is known as Governor's Rule. With this constructive suggestion I would like to accord support to the new Prime Minister's policy in this matter. And I think the new Prime Minister will inaugurate a new era in Kashmir. I would ask my hon. friends from the opposition to come forward and extend their hands of cooperation in this matter. They should rise above party barriers, treat Kashmir in a special way and apply the delicate touch that it requires.

श्रीमती अकबर जहान बेगम (श्रीनगर) : मि० स्पीकर, बहुत सी बातों में ने मुनीं, जो आपोजीशन और नई गवर्नमेंट के आन्तरिक मेम्बरज की तरफ से आप के सामने रखी गई। जैसा कि अक्सर सब को मालूम ही है, शेख साहब ने हमें जम्हूरियत, सैकलरिज्म और मांसलिज्म को अपनाया और उन्होंने हर तरीके से यह कोणिश

की कि काश्मीर उमो की बुनियाद पर सारे हिन्दुस्तान के साथ तर्ककी करे।

I am speaking as a Member of this House, not as the wife of Sheikh Abdullah. What I say may be against the friends in the Opposition, but these are facts.

एसेम्बली में, जो अभी-अभी तोड़ी गई है, कांग्रेस के मेम्बरज में आपस में ही इत्तिफाक नहीं था। पहले तो सब कहते रहे कि शेख साहब बहुत अच्छे हैं और उन का चीफ मिनिस्टर बनना बहुत अच्छा है। लेकिन बाद में जब उन्होंने देखा कि अब सुरो-हाल ऐसी है कि लोग कांग्रेस की तरफ से मत्पिकर हो रहे हैं, तो दूसरी किस्म की बातें कही जाने लगीं।

लोक सभा के लिये मेरा जो इन्क्वेशन हुआ, उस से सब दुनिया के सामने जाहिर हो गया कि लोग किम के साथ हैं। बेहद कोणिश की गई हमें भी हानि की। मेरे खिलाफ भी नोन और कैंडीडेट खड़े किये गये।

एक माननीय सदस्य : बहुत बेईमान हैं ये लोग।

SHIRI MOHD. SHAFI QURESHI: The word "be-imaan" should be expunged, because he does not know its meaning. 'Be-imaan' in this context is a bad word.

श्रीमती अकबर जहान बेगम : एक तो उनमें से वह सा व्यक्ति, जिन की कांग्रेस की तरफ से बहुत बैकिंग की जाती थी-मौलवीं इफ्तखार साहब। खैर, कुदरत का करना ऐसा हुआ कि वह हार गये। किसी चीज ने मजबूर किया। शेख साहब को अगर कुर्सी की जरूरत होती जैसे कि ये लोग हैं वे अल्फाज में जाहिर करने की कोणिश करते हैं तो फिर उन्हें जेल काठे के लिये जाना था और यह एलीगेशन भी शायद अगर मैं न करेक्टली मुताबिक कुछ पार्लियामेंट की तरफ का कह रहे थे (व्यवधान)

एक माननीय सदस्य : नहीं, किसी ने नहीं कहा।

श्रीमती अरुण जैन बंगम : हपेशा से उन्होंने टूनेशन थ्योरी से इनकार किया और उन्होंने हमेशा सब किया। हमें साथ लेकर चार साल कीजलावतनी भी काटी, तीन साल कोडाइ कैनाल में साउथ के अंदर और फि : एक साल दिल्ली के अंदर। खैर, इस का कोई गिला किसी पर नहीं है। आप लोग सब समझते हैं कि ऊंचे आदर्शों के लिये सफरिंग्स आती ही हैं। अगर वे इस चीज के पाबान न होते, कुर्सियों के लिये उन की लालच होती तो फिर सफरिंग्स काहे के लिये लेनी थी ?

कांग्रेसियों ने अब ऐसा माहौल पैदा कर दिया था कि उन के लिये गवर्नमेंट चलानी बड़ी दुश्वार हो गई थी। असेम्बली के अंदर से, बाहर से सब तरफ से कोशिश यह की जाती थी कि जिन उसूलों पर जम्हूरियत, सोशलिज्म और सेक्युलरिज्म पर वे गवर्नमेंट चला रहे थे वह न चला सके और जो कहते हैं कि तीन आदमियों पर नाचते थे, वह ठीक है, मौका आयेगा, असेम्बली के एलेक्शन में दूसरा मौका आएगा जो कि महज इसीलिये है। उन्होंने इसीलिये कहा कि मेरे लोगों को बिलकुल आजादाना तौर पर जम्हूरियत, सेक्युलरिज्म और सोशलिज्म के उसूलों पर खुली राय रखने का मौका होना चाहिये। बिना किसी खौफ और खतर के वे अपने नुमाइन्दे चुनें जो कि असेम्बली में उन की नुमाइन्दगी करें। तीन आदमियों पर कोई नहीं नाचते। यह सारी दुनिया जानती है न सिर्फ हिन्दुस्तान बल्कि हिन्दुस्तान के बाहर के लोग भी जानते हैं शेख अब्दुला को जिन की उम्र के 46 साल पालिटिक्स में हो गये हैं और उन्होंने कभी धोखा नहीं किया, उन से धोखा किया गया। उन्होंने सि की धोखा नहीं दिया। इस कदर वे अपने अलफाज के पाबन्द हैं। जिस वक्त अपने एलेक्शन के लिये मुझे अपनी कांस्टीट्यूएन्सी में जाना पड़ा, काफी दुश्वारियां भी आती थीं सामने लेकिन उन सब दुश्वारियों के होते हुए मैंने कान्टीन्यू किया और उन्होंने यही कहा हमेशा मुझे लोगों से कहना पड़ा जिस में कि

लोगों ने मुझसे कहा ब्रेगम साहिबा, हमें धोखा लगा, आप ने कहा था जब मीटिंग्स पर मीटिंग्स हुआ करती थी जिस में 15-20 और 30 हजार से कम लोग कभी नहीं थे। मैंने कहा कि क्या धोखा हुआ आप लोगों से तो उन्होंने कहा कि आप ने कहा कि कांग्रेस और हमें एलेक्शन में बिलकुल एक साथ चलना है न कि हमें उन के कैडीडेट को नुकसान पहुंचाने की कोशिश करनी है। और ये यह भी चाहेंगी कि वे भी उन वादे पर रहे जो श्रीमती इन्दिरा गांधी और शेख साहब के दरमियान बाते हुई और उन की कैबिनेट के दरमियान बाते हुई कि यह तीन सीटे हम को मिली है ये तीन सीटे कांग्रेस की हैं। लेकिन यह : चाहेंगे कि एक दूसरे के साथ ऐसा न किया जाय कि धोखा दिया जाय। मैं अब जाना नहीं चाहती इस में। एक तो मुझे मेरा जमीर इजाजत नहीं देता कि मैं उन बातों का जिक्र करूं। यहां पर एक जिक्र किया गया कि एक जोर गलाई गई। उस जोर को जलाने में भी उन्होंने का हाथ था। चूंकि इस में कांग्रेसियों की एक सोची समझी गलत कि इसको एक हर्वे के तौर पर इस्तेमाल करते यहां शिया मुन्नी फिसाद करायें ताकि उस सूरत में इन्तखानान को मुल्तेबी करायें लेकिन मारी काश्मीर इस बात को साबित कर सकती है, इस तरह से गायबाना, किसी को पीठ के पीछे कोई बात कहना, मुल्क के लोगों से दूर किसी तरह की बातें कहना बड़ा आसान है लेकिन मुल्क के लोगों के सामने बातें करना दूसरा बात होमी कि तीन आदमी किसके साथ है और सारा काश्मीर किसके साथ है। इसलिये मैं चाहती हूं कि जब इस हाऊस में हम आयें है तो हम सब बहुत शरीफाना और इमानदाराना तौर पर बात करें, जो हकीकत है उसके गलत तरीके से बयान करने की कोशिश न करें। झूठ को बोले कि हकीकत है और हकीकत को हम बयान ही न करे यह जायज नहीं है।

इन लोगों ने शेख साहब के लिए गवर्नमेंट चलाने का कोई रास्ता ही नहीं रखा। कभी

एक रूप में आ जायें और कभी किसी तरीके पर आ जायें। कभी लोगों को फुसलाएं और बिगाड़ें। तभी उन्होंने गवर्नर साहब से कहा कि अब आप असेम्बली डिजाइल कर दीजिए क्यों कि काम तो होता नहीं है, सिर्फ लड़ाई झगड़ें होते हैं। जो पालिसीज हैं वे तो सब दफन हो जाती हैं जिन पर चल कर मुल्क को तरक्की करना है। जो कुछ जिन के मन में आता है कहता है और इन के आपस में भी असेम्बली में फूट थी जिस हो वजह से कोई भी मुल्क की तरक्की का काम नहीं हो सकता था। तभी शेख साहब ने कहा कि असेम्बली को डिजाइल किया जाय ताकि लोगों को मौका मिले कि वे अपनी फ्री विल से जिस को चाहें नुमाइन्दा बनाएं। मैं तो अभी अभी इस बड़े एवान में आई हूँ। मैं नहीं चाहती थी कि इस पर बोलूँ लेकिन मैं मजबूर हो गई जब मैं ने देखा कि तमाम मुल्क के आन रेवल मेम्बर्स यहां बैठे हैं, उन की आंखों में घूल झोंकी जा रही है। इसलिए इस चीज को मैं वर्दाश्त नहीं कर सकी।

श्रीमती अकबर जहाँ बेगम - (सुरी नगर)

मैसٹر سید محمد / بہت سی باتوں میں نے سنی، جو اپوزیشن اور نئی حکومت کے ممبران کی طرف سے آپ کے سامنے رکھی گئیں۔ جیسا کہ اکثر سب کو معلوم ہی ہے کہ شیخ صاحب نے ہمیشہ جمہوریت، سیکولرزم اور سوشلزم کو اپلایا۔ اور انہوں نے ہر طریقے سے یہ کوشش کی کہ کشمیر اسی کی بلحاظ پر سارے ہندوستان کے ساتھ ترقی کرے۔

میں اس ایوان میں ایک ممبر کی حیثیت [میں بول رہی ہوں۔ شیخ عبداللہ کی بیگم کی حیثیت سے نہیں۔ میں جو کچھ بھی بول رہی

ہوں وہ تو ہمارے مخالف دوستوں کے حق میں نہیں ہے لیکن یہ ایک منسلک حقیقت ہے۔

اسمبلی جو ابھی ابھی توڑ دی گئی ہے کانگریس کے ممبران میں آپس میں ہی اتفاق نہیں تھا۔ پہلے تو سب کہتے رہے کہ شیخ صاحب بہت اچھے ہیں اور انکا وزیر اعلیٰ بننا بہت اچھا ہے لیکن بعد میں جب انہوں نے دیکھا کہ صورت حال ایسی ہے کہ لوگ کانگریس کی طرف سے متاثر ہو رہے ہیں تو دوسری قسم کی باتیں کہی جانے لگی۔

لوگ سبھا کے لئے ممبران جو انتخاب ہوا۔ اس سے سب دنیا کے سامنے یہ ظاہر ہو گیا کہ لوگ کس کے ساتھ ہیں۔ بے حد کوشش کی گئی تھی بھی ہرانے کی۔ میرے خلاف بھی تھیں اور اُمیدوار کہتے کئے کئے۔

ایک آنریبل ممبر - بہت بے ایمان

ہیں یہ۔

SHRI MOHD. SHAFI QURESHI:
The word "be-imaan" should be expunged, because he does not know its meaning. "Be-imaan" in this context is a bad word.

ش्रीمती اکبر جहाँ بیگم - ایک

تو ان میں سے وہ صاحب تھے جن کی کانگریس کی طرف سے بہت حمایت کی جاتی تھی۔ خیر قدرت کا کونا تھا کہ وہ مار گئے۔

[شریمتی اکبر جہاں بیگم]

کس چیز نے مجبور کیا کہ شیخ صاحب کو اگر کرسی کی ضرورت ہوتی جیسے کہ یہ لوگ دیے الفاظ میں ظاہر کرنے کی کوشش کرتے ہیں تو پھر انہیں جیل کس لئے جانا تھا اور یہ الزام بھی شائد اگر میں نے صحیح سنا کہ کچھ پاکستان کی طرف کا کہہ رہے تھے۔

ایک معزز ممبر — نہیں کسی نے نہیں کہا۔

شریمتی اکبر جہاں بیگم - ہمیشہ سے انہوں نے دو قوموں کے نظریے سے انکار کیا اور انہوں نے ہمیشہ صبر کیا۔ ہمیں ساتھ لیکر چار برس کی جلاوطنی بھی گئی، تین برس کو دالی کمال میں جنوب کے اندر اور ایک سال دہلی کے اندر - خیر اس کا کوئی گناہ کسی پر نہیں ہے۔ آپ لوگ سب سمجھتے ہیں کہ اوجھے آدرشوں کے لئے مصیبتیں آتی ہی ہیں - اگر وہ اس چیز کے پابند نہ ہوتے، کرسیوں کے لئے اُن کو لالچ ہوتی تو پھر مصیبتیں کس کے لئے جھیلنی تھیں؟

کانگریسوں نے اب ایسا ماحول پیدا کر دیا تھا کہ اُن کے لئے حکومت چلائی بڑی دشوار ہو گئی تھی - اسمبلی کے اندر سے، باہر سے سب طرف سے کوشش یہ کی جاتی تھی کہ جن اصولوں پر جمہوریت، سوشلزم

اور سیکولرازم پر وہ حکومت چلا رہے تھے وہ نہ چلا سکے اور جو کہتے ہیں کہ تین آدمیوں پر ناچتے تھے وہ تھک گئے، موقع آئے گا، اسمبلی کے انتخابات میں دوسرا موقع آئے گا جو کہ محض اس لئے ہے - انہوں نے اس لئے کہا کہ مہرے لوگوں کو بالکل آزادانہ طور پر جمہوریت، سیکولرازم اور سوشلزم پر کھلی رائے رکھنے کا موقع ہونا چاہیئے، بنا کسی خوف و خطر کے وہ اپنے نمائندے چنے جو کہ اسمبلی میں اُن کی نمائندگی کریں - توں آدمیوں پر کوئی نہیں ناچتے - یہ ساری دنیا جانتی ہے نہ صرف ہندوستان بلکہ ہندوستان کے باہر کے لوگ بھی جانتے ہیں کہ شیخ عبداللہ کو جن کی عمر کے 46 برس سیاست میں ہو گئے ہیں اور انہوں نے کبھی دھوکہ نہیں کیا، اُن سے دھوکہ کیا گیا - انہوں نے کسی کو دھوکہ نہیں دیا - اس قدر وہ اپنے الفاظ کے پابند ہیں - جس وقت اپنے انتخابات کے لئے مجھے اپنے حلقہ میں جانا پڑا، کافی دشواریاں بھی اُنیں تھیں ساتھ لیکن ان سب دشواریوں کے ہوتے ہوئے میں نے کام جاری رکھا اور انہوں نے یہ کہا ہمیشہ مجھے لوگوں سے کہنا پڑا کہ جس میں لوگوں نے مجھ سے کہا - بیگم صاحبہ ہمیں دھوکہ لگا، آپ نے کہا تھا کہ جب میٹنگ پر میٹنگ ہوا کرتی تھی جس میں 15-20 اور

30 ہزار سے کم لوگ کبھی نہیں تھے۔
 میں نے کہا کہ کہا دھوکہ ہوا آپ
 لوگوں سے انہوں نے کہا کہ آنے کہا
 کہ کانگریس اور ہمیں انتخابات میں
 بالکل ایک ساتھ چلنا ہے بلکہ نہ کہ
 ہمیں ان کے اُسودوار کو نقصان
 پہنچانے کی کوشش کرنی ہے اور میں
 یہ بھی چاہوں گی کہ وہ بھی اس
 وعدے پر رہیں جو کہ شریمنی اندرا
 گاندھی اور شیخ عبداللہ کے درمیان
 باتوں ہوئیں اور ان کی کابینہ کے
 درمیان باتوں ہوئیں کہ یہ تین
 سینٹوں جو ہمیں ملی ہیں کانگریس
 کی ہیں لیکن ہم چاہوں گے کہ ایک
 دوسرے کے ساتھ ایسا نہ کریں کہ
 دھوکہ دیا جائے۔

میں اب اس میں جانا نہیں
 چاہتی تھی۔ ایک تو مجھے
 مہوا ضمیر اجازت نہیں دیتا ہے۔
 کہ میں ان باتوں کا ذکر کروں گی۔
 یہاں پر ایک ذکر کیا گیا کہ ایک
 جیو پ جلائی گئی اس جیو پ کو
 جلانے میں ان ہی کا ہاتھ تھا۔
 چونکہ اس میں کانگریسوں کی ایک
 سوچی سمجھی چال کہ اس کو ایک
 حربے کے طور پر استعمال کر کے یہاں
 شعبہ سلی فساد کرائیں تاکہ اس
 صورت میں انتخابات کو ملتوی
 کرائیں لیکن ساری کشمیر اس بات
 کو ثابت کر سکتی ہے۔ اس طرح

سے فائدہ کسی کی ہمتہ کے پیچھے
 کوئی بات کہنا ملک کے لوگوں سے
 دور کسی طرح کی بات کہنا
 بڑا آسان ہے لیکن ملک کے لوگوں
 کے سامنے باتیں کرنا دوسری بات
 ہونگی کہ تین آدمی کس کے ساتھ
 ہیں اور سارا کشمیر کس کے ساتھ
 ہے۔ اس لئے میں چاہتی ہوں کہ
 جب ہم اس ہاؤس میں آئے ہیں
 تو ہم سب بہت ہی شریفانہ اور
 ایماندارانہ طور پر بات کہیں۔
 جو حقیقت ہے اس کو غلط طریقے
 سے بیان کرنے کی کوشش نہ کریں۔
 جھوٹ کو بولیں کہ حقیقت ہے اور
 حقیقت کو ہم بیان ہی نہ کریں۔
 یہ جائز نہیں ہے۔

ان لوگوں نے شیخ صاحب کے لئے
 حکومت چلانے کا کوئی راستہ نہیں
 رکھا تھا کبھی ایک روپ میں آجائیں
 اور کبھی کسی طریقے پر آجائیں۔
 کبھی لوگوں کو پھسلانوں اور
 ہکاریں جب ہی انہوں نے گورنر
 صاحب سے کہا کہ اب آپ اسمبلی نوڑ
 دیں کہونکہ کام تو ہوتا نہیں ہے۔
 صرف لڑائی چمکڑے ہوتے ہیں۔ جو
 بھی پالیسیاں ہیں وہ تو سبھی
 دفن ہو جاتی ہیں جن پر چل کر
 ملک کو ترقی کرنا ہے۔ جو کچھ
 بھی جس کے من میں آتا ہے کہتا ہے
 اور اسمبلی کے اندر کانگریسوں میں آپس
 میں پھوٹ ہے جس سے کوئی بھی

[شریعتی اکثر جہاں بہکم]
 ملک کی ترقی کا کام نہیں ہو سکتا ہے۔
 جیہی شیخ صاحب نے کہا کہ اسمبلی
 کو توڑ دیا جائے تاکہ ملک میں
 آزادانہ مرضی سے نمائندہ چلے جائیں۔
 میں تو ابھی ابھی اس بڑے ایوان
 میں آئی ہوں - میں نہیں چاہتی
 تھی کہ اس پر کچھ بولوں لیکن
 میں مجبور ہوں - جب میں نے
 دیکھا کہ تمام ملک کے معزز ممبران
 یہاں بیٹھے ہوں ہمارے مخالفوں
 کی طرف سے ان کی آنکھوں میں
 دھول چھونکی جا رہی ہے - اس
 چیز کو میں برداشت نہیں کر
 سکی -]

گृہ منتری (چاندی چरण سینگ) :
 अध्यक्ष महोदय, इस मामूली से मज़मून
 पर अच्छे से अच्छे भाषण हो चुके हैं और अभी
 बाद में बेगम साहिबा का जो भाषण हुआ है
 मैं समझता हूँ उस के बाद मुझ को कुछ विशेष
 कहने की जरूरत नहीं रह जाती। चौहान
 साहब और डा० कर्ण सिंह मानें या न मानें
 लेकिन गालिबन व अपने दिल में तस्लीम करते
 होंगे कि यह मामला बहुत सीधा सादा है।
 कानन साफ कहता है कि गवर्नर को कोई
 अख्तियार नहीं है, कोई च्वायस नहीं है, कोई
 विकल्प नहीं है सिवाय कौंसिल आफ मिनिस्टर्स
 की ऐंडवाइस पर अमल करने के। विपक्ष की
 तरफ से कोई भी दलील इस संबंध में नहीं
 दी गई। डा० कर्ण सिंह ने डेमोक्रेसी की बात
 कही, ऐफ़न्टरी और इम्प्रोव्हीटी जैसे अल्फ़ाज
 इस्तेमाल किए जो कि गैर-ताल्लुक थे। सिर्फ
 देखना यह है कि कानून का तकाजा क्या है ?
 तो कानून में, जैसा मैंने अर्ज किया, गवर्नर
 के लिबे और कोई रास्ता नहीं था। आम

डमोक्रेसी का यह तकाजा था कि मैजोरिटी
 दूसरी तरफ है तो उन को मौका दिया जाय,
 लेकिन जहां तक लाकक ताल्लुक है उन के लिये
 कोई दूसरा रास्ता नहीं था।

यहां कहा गया कि आर्टिकल 356 भी
 यहां एप्लाइ किया जा सकता था, उस को
 एप्लाइ क्यों नहीं किया गया। मैं समझता हूँ—
 अगर कांग्रेस की गवर्नमेंट पावर में होती तो
 शायद वही एप्लाइ करती, क्योंकि उस में दो
 साल तक गवर्नर रूल का मौका था, लेकिन यहां
 तो सिर्फ 6 महीने की ही गुंजाइश थी और
 हम चूंकि जल्द से जल्द इलैक्शन कराना
 चाहते थे, इस लिय हम ने गवर्नर की बात मान
 ली, ताकि उन के पास कम से कम वक्त तक
 शासन रहे, ज्यादा देर तक शासन का मौका
 उन को न मिल सके। यह बिल्कुल साफ़
 बात है। कि उन को 6 महीने के अन्दर
 वहां इलैक्शन कराना पड़ेगा। अब मेरी समझ
 में यह नहीं आ रहा है कि आप को इस में क्यों
 एतराज है ?

“शेख अब्दुल्ला साहब ने “एकार्ड” को
 नहीं माना” मुझे इस तरह की दलील सीज़ण्ड
 पार्लियामेन्टय़रियन्ज़ की तरफ़ से सुन कर कुछ
 ताज्जुब हुआ। यह दलील कहां तक रेलेवन्ट
 है ? उन्होंने माना या नहीं माना—मैं अगर
 उस बहस में जाऊँ, तो फिर शेख अब्दुल्ला
 साहब भी यहां पर मौजूद हों और फिर उस
 पर कोई जजमेन्ट हो, लेकिन इस बात का यहां
 कोई सवाल उठता ही नहीं है।

जहां तक आप की पार्टी द्वारा सपोर्ट
 विदड्रा करने की बात है—आप अगर लैटर
 लिखने से पहले ही रिपोर्ट विदड्रा कर लेते
 या उन के खिलाफ़ कोई नो-कॉन्फिडेंस का
 मोशन ले आते, उस के बावजूद भी अगर
 कौंसिल आफ़ मिनिस्टर्स यह कहती है कि
 असेम्बली डिज़ाल्व की जानी चाहिय, तो
 गवर्नर को डिज़ाल्व करना पड़ता, इस के
 आलावा गवर्नर के सामने कोई दूसरा रास्ता
 नहीं था।

आप के मुफती मुहम्मद सईद साहब, जो जम्मू-काश्मीर पी० सी० सी० के प्रेसिडेन्ट हैं, ता० 25 की शाम को गवर्नर को लैटर लिखते हैं कि श्री गिरधारी लाल डो रा जो वहां की लेजिस्लेचर कांग्रेस पार्टी के लीडर हैं उन्होंने कोई बयान दिया है कि वे सपोर्ट विद्वद्ग करना चाहते हैं। उन्होंने कोई बयान दिया होगा, मैं उस में नहीं जाना चाहता, इस बारे में हमारे पास कोई मैटीरियल नहीं है कि उन्होंने कब बयान दिया, उन्होंने बयान दिया हो या न दिया हो, लेकिन बाज़ाज्ता तौर पर जो लैटर जाता है, वह ता० 25 की शाम को जाता है और उस में भी यह नहीं लिखा जाता है कि यह लेजिस्लेचर पार्टी का डिसेज़न है, कांग्रेस पार्टी ने ऐसा तय किया है। शेख साहब ता० 26 की सबेरे कान्सिल आफ़ मिनिस्टर्ज़ की तरफ़ से लैटर लिखते हैं कि असेम्बली डिज़ाल्व होनी चाहिये। उसके बाद ता० 26 की शाम को कांग्रेस लेजिस्लेचर पार्टी की मीटिंग होती है कि हम सपोर्ट विद्वद्ग करते हैं। इस तरह से सपोर्ट विद्वद्ग करने का जो बात है—उस में ज्यादा बल नहीं है—वे जिस वक्त अपनी सपोर्ट को विद्वद्ग करते हैं, उससे पहले शेख अब्दुल्ला लैटर लिख चुके होते हैं। एक और बात है—जो लैटर लिखा जाता है—उसे मुफती मुहम्मद सईद साहब लिखते हैं जो आप की आर्गैनिज़ेशन के प्रेसिडेन्ट हैं, लीडर आफ़ दि पार्टी उस को नहीं लिखते हैं और आप को पार्टी मीटिंग भी ता० 26 की शाम को होती है, जब कि शेख साहब पहले ही लिख चुके होते हैं। इस लिये लैटर लिखने या न लिखने से कोई फर्क नहीं पड़ता है, स्टेट के कांस्टीचूशन के आर्टिकल 35(2) के तहत गवर्नर कान्सिल आफ़ मिनिस्टर्ज़ के मशवरे पर अमल करने के लिये जस्टीफाइड थे।

अब सवाल यह पैदा होता है कि गवर्नर ने अपने हाथ में क्यों लिया? यह बड़ी सीधी सी बात है—गवर्नर कान्सिल आफ़ मिनिस्टर्ज़ को रख कर असेम्बली को डिज़ाल्व कर

के इलैक्शन करा सकते थे, लेकिन उन के पास 31 मार्च के बाद गवर्नमेंट को चलाने के लिए फण्डस् नहीं थे। इस लिए उन्होंने प्रेसिडेन्ट से कान्करेंस मांगी कि वहां पर गवर्नर रूल इम्पोज कर दिया जाए ताकि उन के पास लेजिस्लेचर की तमाम पावर्ज हो जाएं।

हमारा इरादा यह है कि हम गवर्नर को एडवाइस करेंगे कि वह एट-दि-आउट साइड तीन महीने के अन्दर ये इलैक्शन करा दें। मेरे दोस्तों की तरफ से यहां पर बहुत से आर्ग्यूमेन्टस् दिए गए हैं और कहा गया है कि हमारी मैजारिटी होगी अगर ऐसी बात है तो फिर आप घबराते क्यों हैं, इस को भी टैस्ट कर लीजिए, इस में घबराने की कोई बात नहीं है : ...

श्री मुहम्मद शफी कुरेशी : इस में घबराने की कोई बात नहीं है।

चौधरी चरण सिंह : तब फिर इतने भाषण यहां देने की क्या जरूरत थी, आप को इसका वैलकम करना चाहिए था।

श्री मुहम्मद शफी कुरेशी : आप इस वक्त यह ऐनान फरमा रहे हैं कि तीन महीने के बाद इलैक्शन होगा, यानी आप अभी से डेट मुक़र्रर कर रहे हैं।

चौधरी चरण सिंह : मैंने यही कहा है कि एट दि आउट साइड तीन महीने के अन्दर होगा—मुझे उम्मीद है अब तो आप को कोई शिकायत नहीं होगी।

श्री मुहम्मद शफी कुरेशी : जी नहीं।

चौधरी चरण सिंह : फिर तो मुझे उम्मीद है आप इस रेज़ोल्यूशन को वापस ले लेंगे।

अध्यक्ष महोदय, आप की इजाजत से मैं दो बातें और अर्ज करना चाहता हूं।

[चौधरी चरण सिंह]

हमारे माननीय दोस्तों को लेजिस्लेचर में कांग्रेस की मेजोरिटी होते हुए प्रेसीडेंट रूल की बात बड़ी अखर रही है लेकिन इन्होंने ही अनेकों ऐसी मिसालें कायम की हैं। यू० पी० के अन्दर 12 जून, 1973 को जबकि आप की मेजोरिटी थी, तो आप ने श्री कमलापति त्रिपाठी को इस्तीफा देने के लिए मजबूर किया था और पांच महीने के लिए वहां पर आप ने गवर्नर रूल कायम कर दिया था। मैं डा० कर्ण सिंह से जनाना चाहूंगा अगर उन्हें जवाब देने का मौका हो— मुझे नहीं मालूम—या कभी किसी और मौके पर कि दुनिया में अगर ऐसी मिसालें हैं तो वे बतलाएं कि मेजोरिटी होते हुए किसी पार्टी की, गवर्नर का रूल स्थापित किया गया। फौरन उनको दूसरा लीडर चुनना चाहिए था। और अगर उनके पास कोई व्यक्ति स्टेट को चलाने के लिए नहीं था तो एसेम्बली को डिजोल्ड करके दूसरा इलैक्शन कराना चाहिए था। ऐसा ही गुजरात में किया। तो जो लोग इस तरह के डेमोक्रेटिक पाप कर चुके हैं ऐसे आदमियों को कहां शोभा देता है कि वे डेमोक्रेसी की दुहाई दें।

माननीय अध्यक्ष महोदय, बरुआ साहब का नाम बहुत सुना है। दो तीन स्पीचेज भी पढ़ी हैं। जब हम जेल में थे तो वे हमें यह कहा करते थे "These thugs and hoodlums" ये लफ्ज वे अपोजीशन के लिए कहा करते थे। मैं माननीय मुरारजी भाई से पूछ रहा था कि बरुआ साहब हैं या नहीं। तो मालूम हुआ कि वे यहां नहीं हैं। आज अगर उनका भाषण होता, तो हमें कुछ सीखने को मिलता। तो मैं यह कह रहा हूं कि इस तरह की बातें हुई हैं और आज आपको यह शिकायत है कि मेजोरिटी होते हुए दुनिया की हिस्ट्री में ऐसी मिसाल नहीं मिलती।

एक बात और अर्ज करना चाहता हूं अपनी बात खत्म करने से पहले और वह यह है कि हमारी कोशिश और जनता पार्टी की कोशिश यह नहीं होगी कि हर सूरत में, हर कीमत पर पावर से चिपकना चाहेंगे, हरगिज नहीं चाहेंगे। हमारी यह स्वाहिष है कि हमारे हाथ में पावर रहे ताकि हम अपने उसूलों के मुताबिक इस देश की सेवा कर सकें but not at all costs.

मुझको और मेरे साथियों को शिकायत है, दुनिया के इन्टेलेक्चुअल्स और डेमोक्रेट्स को शिकायत है कि कांग्रेस पार्टी की लीडरशिप ने हर कीमत पर पावर से चिपकने की कोशिश की है। हमारी यह कोशिश नहीं होगी। मैं अधिकृत रूप से और अपने नेता जी की राय से यह बता देना चाहता हूं कि जब कभी हम यह देखेंगे कि गवर्नमेंट नहीं चल रही है और उसका ब्रेकडाउन हो रहा है तो बजाय इसके कि हम गवर्नर का रूल स्थापित करें 6 महीने या 2 साल के लिए, हम फौरन ही दूसरा इलैक्शन कराने का आर्डर देंगे ताकि गवर्नर या प्रेसीडेंट के रूल का सवाल ही न हो। यही बात डा० अम्बेडकर साहब ने, जब कांस्टीट्यूशन पर बहस चल रही थी, कही थी। जब इमर्जेंसी का प्रोवीजन रखा गया था तब कुछ लोगों ने आशंका प्रकट की थी कि "This might be abused as it has been" इस का दुरुपयोग हो सकता है। उस वक्त डा० अम्बेडकर साहब ने यह कहा था कि मैं नहीं समझता कि हमारे लोग इसका दुरुपयोग करेंगे। अगर कोई ऐसी सिचुएशन हो जिसमें ब्रेकडाउन हो, इमर्जेंसी की बात उन्होंने नहीं कही थी ब्रेकडाउन के बारे में कहा था, तो गवर्नर दूसरे इलैक्शन का आर्डर देगा बजाय इसके कि वह अपने हाथ में पावर रखे। तो मैं यह एश्योरेंस देता हूं। मैं समझता हूं कि इसके बाद, इनके लिए कहने को तो कुछ नहीं है लेकिन वे जरूर कहेंगे क्योंकि अखबार में कुछ जाना चाहिए, मगर मैं

समझता हूँ कि डा० कर्ण सिंह इसको विदड़ा कर लेंगे ।

डा० कर्ण सिंह (उधमपुर) : अध्यक्ष महोदय, मैं केवल दो चार बातें ही उत्तर में कहूंगा। एक तो यह है कि मेरे मित्र मधु लिमये जी ने बड़ी प्रेम की बातें कहीं हैं। इस के लिये मैं उन का धन्यवाद करता हूँ। मैं भी उन का बड़ा अहतराम करता हूँ और केवल एक बात बड़े विनम्र रूप से कहूँगा। उन्होंने जो यह कहा है कि काश्मीर में जितने भी चुनाव आज तक हुए हैं वे सब रिगड़ हुए हैं, तो मैं यह कहूँगा कि काश्मीर में चुनी हुई एसेम्बली के कारण भारतीय विधान के अन्तर्गत बहुत सारी आयतें वह पर लागू हुई हैं और बड़े-बड़े परिवर्तन हुए हैं। हम सदरे रियासत से गवर्नर बने और प्राइम-मिनिस्टर से चीफ मिनिस्टर वह पर बनाया गया। अगर इस माननीय सदन में यह कह दिया जाय कि सब चुनाव गलत है तो मेरी बड़ी विनम्र प्रार्थना है और अटल बिहारी जी भी बैठे हुए हैं, कि यह राष्ट्रीय हित में नहीं होगा। मैं प्रार्थना करूँगा कि इस तरह की बातें इस सदन में न की जाएं।

मधु जी ने कहा कि शेख अब्दुल्ला एक असाधारण व्यक्ति है। मैं इस बात को स्वीकार करता हूँ कि शेख अब्दुल्ला का अपना एक स्तर रहा है इस देश में और विशेष कर जम्मू और काश्मीर में। जैसा बेगम साहिबा ने कहा कि शेख अब्दुल्ला 46 साल से सियासत में हैं। आश्चर्य की बात है कि जिस साल मैं पैदा हुआ, उसी साल शेख अब्दुल्ला की सियासत पैदा हुई। हम उनका आदर करने हैं, मैं उनके लिये व्यक्तिगत रूप से नहीं बोलना चाहता हूँ। लेकिन मेरी प्रार्थना है कि जहां तक जम्मू और काश्मीर का प्रश्न है, जम्मू और काश्मीर पर किसी व्यक्ति का अधिकार नहीं है, चाहे वह व्यक्ति कितना ही असाधारण क्यों न हो। मैं फिर बड़ी विनम्रता से कहूँ कि उस पर अगर किसी

व्यक्ति का अधिकार रहा तो वह मेरे पिता जी का अधिकार रहा। उन्होंने लिख कर हमेशा के लिये उसे भारतवर्ष को स.प दिया। उसके बाद किसी का अधिकार जम्मू कश्मीर पर नहीं रहा है। (व्यवधान)

तीसरी बात मैं अटल जी से कहना चाहता हूँ, अटल जी का बहुत धन्यवाद करना चाहता हूँ—आज तक लोगों ने मुझे बहुत अच्छी बातें कहीं हैं—लेकिन जितनी कृपादृष्टी उन्होंने मुझ पर आज की कि मेरी तुलना महाभारत के कर्ण के साथ की तो उससे आज मैं अपना जन्म सफल मानता हूँ और उनको और उनके माध्यम से सदन को और देश को कहूँगा कि जिस प्रकार कर्ण के अंतिम समय तक, धोखे से तीर लगने पर भी अपने धर्म से नहीं हटे और अन्त में भी ब्राह्मण के भिक्षा मांगने पर उसे दान दिया, उसी प्रकार हम भी अटलबिहारी जी के प्रति अपनी पुरानी परंपरा को निभायेंगे। (व्यवधान) कर्ण के पास कुछ नहीं था केवल एक दान था। हम भी खाली हाथ नहीं भेजेंगे ब्राह्मण को।

अध्यक्ष महोदय, अटल जी ने एक बात कही कि हम जानबुझ कर कश्मीर में गड़बड़ी कराना चाहते हैं। मैं आपका विश्वास दिलाता हूँ कि हमारे दल की ओर से कभी ऐसा विचार नहीं हो सकता है। हम, जो काश्मीर की एक-एक परिस्थिति को जानते हैं, कभी ऐसा कार्य नहीं होने देंगे जिससे वह किसी प्रकार की गड़बड़ी पैदा हो।

प्रधान मंत्री जी का मैं बहुत आदर करता हूँ। प्रधान मंत्री जी से मैं मिला भी था और उन्होंने मुझ से यह कहा था कि मेरे पास कोई ग्रॉर आल्टरनेटिव नहीं था, कानून की रूह से कोई दूसरा विकल्प नहीं था। लेकिन मेरे विचार में कानून की रूह में कुछ गुंजाइश थी।

अध्यक्ष महोदय, हमारा स्थगन प्रस्ताव इसलिये सफल हो गया कि हमारे माननीय

[डा० कर्ण सिंह]

नेता चौधरी चरणसिंह जी ने यह माना कि उत्तर प्रदेश में पाप हुआ, गुजरात में पाप हुआ। आज वे यह भी स्वीकार कर रहे हैं कि जम्मू और कश्मीर में भी पाप हुआ है।

अन्त में मैं यह कहूंगा कि इन्होंने जो यह कहा कि 356 लागू करने से एक दो साल चल सकता है। इसमें भी मुझे तथ्य नहीं लगता। अगर 356 लागू होता तो इस सदन के सामने बात आती, हम चर्चा करते, वह के बजट पर चर्चा करते। वह मौका भी इन्होंने हमें नहीं दिया। फिर भी हमारा स्थगन प्रस्ताव सफल हुआ क्योंकि हमने अपनी बात कह दी। अन्त में मैं वह साफ कर देना चाहता हूँ कि राष्ट्र हित हमारे लिये एक परम पवित्र कर्तव्य है।

इन शब्दों के साथ मैं अपने प्रस्ताव को बोट के लिये नहीं रखता हूँ। इसलिए बोट इस प्रस्ताव पर हम नहीं चाहते हैं।

MR. SPEAKER: Has the hon. Member the leave of the House to withdraw his adjournment motion?

SOME HON. MEMBERS: Yes, yes.

The motion was, by leave, withdrawn.

19.45 hrs.

GENERAL BUDGET, 1977-78
AND
DEMANDS FOR GRANTS ON AC-
COUNT, 1977-78—Contd.

MR. SPEAKER: Mr. Aravinda Bala Pajanor—you were on your legs. You can continue.

SHRI ARAVINDA BALA PAJANOR (Pondicherry): Mr. Speaker, Sir, I was telling the House.....

MR. SPEAKER: You can continue tomorrow. Now, we adjourn to meet again tomorrow at 11 a.m.

19.46 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, March 30, 1977/Chaitra 9, 1899 (Saka)