

Seventh Series, Vol. XXVI No. 27

Saturday, March 27, 1982  
Chaitra 6, 1904 (Saka)

# LOK SABHA DEBATES

**Eighth Session**



सत्यमेव जयते

*(Vol. XXVI Contains No. 21 to 30)*

**LOK SABHA SECRETARIAT**

**New Delhi**

**Price- Rs 4.00**

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# LOK SABHA DEBATES

I

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## LOK SABHA

*Saturday, March 27, 1982 | Chaitra 6, 1904  
(Saka)*

*The Lok Sabha met at Eleven of the  
Clock*

*[Mr. SPEAKER in the Chair]*

### PAPERS LAID ON THE TABLE

**Notification under Income-tax Act, 1961  
giving exemptions from Income-tax to  
certain institutions**

THE DEPUTY MINISTER IN THE  
MINISTRY OF FINANCE (SHRI  
JANARDHANA POOJARY): I beg to lay  
on the Table a copy each of the follow-  
ing Notifications (Hindi and English ver-  
sions) under section 296 of the Income-  
tax Act, 1961:—

(1) S.O. 935 published in Gazette  
of India dated the 6th March, 1982,  
regarding exemption to 'Maratha  
Mandir' from Income-tax, under sec-  
tion 10(23C) of the Income-tax Act,  
1961 for the period covered by the  
assessment years 1978-79 to 1981-82.

(2) S.O. 936 published in Gazette  
of India dated the 6th March, 1982  
regarding exemption to 'The C.P.  
Ramaswami Aiyar Foundation' from  
Income-tax under section 10(23C) of  
the Income-tax Act, 1961, for the  
period covered by the assessment years  
1979-80 to 1982-83.

(3) S.O. 937 published in Gazette  
of India dated the 6th March, 1982

regarding exemption to 'Jamnalal  
Bajaj Foundation' from Income-tax  
under section 10(23C) of the In-  
come-tax Act, 1961, for the period  
covered by the assessment years 1978-  
79 to 1981-82.

(4) S.O. 938 published in Gazette  
of India dated the 6th March, 1982,  
regarding exemption to 'The Lotus  
Trust' from Income-tax, under section  
10(23C) of the Income-Tax Act, 1961  
for the period covered by the asses-  
sment years 1982-83 to 1984-85.

(5) S.O. 940 published in Gazette  
of India dated the 6th March, 1982  
regarding exemption to "The Mil-  
lowners' Association Relief Fund  
Society" from Income-tax under sec-  
tion 10(23C) of the Income Act,  
1961, for the period covered by the  
assessment years 1982-83 to 1984-85.

(6) S.O. 941 published in Gazette  
of India dated the 6th March, 1982,  
regarding exemption to 'Association  
for Hindu Dharma (Regd.)' from In-  
come-tax, under section 10(23C) of  
the Income-tax Act, 1961, for the  
period covered by the assessment  
years 1979-80 to 1982-83.

(7) S.O. 942 published in Gazette  
of India dated the 6th March, 1982  
regarding exemption to 'Khelaghar  
Shishu Nivas Shiksha Kendra,  
from Income-tax under section 10  
(23C) of the Income-tax Act, 1961, for  
the period covered by the assessment  
years 1979-80 to 1982-83.

(8) S.O. 943 published in Gazette  
of India dated the 6th March, 1982  
regarding exemption to 'The Stock  
Exchange Bombay' from Income-tax

under section 10(23C) of the Income-tax Act, 1961 for the period covered by the assessment years 1979-80 to 1981-82.

(9) S.O. 944 published in Gazette of India dated the 6th March, 1982 regarding exemption to 'The Stoch Exchange Foundation' from Income-tax, under section 10(23C) of the Income-tax Act, 1961, for the period covered by the assessment years 1977-78 to 1981-82.

(10) S.O. 945 published in Gazette of India dated the 6th March, 1982, regarding exemption to 'Bengal Service Society' from Income-tax, under section 10(23C) of the Income-tax Act, 1961, for the period covered by the assessment years 1979-80 to 1981-82.

(11) S.O. 946 published in Gazette of India dated the 6th March, 1982, regarding exemption to 'Rajasthan State Citizens Council Fund' from Income-tax, under section 10(23C) of the Income-tax Act, 1961, for the period covered by the assessment years 1965-66 to 1979-80.

[Placed in Library. See No. LT—3746/82].

## ASSENT TO BILLS

**SECRETARY:** Sir, I lay on the Table the following three Bills passed by the Houses of Parliament during the current session and assented to since a report was last made to the House on the 12th March, 1982:—

1. The Sugar Cess Bill, 1982.
2. The Appropriation (Vote on Account) Bill, 1982.
9. The Appropriation Bill, 1982.

11.03 hrs.

## MATTERS UNDER RULE 377

(i) Steps to Check wide-spread incidence of Malaria in Orissa

\*SHRI CHINTAMANI JENA (Balasore): Sir, I would like to raise the following issue under Rule 377.

Prevalence of Malaria in many parts of the country has created a great concern. The States where large number of people are suffering from this fever are Assam, Arunachal Pradesh, Orissa, Gujarat, Maharashtra, Meghalaya and Nagaland. It has been prevailing mostly in the coastal and forest areas of these States. In Orissa, it has been increasing in Balasore, Puri, Ganjam, Cuttack and Pambani districts.

In the last Science Congress, a Scientist while reading out his paper expressed concern for the growing incidence of Malaria in the country. He has said that chloroquine and other drugs given to the Malaria patients in Orissa, Assam and other States mentioned above is not producing any effect as the germs of that disease have become chronic and powerful.

Unless some new medicines are invented and the prevailing unhygienic condition is improved, this disease will further spread to some other States. Therefore, I request the Government of India to give a serious thought on this issue and advise the Scientists to invent some new anti-Malaria drugs. The National Malaria Eradication Programme should be implemented more vigorously all over the country. Village health guides and Malaria surveillance staff should be advised to launch anti-Malaria drive in the Malaria prone States. Effective steps should be taken to create proper hygienic conditions in the low land and forest areas as well. Additional funds should be allocated to those States for the eradication of Malaria.

(ii) Need to set up an electronic telephone factory in Bhubaneswar.

**SHRIMATI JAYANTI PATNAIK (Cuttack):** The electronic industry is conspicuously absent in the eastern region, and particularly in Orissa. Government of India had taken a decision to remove regional imbalance in respect of setting up of electronic industry in the country. The location of the Electronic Telephone Factory at Bhubaneswar will go a long way in removing the regional imbalance.

Bhubaneswar is ideally suited for the location of this telephone industry. It has not only got all infrastructural advantages, but its clear climate is immensely suitable for setting up any type of electronic industry. The State being industrially backward in general, and with regard to the electronic industry in particular, the setting up of this industry at Bhubaneswar will help in the establishment of a large number of ancillary and downstream electronic units around it, and help the growth of industrialization in the nucleus industrial complex in the Chandaka area.

The Government of Orissa has been pressing for the setting up of a unit of electronic telephone industry in the State for a long time. In view of this, I urge upon the Government of India to take an early decision and expedite the setting up of an electronic telephone industry at Bhubaneswar forthwith.

(iii) Relief for people affected by subsidence of Jharia Town.

**SHRI A. K. ROY (Dhanbad):** The danger of subsidence is haunting over the great old coal town Jharia since 22nd March 1982 when a part of the town suddenly collapsed in the early morning, as the ground subsided due to the blasting and under-ground fire of the colliery. At least 40 houses were affected, and 14 levelled to the ground. As it was in the morning, people could come out quickly; otherwise, it would have been a bad disaster with many casualties. Hundreds of

people, mostly of the minority community and Harijans, have become homeless, and are now on the streets without any rehabilitation and care, creating a serious situation.

Both the Bharat Coking Coal Ltd. which owns the collieries in these areas, and the Director-General of Mines Safety which supervises the safety aspect, expressed their surprise at this incident, as their official report did not show the progress of underground fire in the coal-seam upto the heart of the Jharia town.

The incident on Monday morning has created panic and terror in the town. BCCL was already talking of evacuating the Jharia town, to extract the prime coking coal under it, and the subsidence has created suspicion whether this was a process adopted by BCCL deliberately, to evacuate Jharia town, as there was a report that the subsidence was due to faulty mining, which had spread fire underground, instead of controlling it. Government must probe into the whole incident of subsidence, compensate and rehabilitate those whose houses collapsed. If the entire Jharia town has become really unsafe due to underground fire, then there should be a systematic arrangement to shift the town with full arrangement for rehabilitation, to avoid a catastrophe which may happen any time, endangering the lives of thousands.

(iv) Need for giving possession of Land allotted to Harijans of Bawana Village in Delhi.

**श्री अटल बिहारी वाजपेयी (नई दिल्ली):** दिल्ली के दोहाती क्षेत्रों में बवाना नाम का छोटा-सा ग्राम है जहाँ काफी संख्या में भूमिहीन जाटव भाई रहते हैं। 8 फरवरी, 1981 को दिल्ली के उपराज्यपाल ने बवाना के भूमिहीन हरिजनों को मकान बनाने के लिए 120 वर्ग गज के प्लॉटों का आवंटन किया था। इस आवंटन के बदले में भूमिहीनों से 5 पैसे प्रति वर्गगज वार्षिक पट्टे के आधार पर 55 रुपये भी बसूल किया गया और लोगों को उसकी रसीद भी दी गई।

### [श्री अटल बिहारी वाजपेयी]

यह बहुत आश्चर्य तथा खेद का विषय है कि जिन हरिजनों को भूमि के पट्टे दिये गये थे उन्हें अभी तक कब्जा नहीं मिला है। एक पंचायत मेंबर ने अवश्य ही अपने परिवार के सदस्यों के नाम काफी जमीन कर ली है और उन्हें जमीन का कब्जा भी मिल चुका है। इस पंचायत सदस्य के प्रभाव से गांव की फालतू जमीन एक ही परिवार के सदस्यों के उपयोग में आ रही है। यहां तक कि हरिजन भाइयों के श्मशान को भी साजिश करके बेच दिया गया है। गांव की फालतू जमीन पर नाजायज कब्जा करके उस पर ईंटों के भट्टे लगा दिये गये हैं।

मेरी मांग है कि बवाना गांव में भूमि वितरण के नाम पर हरिजन भाइयों के साथ जो मस्खौल किया गया है उसकी उच्चस्तरीय जांच की जाय। जिन हरिजनों को भूमि का आवंटन किया गया और जिनसे रुपये भी वसूल किये गये उन्हें अविलम्ब भूमि का कब्जा दिया जाय। गांव में इस अन्याय के विरुद्ध बड़ा रोष व्याप्त है। यदि शीघ्र कार्यवाही नहीं की गई तो स्थिति और भी बिगड़ सकती है।

(v) Alleged retrenchment of Labourers working on famine relief works in Bhilwara, Rajasthan.

**श्री गिरधारी लाल व्यास (भीलवाड़ा):** अध्यक्ष महोदय, भीलवाड़ा (राजस्थान) जिले की आबादी 12.50 लाख है और 3-4 साल से भयंकर अकाल से ग्रस्त है। पिछले साल भी इस जिले में अकाल था तब एक लाख से ज्यादा लोग अकाल राहत पर लगे हुए थे। इस वर्ष भी करीब 70 हजार लोग तारीख 14-3-82 तक अकाल राहत पर लगे हुए थे।

अकाल राहत प्रोग्राम के अधीन लोगों को काम दिया जाता है। लेकिन हाल ही में 15 हजार लोगों को काम से छुट्टी दे दी गई है, जिससे कि भूख से पीड़ित लोगों को पीड़ा में और भी अधिक वृद्धि हो गई है। वह काम की तलाश में इधर से

उधर मार-मारें फिर रहे हैं। इस भयंकर महंगाई के समय काम से अलग करना गरीब के साथ भयंकर अन्याय है। गरीबी की सतह से नीचे तथा अनुसूचित जाति तथा अनुसूचित जन जाति के लोगों को ऐसे भयंकर अकाल के समय में काम से अलग करना गरीब के प्रति अन्याय के सिवाय कुछ नहीं कहा जा सकता।

सस्ते अनाज की भी उचित व्यवस्था नहीं, न पीने के पानी की व्यवस्था है कुछ क्षेत्रों में जहां प्रभावशाली लोग हैं वहां जरूरत से ज्यादा सामान जुटा दिए गए और बकाया सारे क्षेत्र में पीने के पानी का भारी अभाव है और ज्यों-ज्यों गर्मी का मौसम आएगा त्यों-त्यों पीने के पानी की भयंकर समस्या उत्पन्न हो जायेगी। समय रहते पीने के पानी की व्यवस्था न की गई तो भयंकर स्थिति उत्पन्न हो जायेगी।

अंत में मैं भारत सरकार के कृषि मंत्री जी का ध्यान आकर्षित कर निवेदन करता हूँ कि राजस्थान की सरकार व जिलाधीश भीलवाड़ा ने जिन 15 हजार मजदूरों को काम किया है, उनके तुरन्त काम पर वापस लगाया जाए व अनाज व पीने के पानी की व्यवस्था की जाए। जिन सरकारी अधिकारियों ने यह अन्याय किया है उनके खिलाफ सख्त कार्यवाही की जाय।

(vi) Need for permanent anti-flood measures in certain Eastern districts of Uttar Pradesh.

**श्री महावीर प्रसाद (बांसगांव):** अध्यक्ष महोदय, मैं आपके माध्यम से केन्द्रीय सिंचाई मंत्री का ध्यान एक महत्वपूर्ण कल्याणकारी करनाली (मालबाग) यजिना की तरफ आकर्षित करना चाहता हूँ। श्रीमन् पूर्वी उत्तर प्रदेश के वे 16 जिले जो घाघरा एवं राप्ती नदियों की चपेट में प्रत्येक वर्ष आते हैं और प्रत्येक वर्ष प्रांतीय एवं केन्द्रीय सरकार करोड़ों रुपये धन-जन की रक्षा एवं भवनों की मरम्मत हेतु व्यय करती है। किन्तु इससे अस्थाई रूप से कुछ क्षणिक मदद मिल जाती है। ये सारी आपदाएं

नेपाल से बहने वाली विशेषकर घाघरा एवं राप्ती नदियों द्वारा आती रहती हैं। वैसे मेरा निर्वाचन क्षेत्र बांस गांव जो सदियों से पिछड़ा हुआ बाढ़ से प्रभावित क्षेत्र है, जिसके मध्य से राप्ती एवं घाघरा नदी अपनी तीव्र गति से बहती हुई प्रत्येक वर्ष बाढ़ से धन-जन को नुकसान पहुंचाती हैं।

मान्यवर, यदि इस पर केन्द्रीय सरकार अविलंब स्थाई रूप से विचार-विमर्श करके आवश्यक कार्यवाही नहीं करती है तो उत्तर प्रदेश के वे सभी 16 जिले सददैव बर्बाद होते रहेंगे और करोड़ों रुपये नदियों के प्रवाह में बहते रहेंगे। इस संबंध में जमवारी सन् 1977 में तत्कालीन विदेश मंत्री श्री यशवंत राव चव्हाण ने नेपाल की यात्रा से वापस आने पर नई दिल्ली में अपने बयान में निम्न वाक्यों को प्रदर्शित किया था "मैं इस बात का खास तौर पर उल्लेख करना चाहूंगा कि दोनों पक्षों ने वर्तमान प्रबंध व्यवस्था के अंतर्गत करनाली परियोजना पर कार्य जारी रखना स्वीकार कर लिया है और पंचेश्वर बांध परियोजना और राप्ती बाढ़ नियंत्रण परियोजना की संयुक्त जांच-पड़ताल का काम जितनी जल्दी हो सकेगा, शुरू किया जाएगा।"

मान्यवर, इसी संदर्भ में 5 मार्च, 1979 को एक प्रश्न के जवाब में तत्कालीन कृषि और सिंचाई मंत्री श्री सुरजीत सिंह बरनाला ने भी कहा कि "भारत और नेपाल राप्ती तथा पंचेश्वर परियोजनाओं के संबंध में संयुक्त अन्वेषणों को आरम्भ करने और करनाली परियोजना के बारे में प्राथमिक मामलों की जांच करने के लिए एक संयुक्त भारत-नेपाल समिति पहले ही स्थापित हो गई है, पंचेश्वर परियोजना का अन्वेषण करने के लिए संयुक्त विशेषज्ञ दल भी गठित कर दिया गया है और राप्ती (मालूबांग) परियोजना के अन्वेषण से संबंधित कार्य एक एजेंसी को सौंपने के बारे में नेपाल सरकार के साथ समझौते किए जा रहे हैं।

श्रीमान्, उक्त दोनों सरकारों के प्रयत्नों के बाद भी आज तक कोई विशेष प्रगति नजर नहीं आ रही है और मेरे निर्वाचन क्षेत्र सहित सभी पूर्वांचल के जिले बाढ़ से

बर्बाद होते जा रहे हैं। मुझे पूर्ण विश्वास है कि यदि भारत सरकार और नेपाल सरकार उक्त योजनाओं पर अविलंब विचार करके कार्य शुरू कर दें तो बाढ़ नियंत्रण सिंचाई एवं विधुत उत्पादन में दोनों देश प्रगति के पथ पर आगे बढ़ जाएंगे।

अतः आपके माध्यम से केन्द्रीय सिंचाई मंत्री महादेव से नमूता के साथ निवेदन करूंगा कि उत्तर प्रदेश के पूर्वी जिलों को बाढ़ के प्रकोप से स्थाई रूप से बचाने के लिए अविलंब आवश्यक कार्यवाही करें तथा पूर्वांचल के लोगों की रक्षा करें।

11.15 hrs.

# RE. STATUTORY RESOLUTION ON PROCLAMATIONS IN RELATION TO STATES OF KERALA AND ASSAM

MR. SPEAKER: Shri Pranab Mukherjee.

SHRI K. P. UNNIKRISHNAN (Bardagara): I am on a point of order. Before I come to what I have written to you on which I shall speak separately, I am on a point of order regarding Rule 31, about the List of Business. Now we are about to discuss the Statutory Resolution to be moved by the Home Minister regarding approval or disapproval—I underline the words 'approval or disapproval'—of the Presidential Proclamation in relation to Kerala and also Assam later.

Now, how has this House got involved in this whole process of Budget? It is because of the Presidential Proclamation. We get certain powers because the President has issued a Proclamation under Article 356, and 356(b) says that the powers of legislation shall be exercised under the authority of Parliament. That is how we get involved in this whole exercise. Now, it has a power only because of the Presidential Proclamation. I would contend that it is up to the Parliament, both Houses of Parliament to approve or disapprove it. So, when we get into the exercise of approving or disapproving this, that should come first



[Shri K. P. Unnikrishnan]

before you move an anticipatory motion for suspension of rule which should come later. So, I am pointing out that this was wrongly put down on the list of business, as first priority, item No. 1. Because, it can only arise if it is approved or disapproved. So, the Statutory Resolution gets priority and it is up to the House to decide whether it approves or disapproves and in the case of a disapproval we need not get into the other exercise. We cannot. I am not taking a realistic view of it, I am saying because these things are very important, norms are very important, procedure is very important. That is why I say that the motion can only come after the Statutory Resolution for approval is moved and opposed. It cannot come first. If it comes first, it essentially becomes an anticipatory motion.

SHRI CHANDRAJIT YADAV (Azamgarh): I have written to you that I would like to oppose the suspension of the rule. But before I come to that point, I would like to support the point of order raised by my friend, Shri Unnikrishnan. I think that you should give very serious consideration to what is there before the House. This Parliament has not approved or disapproved the President's Rule in Kerala. And now before that this Resolution is here that we are going to suspend the rule to discuss, to give this Parliament exemption to discuss the Budget of Kerala and the Proclamation.

SHRI ATAL BIHARI VAJPAYEE: (New Delhi): To accommodate the Finance Minister.

SHRI CHANDRAJIT YADAV: This will be a very serious precedent.

MR. SPEAKER: He needs very small accommodation.

SHRI CHANDRAJIT YADAV: It means that Parliament has to be very careful about its own agenda of business: that when we are going to discuss such an important business like the approval or disapproval of the President's Rule in a State, where the State Government has

failed to function in a democratic manner and the situation has arisen that the Government recommended the dissolution of the Legislative Assembly. On such an issue, now unless we approve—I do not know whether the House is going to approve or disapprove—you cannot take Parliament for granted, because it will be taking Parliament for granted, on the basis of its majority the ruling Party has already presumed it, that President's Rule will be approved and therefore the Finance Minister has come with this. Therefore, I think you should consider this point.

SHRI G. M. BANATWALLA (Panani): Mr. Speaker, I respectfully submit that the question about approval or disapproval of the President's Proclamation has nothing to do with the Budget and the passing of the Vote on Account.

I will explain this point from the constitutional point of view. The Government dissolved the Kerala Assembly. Now, supposing, we take up first the Presidential proclamation and the Resolution with respect thereto. Supposing also, this House rejects the motion accepting the Presidential proclamation, even in that case, nobody can submit that the vote on account cannot be passed by this House because even rejection of the Presidential rule does not re-surrect the Assembly of Kerala. That stands dissolved. It can now come into existence only as a result of new elections. Therefore, even if today the House disapproves the proclamation of the President, it may amount to a censure of this Government, but it cannot re-surrect the Assembly of Kerala. Therefore, as far as the Budget of Kerala is concerned, as far as the vote on account is concerned, it is this House that has to consider it and has to give its approval so that the Government goes on. Therefore, the two are not inter-linked in nature and can be discussed at any order of priority.

SHRI RAM JETHMALANI (Bombay North West): I support everything which has fallen from my friend, Mr. Unnikrishnan. But I have two very serious additional arguments to raise.

First of all, the Legislature of Kerala was dissolved by the Governor under Article 174 on the 17th of March itself. The Governor then reported to the President that the Government could not be carried on in accordance with the Constitution and the president then proceeded to issue the proclamation under Article 356. Now, a situation like that has arisen in one country of the Commonwealth. And the Privy Council has had occasion to rule upon this constitutional monstrosity. The monstrosity is this that the President can declare that the powers of the Legislature of Kerala itself shall be exerciseable by Parliament. What were the powers of the Legislature of Kerala after it dissolved? The Legislature was dissolved before the proclamation was issued. The Legislature has ceased to have any powers in the eyes of the law. It did not exist at all. And what has the President, therefore, transferred by his proclamation to Parliament? He has succeeded only in transferring something which in law does not exist. It should have been the other way round. You should have first issued the proclamation not on the ground that the legislature has been dissolved and, therefore, it cannot be carried on in accordance with the Constitution, but for some other reasons. Having assumed the powers of a Legislature which does not exist, this Parliament is not competent to go into any functions or discharge any functions which the Legislature of Kerala could have done. They have put themselves in a constitutional mess. I agree with my hon. friend, Mr. Banatwalla—though he is supporting them, I support him on that the Legislature is gone once for all and we do not have to wait now for approval or disapproval.

MR. SPEAKER: Not once for all; it has to come.

SHRI RAM JETHMALANI: You must assume that everything is gone.

We go to the Resolution for suspension of Rule 206. Kindly turn to Chapter XIX of your Rules. 206(2) has nothing to do with the State Budgets. 206 deals with the Central Budget when it is pre-

sented here in this House under 204. If this Parliament is exercising the functions of the Legislature of Kerala now by virtue of the proclamation, I am assuming without prejudice to my first argument that it has some powers, then what you have to suspend is the corresponding rule of the Kerala Assembly provided there is such a power of suspension conferred by the Kerala rules.

Look at Chapter XIX. (Interruptions) This is not a joke. My friends will call it a joke because the Home Minister has said that he does not rely upon the merits of anything, but he relies upon the fact that he has majority—a majority of unthinking people, who will support him in any way. He has told us yesterday.

SHRI SONTOSH MOHAN DEV (Silchar): Now he is arguing as though before the Supreme Court.

SHRI RAM JETHMALANI: I consider him to be the Supreme Court here. Do you object to that? (Interruptions).

Please see Rule 204. It says:

"The Annual Financial Statement or the Statement of the Estimated Receipts and Expenditure of the Government of India. . . ."

MR. SPEAKER: Just now you are referring to Rule 19.

SHRI RAM JETHMALANI: I am referring to Chapter XIX. Chapter XIX starts with Rule 204.

SHRI K. P. UNNIKRISHNAN: Sir, let him first dispose of the List of Business. Then we will come to the merits of the case.

SHRI RAM JETHMALANI: This refers to the normal Government of India's Budget. And Rule 206(2), like Rule 206(1) and similar other rules in this whole Chapter deals with the Central Budget. Now, they are not designed to deal with this specific situation which arises where the powers of the Legislature of Kerala are being exercised by the Parliament by virtue of a Proclamation

[Shri Ram Jethmalani]

which still has not been approved. Subject to Mr. Unnikrishnan's argument, and on the assumption that the Proclamation is approved, still you have to suspend the very rule under which the Legislature of Kerala would have functioned because the Parliament is exercising the powers of the Legislature of Kerala.

SHRI XAVIER ARAKAL (Ernakulam): Is it in existence there?

SHRI RAM JETHMALANI: These are the two submissions which are legal submissions. But let us come to substance on which too we are entitled to object to this motion, and I do not want to repeat my arguments. After all, democracy requires that there must be complete detailed financial control of the Parliament over the budget. There must be legislative control over expenditure. That is why Rule 206 provided that Parliament must have a proper picture, the Legislature must have a proper picture of each item for which it is being asked to vote the tax-payers' money. We are dealing with trust property, we are not dealing with Mr. Pranab Mukherjee's money or Mr. Zail Singh's money. It is the money which is in trust with us and unless we know what the money is being spent for by voting that money, we will be committing breach of trust so far as the people of this country are concerned, and if you whittle away the democratic control over financial expenses, I think you are doing a great harm to democracy.

I don't speak Urdu and its poetry. I love it, I love to hear it from Zail Singhji, but may I tell you...

MR. SPEAKER: Shall I request him?

SHRI RAM JETHMALANI: While I was speaking here and looking at him...

SHRI K. P. UNNIKRISHNAN: He will compose a poem on Hitler now.

SHRI RAM JETHMALANI: I wrote out a small poem on my own just now

by looking at him. I want to recite it to him.

अध्यक्ष महोदय : कुछ तो असर हुआ है ?

श्री राम जेठमलानी : बहुत अच्छा असर हुआ है ।

I am not an Urdu poet, please pardon my virgin attempt at this kind of a thing.

सारं जहां से न्यारा, है जैल सिंह हमारा ।

लोकेशाही का बलात्कर्म, देखते सोचते नहीं सुधारा ।।

अध्यक्ष महोदय: यह कुछ समझ में नहीं आया । यह तो तेली रे तेली तरे सिर पर कोल्हू वाली बात हो गई ।

SHRI K. P. UNNIKRISHNAN: Sir, first please dispose of the question of List of Business. Then we will come to the substance. Then we will have to say something more on the substance of the motion.

SHRI KRISHNA CHANDRA HALDER (Durgapur): Sir, I am on a point of order. My point of order is that I support Mr. Unnikrishnan in this regard. First of all, in the List of Business the approval of disapproval of Proclamation on Kerala should come and then the suspension of rule should come next. There is an irregularity in the List of Business. So, I support also Mr. Chandrajit Yadav that there is irregularity in the List of Business. First of all, you regularise the List of Business, then we can discuss. This is my point of order. I want to say, you adjourn the House for the time being, correct the List of Business, circulate it among the Members and then we will take up the matter. This is my contention.

SHRI JAGANNATH RAO (Berhampur): I am afraid the points of order raised by the Opposition have no substance. The proclamation of the President under 356 last for two months, unless before the expiry of two months Parliament approves the proclamation, in which case it is extended to six months. The proclamation of the President is in force. Therefore, there is every right for the



Finance Minister to present the Budget. It is not a question of transposing it before the Resolution for approval is passed.

When the Parliament has taken jurisdiction over Kerala by virtue of the proclamation of the President Rule 204, 206 also apply *mutadis mutandis*. Therefore, that objection has no validity.

PROF. RUP CHAND PAL (Hooghly): As you know, several times we approached you regarding the constitutional crisis that was developing in certain parts of our country including Assam and Kerala because of certain Maneuvres. You did not give us the opportunity to discuss all these things. Always you said that at a later time it can be discussed. Here one opportunity has come. But the List of Business has been arranged in such a manner, it has been taken as a *fait accompli* that without giving our approval or disapproval to the proclamation itself we are going to consider the Budget. This is highly irregular according to the rules and I propose that the House be adjourned and let the revised list of business be brought. Let us have our say on this question.

PROF. P. J. KURIEN (Mavelikara): Regarding Shri Unnikrishnan's point of order I would like to submit that Business, whatever may be the result—approval or disapproval of the President's proclamation, assuming that even if it is rejected, this House has to transact the Kerala Budget because the Kerala Assembly is not in existence. It is a *fait accompli*.

PROF. RUP CHAND PAL: How it happens.

PROF. P. J. KURIEN: It is not in existence. How it happens, you may disapprove that action. Even if it is disapproved, that is a different thing... (Interruptions). Please have some patience to hear me. Even if this House disapproves the action of the President, Kerala Assembly is not in existence and the Lok Sabha is in existence. Therefore we have to transact Kerala Budget. Whatever may be the result of the deci-

sion of the proclamation of the President, this has to be transacted. Therefore, there is no relation between the two. Either can be first or second. Even if it is the other way, as Shri Unnikrishnan has suggested or this way, the result is not related and has no effect. (Interruptions).

Hence, there is no need of arrangement. What material difference does it make? There will be no material difference. (Interruptions). So, you mean to say, if this House disapproves the President's proclamation, then what? Proclamation goes, but Parliament remains.

THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE): If I may be permitted two points emerge. One point is whether before the proclamation is approved by both the Houses we can take up the other legislative business so far as the passage of Kerala and Assam Budgets are concerned? The second point which has been raised is whether there is any relevance of Rule 206(2) which is related to the Budget of Kerala.

Sir, I wish, Shri Ram Jethmalani was here in 1975 on the floor of this House. His argument would have perhaps helped me a little bit because the same situation came in respect of Nagaland Budget, for which I had the privilege to be here.

SHRI RAM JETHMALANI: Why don't you quote some better precedents?

SHRI PRANAB MUKHERJEE: Because it was discussed in detail. I am coming to that aspect. Mr. Unnikrishnan was also present on that occasion. I think, it may be on the 25th March, 1975. Same situation arose. The question was when a State was placed under the President's rule, whether all the financial rules of the State Government do stand suspended and the financial rules of this House will be made applicable while transacting the financial business of that particular State.

So far as I understand, the Secretariat will help you. The ruling of the Speaker

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is quite clear. And particularly, in respect of one case which I am referring to, it was raised by Mr. Era Sezhiyan on the 25th of March, 1975 in connection with the Budget of Nagaland. It has been mentioned at page 601 in the book of *Kaul and Shakhder*—that particular date has been mentioned there. We got the permission for the suspension of the rules. Mr. Swell was in the Chair. We had a discussion. I am not going to the legal technicalities but I am going to the practical difficulties. This time, we got a little more time. When in the month of March, the Government collapsed on 24th March in Nagaland and the Budget was to be passed before 31st March. Otherwise, it would have caused a real serious problem there. Therefore, we are meeting on Sunday only to transact this business.

SHRI SATYASADHAN CHAKRABORTY (Calcutta South): Not Sunday. It is Saturday.

SHRI PRANAB MUKHERJEE: I do not know whether we will carry on till Sunday. So, we are meeting on Saturday. What I suggested was I am just explaining the practical difficulties. When we have to present the document, we will have to present it in Hindi and English. Every State Government present their document in English and in their own regional language. The detailed demand of Kerala runs into nearly 900 pages. Therefore, it would not have been possible for me to translate every item and sub-item from Malayalam to Hindi and to present the document in its proper form.

SHRI K. P. UNNIKRISHNAN: What about English copy?

SHRI PRANAB MUKHERJEE: That I have no objection. If I just give you English copy,—and in fact, we actually gave English copy in 1975. But I was told, “you will have to type or cyclostyle both English and Hindi copy and it was to be given”. Therefore, I sought the permission. I am just explaining.

SHRI CHANDRAJIT YADAV: You are not giving that also.

SHRI PRANAB MUKHERJEE: No. we are giving English and Hindi.

SHRI CHANDRAJIT YADAV: What about details?

SHRI PRANAB MUKHERJEE: Of course, we are not giving the details. That is why, we sought the permission of the Speaker. On an earlier occasion, in 1975, the permission was granted. If it could be given, it would facilitate us and it relates to two States—Assam and Kerala. And, Sir, we have no option but to pass the Budget. That is the real difficulty. That is the real difficulty and there is a precedent.

SHRI SATYASADHAN CHAKRABORTY: It was all calculated.

SHRI PRANAB MUKHERJEE: So far as the legal point is concerned, which Mr. Ram Jethmalani raised, I think, it has been cleared by the directions of the Speaker. So far as we are concerned, this problem comes in respect of new services. We have had definitions.

SHRI SATYASADHAN CHAKRABORTY: List of business.

SHRI PRANAB MUKHERJEE: I am not going to the list of business. Please try to understand. We have different definitions. So far as the various State Governments are concerned, they have got various definitions for the new services. Therefore, when we enter into the supplementary demands for grants for a new service, a conflicting position arises as to what definition we should apply. Therefore, a great deal of exercise was made in 1975. Here is the issue. I can understand. I request the Speaker to give a specific direction. This is my simple submission.

MR. SPEAKER: I have seen through it. You were also there when the Business Advisory Committee met.

SHRI K. P. UNNIKRISHNAN: I did not formally see the List of Business. I am innocent, Sir. We only discussed the allotment of time.

MR. SPEAKER: I have got this manual of Constitution. I have got lots and lots of instances, namely, Rajasthan, Orissa...

(Interruptions).

SHRI ATAL BIHARI VAJPAYEE: Nothing is going to be lost if the Presidential proclamation is approved by the House first and let the Budget be taken up later on.

MR. SPEAKER: First, there is the suspension of sub-rule (2) of rule 206; then Giani Zail Singh to move the Statutory Resolution and then there is the Kerala Budget.

SHRI K. P. UNNIKRISHNAN: You want to have a kind of *khichri*.

अध्यक्ष महोदय : कभी-कभी खिचड़ी भी पेट के लिये बहुत अच्छी होती है ।

Now, we discussed it in the Business Advisory Committee also and, accordingly, I have done it. I have seen the precedents also.

SHRI K. P. UNNIKRISHNAN: It was not discussed. I hate to talk what transpired in the Business Advisory Committee in the House.

MR. SPEAKER: It was discussed. We discussed all this. We allotted the time also for this.

SHRI K. P. UNNIKRISHNAN: The allotment of time, yes. You have not understood me correctly.

MR. SPEAKER: It is listed also accordingly. There is not much of a thing. So, I over rule it. I have got the instances where the Proclamation came afterwards and also this. In 216 (B), the Manual of Constitution, there are a lot of instances. It is about the same objection which you are raising. There are instances where Budget in respect of States under the President's Rule was passed before the Proclamation issued by the President under article 356 was approved by the Lok Sabha.

SHRI ATAL BIHARI VAJPAYEE: I have with me the Twenty-eighth Report of the Business Advisory Committee. You refer to the report. The first item is: Discussion on the Resolution seeking approval of the Proclamation.

MR. SPEAKER: It is also listed like that. First, there is the suspension of rule; then the Proclamation will come and then there is the Kerala Budget.

SHRI ATAL BIHARI VAJPAYEE: Why suspend the rule?

SHRI K. P. UNNIKRISHNAN: The suspension of rule will come later on.

SHRI PRANAB MUKHERJEE: The discussion is simultaneous.

MR. SPEAKER: All the three items are to be taken up together. Shri Pranab Mukherjee to move the motion.

MOTION RE: SUSPENSION OF SUB-RULE (2) OF RULE 206 IN RELATION TO DEMANDS FOR GRANTS ON ACCOUNT (KERALA), 1982-83

THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE): Sir, with your permission, I beg to move:

"That in relation to the Demands for Grants for expenditure of the Government of Kerala during the financial year 1982-83, this House do suspend so much of sub-rule (2) of rule 206 of the Rules of Procedure and Conduct of Business in Lok Sabha, as relates to 'a statement of the detailed estimate under each grant divided into items' for the purpose of granting Vote on Account by this House."

SHRI K. P. UNNIKRISHNAN: (Bada-gara): Sir, I beg to oppose the motion moved by the Finance Minister, Shri Pranab Mukherjee.

This House, as I mentioned earlier, gets its powers under articles 356 and 357 to legislate on this Budget. Regarding

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financial procedures, there are some clear-cut Constitutional provisions both with regard to the Union and the States from article 113(2) onwards. There is a very clear chapter laid down regarding the Union, how Parliament should conduct the financial business. Article 113(2) clearly refers that these estimates as relates to other expenditure shall be submitted in the form of demands for grants to the Legislative Assembly.

Now, the very same rule, rule 206, provides that the details have to be given. Otherwise, what are we supposed to deal with? We are just going to approve or disapprove certain figures like, as it has been shown in the Kerala Budget, the expenditure on Police has gone up by Rs. 12 crores. The sub-rule (2) of rule 206 clearly refers to the details. So, the House can conduct itself only if the details are submitted. Otherwise, what are we going to discuss? If it were a provision for policemen's quarters and so on or some amenities and allowances for policemen, then, I will certainly accept. But if it is for increase in the Police force, then, we will oppose it.

I say that unless the detailed statements are furnished to the House, the House can neither discuss nor vote on this. So, my respectful submission is that this motion of the Finance Minister strikes at the very root of Parliament's power to legislate in financial matters which has been written down in detail for both Union and States and the procedure laid down. The Constitution makers, of course, did not conceive of a situation like this nor did they imagined that certain devious minds would make use of these provisions to suit their narrow ends. This is an extraordinary way of submitting the Budget with this kind of excuse even if it be for a vote on account.

I strongly oppose the Budget Estimate under Rule 262.

SHRI CHANDRAJIT YADAV (Azamgarh): I think that we have earlier suspended the Rules for there was certain urgent item where it became absolutely

necessary to suspend the Rules. The rules have been suspended in very rare cases. But this is an entirely different matter. It is a question of the suspension of the rule relating to the Budget Estimates. The Finance Minister has informed the House just now—even I am sure that this was not brought to the notice of the Business Advisory Committee—that on the date of presentation of the Budgets of Kerala and Assam, the Finance Minister will come with a proposal that they are not ready with the entire details of the Grants and Estimates and, therefore, they will like this House to be kept in darkness about what they are going to spend.

I think that the most important duty of Parliament or the Legislative Assembly is to control every penny. I am reminded of your address to Public Accounts Committee and the Estimates Committee where you have, time and again, emphasised that every penny of the people has to be scrutinised, superintended and has to be gone into detail by Parliament or its Committees.

MR. SPEAKER: Is this a shot to that arrangement?

SHRI CHANDRAJIT YADAV: I am saying that here the Finance Minister said that he is not having the details.

I would like to quote from an Mr. Pylee.

He has written in his book on 'India's constitution.' While dealing with the financial procedure, he said that.

"It is the unquestioned right of parliament under any responsible system of Government".

And we are a responsible system of Government, a parliamentary democracy,...

AN HON MEMBER: Not Government, a responsible system.

SHRI CHANDRAJIT YADAV: I am saying 'system' and, therefore, the Government should also behave with its great sense of responsibility because the system

itself is responsible not only to ensure that public funds are raised. Parliamentary history all over the world is that the Parliament has always fought for its right that without the people's representation, without the people's consent and approval, not a single pie can be even raised. 'No taxation without representation' has been the most famous slogan when the people started asserting for their right but that is only one part of it.

The second important part is that it is concerned also to exercise complete control over the way in which the nation's revenues are spent by the Government. Now we do not know in which way the Government is going to spend because the details of the Grants and Estimates are not being given. He further says as an essential safeguard for the sound administration of the nation's finances, Parliament should have unrestricted power to superintend, scrutinise, regulate and determine financial administration.

Now, what are we going to administer, scrutinise, superintend and regulate, when the details are not put before this House? It is not only that you get the approval for a sum of amount, but where that amount is going to be spent, in what manner it is going to be spent, should be known. Our Constitution has been very careful giving the entire details. Therefore, I think, you will do a great service if you do not permit the Finance Minister now and ask him to come with details. I do not know; we can find some method; he may take Vote on Account or something like that and later on he can come with the entire Budget.

My objection is regarding both Kerala and Assam because the same procedure is going to be followed in the case of both.

I would like to know one thing. The Budget was presented on the 27th February. The Kerala Assembly was in existence till about 17th March. That Government should have taken this much care to go into the details. If it had not done that then the Government, as we charge, was really an incompetent Government, it was not a responsible Government to function.

It is going to be almost two weeks. What was the Central Government doing, what was the Finance Minister to the Government of India doing, during these two weeks? In the last ten days why did he not take care to go into the details and present those details before Parliament?

The second point is this. Even this Parliament does not go into all the details. Two important Committees of Parliament, the Estimates Committee and the Public Accounts Committee, scrutinise, go into the details. I would say that, after he presents the entire details and the budgets are passed, the Parliamentary Committees, the Estimates Committee and the Public Accounts Committee, should be asked to go into the details as they scrutinise the Central budgets. (Interruptions). When the elections will be held, nobody knows about that. At least I am sure that in Assam they are not going to hold elections now. Therefore, I would request you to direct the Public Accounts Committee and the Estimates Committee of Parliament—because the entire power is being exercised by Parliament—to go into these questions.

श्री अटल बिहारी वाजपेयी (नई दिल्ली) : अध्यक्ष जी, मुझे एक निवेदन करना है। वित्त मंत्री महोदय ने कहा कि नियम को स्थगित करना इसलिए आवश्यक है क्योंकि केरल बजट का जो विवरण है, वह हिन्दी में उपलब्ध नहीं करा सकते। वह विवरण अंग्रेजी में उपलब्ध है। अगर विवरण अंग्रेजी में उपलब्ध है, तो उसे सदस्यों में वितरित कर दिया जाए। हम हिन्दी में विवरण उपलब्ध कराने पर जोर नहीं देंगे। आज वित्त मंत्री महोदय को हिन्दी भाषा से बड़ा प्रेम पैदा हो गया है। प्रति दिन मंत्री महोदय आप से अनुमति मांगते हैं कि वे वाली अंग्रेजी में कागज-पत्र सदन के पटल पर रख रहे हैं और हिन्दी का अनुवाद उपलब्ध नहीं है और आप उन्हें अनुमति भी देते हैं। . . . . (व्यवधान) . . . .

श्री हरोश रावत (अल्मोड़ा) : हम को तो हिन्दी का चाहिए न।

PROF. K. K. TEWARI (Buxar): Sir, I rise on a point of order.



MR. SPEAKER: There cannot be a point within a point of order. I have allowed Mr. Vajpayee.

PROF. K. K. TEWARY: That is precisely what I want to raise.

MR. SPEAKER: Let him complete first.

श्री अटल बिहारी वाजपेयी : अगर कीठनाई केवल भाषा की है और अनुवाद में समय लगेगा, तो उस का रास्ता निकाला जा सकता है। जो अंग्रेजी में विवरण उपलब्ध है, उसे आप सदन को मुहैया करवाइए। हम इस समय अंग्रेजी के अनुवाद पर जोर नहीं देंगे।

अध्यक्ष महोदय, सवाल बजट का है। केरल पुलिस के बारे में खर्च सदन के सामने रख दिये जायें लेकिन यह पता नहीं कि यह रुपया किन मदों पर खर्च होगा, कितना रुपया कहाँ पर खर्च होगा। इन के सम्बन्ध में हमें कुछ कहने का मौका मिलना चाहिए। संसद के साथ वित्तीय मामलों में इस तरह का व्यवहार नहीं किया जा सकता।

श्री सतीश अग्रवाल (जयपुर) : यह बजट नहीं, हवाला ट्रान्जेक्शन्स हैं।

श्री अटल बिहारी वाजपेयी : मेरा निवेदन है कि इस के पीछे कुछ और कारण हैं। मैं नहीं समझ सकता कि क्या कारण हैं। आखिर केरल सरकार 17 तारीख तक चलती रही, बजट तैयार हो गया था लेकिन इन्होंने जो एक कीठनाई बतलाई है, वह भाषा की कीठनाई है। उस का एक रास्ता मैंने बताया है और हमारे कांग्रेस के मेम्बर जरा हिन्दी के प्रति जरूरत से ज्यादा प्रेम न दिखाएँ।

.... (व्यवधान) ....

SHRI E. BALANANDAN (Mukundapuram): Sir, one point...

MR. SPEAKER: You have not given your name.

SHRI E. BALANANDAN: Only one point...

MR. SPEAKER: You are a very seasoned Parliamentarian. You know that, if I allow you, then I will have to allow the others also.

SHRI E. BALANANDAN: I only support his argument...

MR. SPEAKER: No. If I allow you, then I will have to allow the others also. There cannot be any discrimination. The Finance Minister.

THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE): I would like to make only one point. As I have already mentioned, in regard to language also Mr. Vajpayee raised this question as to how we present the Demands. English and Hindi—you keep it side by side in the same document. Either you give it in the contents form or you give it in the detailed form. Therefore, the format is more or less the same. It is not that English copies are separate. It was in English and Malayalam. It was not possible... (Interruptions)

SHRI A. NEELALALOHITHADASAN NADAR (Trivandrum): Give us the Malayalam copies.

SHRI PRANAB MUKHERJEE: Let me complete my point. This was done by the Kerala Assembly... Let me explain the position. There are other types of documents where we have given the details. This permission I have sought is only for this document. So far as the explanatory memorandum is concerned and so far as the details of the annual financial statement are concerned, there we have given the details. For the Demands for Grants we have not given the details because it is a large number of items. It was a bulky budget and we thought we would present it in that form. After the President's rule was imposed, we came into the picture. We discussed with them as to how it could be done. Then it was found that within 31st March it had to be passed. Both the State Government budgets have to be passed. So it was not possible before 31st March to

do it. However, if you are interested, the copies which I have received I can place them in the library—not on the Table of the House because I have to authenticate everything...

**SHRI ATAL BIHARI VAJPAYEE:** Don't ask for suspension of the rules.

**SHRI PRANAB MUKHERJEE:** The rules are to be suspended. You are going to approve this document. You are not going to approve the Kerala Budget. That is the budget for the whole year. What I am coming for is for a vote on account for a limited period. I am not presenting the entire Budget and I am not using the entire authority of the Kerala Assembly. My objective is to just get some approval and sanction for expenditure to carry on the Government. Therefore, I am coming for a vote on account. These documents have to be approved by you.

**SHRI CHANDRAJIT YADAV:** Earlier your plea was that they did not prepare and it was in Malayalam and English. Now he says that he has come for a limited period. It means that it is the Central Government's responsibility to prepare this.

**SHRI SATISH AGARWAL:** Even vote on account has to be proportionate to the total demand. Unless we know the total demand, how can we pass it?

**SHRI CHANDRAJIT YADAV:** Suppose in this House they come for supplementary demands. Will they not give the whole details?

**SHRI PRANAB MUKHERJEE:** Unfortunately Mr. Chandrajit Yadav has not understood and Mr. Satish Agarwal is also trying to do it. Whenever we present the Budget of a State Government, we never present the full budget. Please show me one single instance.

**SHRI CHANDRAJIT YADAV:** Do you come to this House with a supplementary budget and do you give details or not?

12 hrs.

**SHRI PRANAB MUKHERJEE:** We understand the difference between supplementary Demands and vote on account.

Supplementary Demands relate to last year. I am coming and I am presenting the supplementary budget for 1981-82 and there I have given the details. Therefore, Supplementary Demands and vote on Account are two different things. What I have sought for is a limited purpose that so far as the documents relating to the demands for the year 1982-83 for which I am seeking a vote on account, there I am not presenting the details. In respect of other documents are being presented. Details in respect of the supplementary demands would have been passed by the Kerala Assembly had it been in session. For the year 1981-82, I am giving you the details. It is not that if I could produce the original documents on Kerala they would satisfy you. I cannot satisfy you. My point is that there is a precedent. As the discussions are taking place, simultaneously, these could also be taken up. Otherwise, there would have been a discussion separately. First, we could have discussed the Proclamation and then I would have come with the budget. I would have come with a motion afterwards. We are discussing simultaneously so that, both the budgets would be passed during the day. I shall have to get the approval of the other House also, so that, by 31st March, we would have some money to be placed at the disposal of Kerala and Assam. So, let us not discuss now the legality of it.

**MR. SPEAKER:** I have heard the hon. Members as well as the Minister on this point. Sub-rule (2) of Rule 206 provides:

"Each demand shall contain first a statement of the total grant proposed and then a statement of the detailed estimate under each grant divided into items."

As the time gap between the imposition and preparation and presentation was less, short, and these budgets in this respect had to be presented, the Minister for Finance came to me and requested that this Rule be suspended. He has explained this. I quote it:

"The Budget documents prepared by the Kerala Government are in Malayalam and English and by the Assam Government in Assamese and English; they will all have to be printed over again in Delhi. However, these documents are so voluminous and as extre-

[Mr. Speaker]

...mely limited time is available for presentation of these documents in Parliament, it would just not be possible to bring them out in the usual form or with as much details as are normally furnished for circulation among the Members of Parliament."

He accordingly requested me that the provisions of sub-rule (2) of Rule 206 be suspended. I gave my consent to the moving of the motions for suspension of the said rule in the light of the precedent of 1975. I looked that up and found that when Nagaland came under the President's Rule, the same sub-rule (2) of Rule 206 was suspended on 25th March, 1975.

Mr. Mukherjee.

SHRI PRANAB MUKHERJEE: I beg to move:

"That in relation to the Demands for Grants for expenditure of the Government of Kerala during the financial year 1982-83, this House do suspend so much of sub-rule (2) of rule 206 of the Rules of Procedure and Conduct of Business in Lok Sabha, as relates to 'a statement of the detailed estimate under each grant divided into items' for the purpose of granting Vote on Account by this House."

MR. SPEAKER: The question is:

"That in relation to the Demands for Grants for expenditure of the Government of Kerala during the financial year 1982-83, this House do suspend so much of sub-rule (2) of rule 206 of the Rules of Procedure and Conduct of Business in Lok Sabha, as relates to 'a statement of the detailed estimate under each grant divided into items' for the purpose of granting Vote on Account by this House."

The Lok Sabha Divided:

Division No. 3] AYES [12.10 hrs.

Ahmed, Begum Abida

Ahmed, Shri Kamaluddin

Arakal, Shri Xavier

Bairwa, Shri Banwari Lal

Baitha, Shri D. L.

Bajpai, Dr. Rajendra Kumari

Banatwalla, Shri G. M.

Behera, Shri Rasabehari

Bhatia, Shri R. L.

Bhoi, Dr. Krupasindhu

Bhole, Shri R. R.

Birbal, Shri

Chandrashekharappa, Shri T. V.

Chaturvedi, Shrimati Vidyawati

Chaudhary, Shri Manphool Singh

Chavan, Shri Yeshwantrao

Chennupati, Shrimati Vidya

Chingwang Konyak, Shri

Daga, Shri Mool Chand

Dalbir Singh, Shri

Das, Shri A. C.

Dennis, Shri N.

Dev, Shri Sontosh Mohan

Ekka, Shri Christopher

Gadgil, Shri V. N.

Gadhavi, Shri Bheravadan K.

Gomango, Shri Giridhar

Hakam Singh, Shri

Jadeja, Shri Daulatsinhji

Jain, Shri Bhiku Ram

Jain, Shri Virdhi Chander

Jamilur Rahman, Shri

Kamakshaiah, Shri D.

Kamal Nath, Shri

Karma, Shri Laxman

Keyur Bhusan, Shri

Khan, Shri Arif Mohammad

Khan, Shri Malik M. M. A.

Kuchan, Shri Gangadhar S.

Kunhambu, Shri K.

Kunwar Ram, Shri

Kurien, Prof. P. J.

Lakshmanan, Shri G.

Laskar, Shri Nihar Ranjan

Mahabir Prasad, Shri

Mahendra Prasad, Shri

Makwana, Shri Narsinh

Mallikarjun, Shri

Manni Lal, Shri



Mehta, Dr. Mahipatray M.  
 Mishra, Shri Ram Nagina  
 Misra, Shri Harinatha  
 Misra, Shri Nityananda  
 Motilal Singh, Shri  
 Murugian, Shri S.  
 Muthu Kumaran, Shri R.  
 Naikar, Shri D. K.  
 Namgyal, Shri P.  
 Netam, Shri Arvind  
 Nihalsinghwala, Shri G. S.  
 Nikhra, Shri Rameshwar  
 Padayachi, Shri S. S. Ramaswamy  
 Panday, Shri Kedar  
 Panigrahi, Shri Chintamani  
 Parashar, Prof. Narain Chand  
 Pardhi, Shri Kesharao  
 Parthasarathy, Shri P.  
 Patel, Shri Mohan Lal  
 Patil, Shri Veerendra  
 Pattabhi Rama Rao, Shri S. B. P.  
 Pattuswamy, Shri D.  
 Penchalaiah, Shri Pasla  
 Phulwariya, Shri Virda Ram  
 Poojary, Shri Janardhana  
 Pradhani, Shri K.  
 Pallaiah, Shri Darur  
 Raju Shri P. V. G.  
 Ranga, Prof. N. G.  
 Rao, Shri Jagannath  
 Rao, Shri M. S. Sanjeevi  
 Raut, Shri Bhola  
 Ravani, Shri Navin  
 Reddy, Shri K. Brahmananda  
 Reddy, Shri K. Obul  
 Sahi, Shrimati Krishna  
 Sait, Shri Ebrahim Sulaiman  
 Sathe, Shri Vasant  
 Satish prasad Singh, Shri  
 Satya Deo Singh, Prof  
 Sayeed, Shri P. M.  
 Scindia, Shri Madhav Rao  
 Shailani, Shri Chandra Pal  
 Shankaranand, Shri B.

Sharma, Shri Kali Charan  
 Sharma, Shri Nand Kishore  
 Shastri, Shri Hari Krishna  
 Sidnal, Shri S. B.  
 Singaravadivel, Shri S.  
 Singh, Dr. B. N.  
 Singh Deo, Shri K. P.  
 Sonkar, Shri Kalapnath  
 Stephen, Shri C. M.  
 Subburaman, Shri A. G.  
 Sunder Singh, Shri  
 Suryawanshi, Shri Narsing  
 Tewary, Prof. K. K.  
 Thakur, Shri Shivkumar Singh  
 Thorat, Shri Bhausahab  
 Thungon, Shri P. K.  
 Tripathi, Shri Kamalapati  
 Varma, Shri Jai Ram  
 Venkataraman, Shri R.  
 Venkatasubbaiah, Shri P.  
 Vijayaraghavan, Shri V. S.  
 Vyas, Shri Girdhari Lal  
 Yadav, Shri Ram Singh  
 Yazdani, Dr. Golam  
 Zail Singh, Shri

#### NOES

Agarwal, Shri Satish  
 Balanandan, Shri E.  
 Bhattacharya, Shri Sushil  
 Chakraborty, Shri Satyasadhan  
 Choudhury, Shri Saifuddin  
 Giri, Shri Sudhir  
 Gopatan, Shrimati Susela  
 Halder, Shri Krishna Chandra  
 Harikesh Bahadur, Shri  
 Imbichibava, Shri E. K.  
 Indra Kumari, Shrimati  
 Jethmalani, Shri Ram

Khan, Shri Ghayoor Ali

Mahata, Shri Chitta

Mehta, Prof. Ajit Kumar

Misra, Shri Satyagopal

Nadar, Shri A. Neelalohithadasan

Nihal Singh, Shri

Pal, Prof. Rup Chand

Rahi, Shri Ram Lal

Rajan, Shri K. A.

Rasheed Masood, Shri

Roy, Shri A. K.

Roy, Dr. Saradish

Shakya, Shri Daya Ram

Unnikrishnan, Shri K. P.

Vajpayee, Shri Atal Bihari

Varma, Shri Ravindra

Verma, Shri R. L. P.

Verma, Shri Shiv Sharan

Yadav, Shri Chandrajit

Yadav, Shri D. P.

Yadav, Shri R. P.

MR. SPEAKER: Subject to correction,  
the result\* of the Division is: Ayes: 118;  
Noes: 33.

The Ayes have it; the Ayes have it.

The motion is adopted.

*The motion was adopted.*

12.09 hrs...

STATUTORY RESOLUTION RE. PRO-  
CLAMATION IN RECACTION TO  
STATE OF KERALA, KERALA  
BUDGET, 1982-83,—(GENERAL DIS-  
CUSSION).

DEMANDS FOR GRANTS ON AC-  
COUNT (KERALA), 1982-83

AND  
SUPPLEMENTARY DEMANDS FOR  
GRANTS (KERALA), 1981-82.

THE MINISTER OF HOME AFFA-  
IRS (SHRI ZAIL SINGH): I beg to  
move the following Resolution:—

"That this House approves the Pro-  
clamation issued by the President on  
the 17th March, 1982 under article  
356 of the Constitution in relation to  
the State of Kerala."

MR. SPEAKER: Resolution moved:

"That this House approves the Pro-  
clamation issued by the President on  
the 17th March, 1982 under article  
356 of the Consaitution in relation to  
the State of Kerala."

Now we take up the Demands also.  
Motions moved:

"That the respective sums not exceed-  
ing the amounts on Revenue Account  
and Capital Account shown in the third  
column of the Order Paper, be granted  
to the President out of the Consolidated  
Fund of the State of Karala on account,  
for or towards defraying the charges  
during the year ending on the 31st day  
of March, 1983, in respect of the heads  
of demands entered in the second colu-  
mn thereof against Demand Nos. I to  
XLIV."

\*The following Members also recorded their votes:

AYER Sarvshri Sobeng Tayeng, Sled Muzaffar Hossain and Rajesh Pilot;

NOES: Sarvshri Chaturbhuj, Daulat Ram Saran, and Bajju Ban Riyan.

\*\*Moved with the recommendation of the President.

"That the respective supplementary 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 out of the Consolidated Fund of the State of Kerala to defray the charges that will

come in course of payment during the year ending the 31st day of March, 1982, in respect of heads of Demands entered in the second column thereof against:—

Demand Nos. I to III, V to XI, XIII to XXX, XXXII, XXXV to XLII."

*Demands for Grants on Account (Kerala) 1982-83 submitted to the vote of Lok Sabha*

Demand No.	Name of Demand	Amount of Demand for Grant on account submitted to the vote of the House.	
		Revenue	Capital
1	2	Rs.	Rs.
I.	State Legislature . . . . .	43,69,000	..
II.	Heads of States, Ministers and Head Quarters Staff . . . . .	3,32,67,300	..
III.	Administration of Justice . . . . .	3,29,94,400	..
IV.	Elections . . . . .	24,32,100	..
V.	Agriculture Income Tax and Sales Tax . . . . .	2,38,45,300	..
VI.	Land Revenue . . . . .	6,01,02,500	..
VII.	Stamps and Registration . . . . .	2,01,86,800	..
VIII.	Excise . . . . .	1,69,08,400	..
IX.	Taxes on Vehicles . . . . .	51,80,000	..
X.	Treasury and Accounts . . . . .	1,74,90,400	..
XI.	District Administration and Miscellaneous . . . . .	2,66,90,400	..
XII.	Police . . . . .	22,39,16,600	..
XIII.	Jails . . . . .	90,57,900	..
XIV.	Stationery and Printing and Other Administrative Services . . . . .	3,05,81,900	..
XV.	Public Works . . . . .	19,51,06,600	8,28,53,000
XVI.	Pensions and Miscellaneous . . . . .	21,76,57,400	..
XVII.	Education, Art and Culture . . . . .	1,35,03,32,500	2,34,45,500
XVIII.	Medical . . . . .	28,98,82,800	1,84,07,500
XIX.	Family Welfare . . . . .	3,96,47,800	25,00,000
XX.	Public Health . . . . .	4,07,65,000	..
XXI.	Public Health Engineering . . . . .	7,12,10,700	9,38,99,200

1	2	3	
		Revenue	Capital
		Rs.	Rs.
XXII.	Housing . . . . .	1,87,60,600	1,87,77,500
XXIII.	Urban Development . . . . .	1,45,05,800	36,37,500
XXIV.	Information and Publicity . . . . .	48,37,500	..
XXV.	Labour and Employment . . . . .	8,86,97,700	4,50,000
XXVI.	Social Welfare including Harijan Welfare . . . . .	26,66,56,500	50,79,600
XXVII.	Relief on account of Natural Calmities . . . . .	1,59,00,000	..
XXVIII.	Co-operation . . . . .	3,39,88,300	6,76,63,900
XXIX.	Miscellaneous Economic Services . . . . .	3,47,70,000	40,00,000
XXX.	Agriculture . . . . .	22,70,84,600	5,28,18,300
XXXI.	Food . . . . . s . . . . .	2,04,40,400	3,47,92,000
XXXII.	Animal Husbandry . . . . .	4,81,14,300	18,90,000
XXXIII.	Dairy . s . . . . .	84,65,600	32,75,000
XXXIV.	Fisheries . . . . .	1,81,98,100	1,60,24,700
XXXV.	Forest . . . . .	6,21,23,300	75,50,000
XXXVI.	Community Development . . . . .	17,75,33,200	12,50,100
XXXVII.	Industries . . . . .	5,06,93,500	11,15,40,500
XXXVIII.	Irrigation . . . . .	9,31,07,700	25,38,48,500
XXXIX.	Power . . . . .	13,00,000	20,00,000
XL.	Ports . . . . .	51,70,400	44,69,000
XLI.	Transport . . . . .	75,20,100	1,44,00,000
XLII.	Tourism . . . . .	66,66,700	54,50,000
XLIII.	Compensation and Assignments . . . . .	46,16,500	..
XLIV.	Miscellaneous Loans and Advances . . . . .	..	4,32,92,100

## Supplementary Demands for Grants (KERALA), 1981-82 submitted to the vote of Lck Sabha

No. of Demand	Name of Demand	Amount of Demand for Grant submitted to the vote of the House	
1	2	3	
		Revenue Rs.	Capital Rs.
I.	State Legislature.	11,50,000	.
II.	Heads of States, Ministers and Headquarters staff	63,95,000	.
III.	Administration of Justice	50,20,500	.
V.	Agricultural Income Tax and Sales tax	36,85,400	.
VI.	Land Revenue	1,52,69,000	..
VII.	Stamps and Registration fees	2,00,000	..
VIII.	Excise	100	..
IX.	Taxes on Vehicles	3,34,300	..
X.	Treasury and Accounts	25,34,000	..
XI.	District Administration and Miscellaneous	67,04,700	.
XIII.	Jails	11,03,400	.
XIV.	Stationery and Printing and Other Administrative Services	32,89,900	.
XV.	Public Works	4,86,84,100	2,09,35,900
XVI.	Pensions and Miscellaneous	6,49,21,400	..
XVII.	Education, Art and Culture	1,09,63,000	3,24,50,300
XVIII.	Medical	2,25,21,000	26,86,500
XIX.	Family Welfare	..	4,00,000
XX.	Public Health	18,00,000	..
XXI.	Public Health Engineering	1,16,57,500	2,51,25,000
XXII.	Housing	65,00,000	1,17,77,100
XXIII.	Urban Development	7,12,500	..
XXIV.	Information and Publicity	44,89,200	.
XXV.	Labour and Employment	44,72,000	.
XXVI.	Social Welfare including Harijan Welfare	4,54,78,100	1,02,36,500
XXVII.	Famine	19,86,800	.
XXVIII.	Co-operation	26,00,100	2,82,54,400
XXIX.	Miscellaneous Economic Services	5,18,400	..

1	2	3
	Revenue	Capital
	Rs.	Rs.
XXX. Agriculture . . . . .	500	97,00,000
XXXV. Animal Husbandry . . . . .	70,20,000	..
XXXV. Forest . . . . .	1,92,88,500	55,00,000
XXXVI. Community Development . . . . .	80,98,700	..
XXXVII. Industries . . . . .	84,01,200	91,85,500
XXXVIII. Irrigation . . . . .	3,41,12,200	2,66,500
XXXIX. Power. . . . .	..	51,54,000
XL. Ports . . . . .	1,26,100	25,00,000
XLI. Transport . . . . .	23,75,000	3,00,000
XLII. Tourism . . . . .	13,08,200	22,00,000

MR. SPEAKER: We have to discuss 4 items together. Shri E. Balanandan.

12.10 hrs.

[MR. DEPUTY SPEAKER in the Chair]

MR. DEPUTY-SPEAKER: Now, some hon. Members have given notices of cut motions. Mr. K. A. Rajan and Mr. M. Ramanna Rai are absent. The other two hon. Members Mr. E. K. Imbichibava and Mr. K. P. Unnikrishnan will move to their cut motions. Now, I call upon Mr. E. Balanandan to speak. Mr. Balanandan, your party has been allotted 13 minutes. The total time allotted for the Kerala Budget is 3 hours.

SHRI E. BALANANDAN (Mukundapuram): Before I participate in the debate, I would request the hon. Finance Minister to make available to us the Budget in Malayalam version.

THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE): I have given both Hindi and English version of the Budget.

SHRI E. BALANANDAN: Sir, we are as'ed to approve the Motion moved

by the Home Minister approving the Proclamation issued by the President on 17th March 1982 and also asked to vote for the Demands for Grants on Accounts in respect of the Budget for the State of Kerala for 1982-83 for Rs. 555,90,54,500.

MR. DEPUTY-SPEAKER : I may inform the House that Items Nos. 4, 5, 6 and 7 are taken together for discussion and voting of the House.

SHRI E. BALANANDAN: Sir, before taking up various points for discussion, I want to invite your attention to the fact that the Central Government should know the reason why this kind of situation has arisen in Kerala? All of a sudden, we were told on March 17 that on the recommendation of the Kerala Governor, the President was pleased to dissolve the Kerala Assembly. What was the peculiar situation that arose which led to the dissolution of the Assembly there? We all know just for 80 days, till 17th March 1982, Karunakaran Ministry was in power in Kerala. All of us also know that he was asked to form the Government in Kerala and at that time he had the support of 67



M.L.As of the Kerala Legislature. After sometime horse trading business was going on and ultimately he got the support of 71 MLAs and with the notorious casting vote of the Speaker, the Government could last for 80 days. This situation had arisen because Mr. Nambadan Lonappan left the ruling front and joined the Opposition side. Now, the position had changed, that there were 71 Members in the Opposition. The point I want to make here is that the Opposition got the majority in the Assembly and therefore it was the duty of the Governor to call the Opposition party to form the Government. Or at least, the Governor should have checked up whether the Opposition are in a position to form the Government. It is the duty of the Governor it is the Constitutional duty that the Governor should have given an opportunity to the Opposition for forming the Government. I do not know how he was convinced that they could not form the Government and that is why he recommended for the dissolution of the Assembly. Sir, this has been done to suit the interest of the ruling party at the Centre because a Notification was already made for the election of 3 Rajya Sabha Members from Kerala and the electoral college was the Assembly. It was evident that since there were 71 Members belonging to Opposition parties at least 2 seats would go to the Opposition in the Rajya Sabha election. To scuttle this election, it was recommended to the President for the dissolution of the Assembly and the President's rule was imposed. This step was really against all democratic norms and principles. It is against the Constitution want to make here. Last time I said that in India the Constitutional propriety is not being maintained. The deviation from the accepted principles of the democratic process is made to suit the Congress—I ruling party at the Centre. That is the reason why this step has been taken in so far as Kerala is concerned.

With these preliminary remarks, I would now like to go to the eighty-day rule of Shri Karunakaran.

Shri Pranab Mukherjee, said that he was only asking for a Vote on Account

for Rs. five hundred and fifty-two crores, ninety lakhs, fifty-four thousand and five hundred, and he has not, therefore, given details of the expenditure.

As soon as Shri Karunakaran came to power, he did two or three 'great' things for the Kerala people. Nobody will forget them. If you go through the budget papers, you do not get the details. As soon as Shri Karunakaran assumed office as Chief Minister, he said that there would not be any payment of unemployment allowance given to the unemployed youths of Kerala. Another thing that he declared was that he would stop payment of agricultural workers' pension. If you go through the budget papers, the amount has been kept, but we do not know how much is going to be spent. However, as per the declaration of the then Chief Minister, Shri Karunakaran, who stopped this and on the basis of this experience of eighty days, one cannot predict anything.

As you know, there are no big industries in the Kerala State. The most important industry in Kerala is the coir industry and on it depends about five lakhs of workers. Shri Karunakaran within eighty days of his rule has done one 'great' thing; he immediately dismissed all the coir project officers. What has been the result? All the cooperatives in coir industry in Kerala State have become defunct, have not been working. Coir goods worth nearly fifteen crores of rupee are lying in Kerala. Coir goods worth about eight crores of rupees are lying with the Coir Corporation and goods worth about Rs. seven crores are lying with the private sector. But the Kerala Government did not do anything in this respect. They did not give some cash assistance to lift the stocks, so that some distress sales could be organised. The Coir Corporation in Kerala is headed by a Congress(I) man. He had asked for Rs. four crores, but that amount has not been provided by the Government. Five lakh workers engaged in this industry are in distress. I would like to inform the hon. Finance Minister—he may not know it—that in Kerala, if you do not do something immediately,

[Shri E. Balanandan]

the coir workers, five lakhs of them, would be put to lot of difficulties. A good chunk of them may die of starvation. Already, about twenty children of coir workers have died because of starvation during this period.

Cashew industry is another important industry in Kerala. About one lakh and twenty-five thousand workers are employed in this industry. Many steps had been taken to bring about improvements in this industry, earlier. But all these are being purposely undone by the Centre. I had also discussed this with Shri Stephen he is an expert in the affairs of cashew industry. He had assured me that the Kerala Government would take every step to procure whatever cashew nut is available in Kerala so that sixty to seventy days' work is assured to the cashew workers. But what has been the performance? I am told that during the last year, by this time cashew nuts worth nearly Rs. forty crores had been purchased by the public sector Cashew Corporation, and the Federation, who were entrusted to procure cashew nuts. This year, they have spent only Rs. four crores for this purpose and the total quantity of cashew nuts procured is very meagre. It is only six thousand tonnes, as compared to last year's procurement of thirty-five thousand tonnes during this period. Therefore, the workers engaged in cashew industry in Kerala are also going to starve. This is the situation.

Now I come to the fishermen's co-operatives. Fishermen's co-operatives were doing something there.

The officer who were managing the fisherman's co-operatives have been transferred with the result the co-operatives are now more or less defunct.

That way within 80 days of his rule, five lakh coir workers, one lakh twenty-five thousand cashew workers, lakhs and lakhs of fishermen, the life of all these workers is made miserable and they are facing a very difficult situation. In the coastal belt of Kerala, there will be very

large number of starvation deaths if something is not done immediately.

Shri Pranab Mukherjee, our Finance Minister, was earlier holding the portfolio of Commerce Ministry. Coming to Kerala Plan, I would quote what he has said. He said that there will be 27 per cent rise in the annual Plan for this year for the Central Government and the State Plans also will also have a rise of 21 per cent. This rise will be in all the State. But, Sir, in Kerala alone, and if there is some other State, it is West Bengal, where there will be no rise. Rs. 275 crores was the amount sanctioned last year. This year also it is Rs. 275 crores. That is only for Kerala, the Plan allocation has not been increased. For all other States all over the country, the increase is 21 per cent. But for our State there is no increase.

Now, I come to another point. Sir, Kerala is the major coconut producing State. The total requirement of coconut oil for India is two lakh tonnes and that is being produced in the country. Thirty thousand tonnes of coconut oil is required for industrial purposes and the rest is required for edible purposes. And the total requirement for the country can be met through indigenous production. But what is being done, Sir? Coconut oil is being allowed to be imported and some other dubious name has been adopted by the importers—coconut acid oil. The result is that the price of coconut is going down and lakhs and lakhs, if not crores, of coconut growers in the Kerala State have been affected.

The next major crop in Kerala is rubber. This year 30,000 tonnes of rubber is being allowed to be imported. I don't know what for they want more import of rubber. There is some Statement by some Minister here that they require more rubber this time. That is why it is being imported. But I don't know why it is being imported, when the total requirement can be met through indigenous production. They are allowing 30,000 tonnes of rubber to be imported. So is the case



of Nutmeg, cloves etc. which are produced in Kerala in abundance are also being allowed to be imported. Sir, that would affect the total economy of the Kerala State.

Sir, a claim has been made by somebody in the Kerala State that if the Congress (I) government comes to power in Kerala, the Central Government will give priority to solve all these problems. Sir, is this the correct attitude expected of the Central Government? Not only this, Sir, I must tell you one thing more. Our new Minister, Shri Rahim talked to some pressmen at Cannanore. A Press man asked him when the Naval Academy at Yezhimalai in the Cannanore district is going to start, a decision for the establishment of which has already been taken? The reply of Shri Rahim was that this kind of defence establishment will not be established in States where non-Congress(I) Chief Ministers are there or where non-Congress (I) rule is there. Is it a correct statement Sir.

According to the Constitution of India, any party can come into power in any State. Congress(I) can come to power or the DMK can come to power. But to say that if non-Congress(I) is in power, no defence establishment will be there in Kerala; To put it mildly is atrocious.

I would like to bring to the notice of the Finance Minister another point. In Kerala the number of the unemployed is the largest, and also the number of educated people in Kerala is the largest. It stands first in the number of technically qualified persons. But when we seek public sector employment, we have to fill in a form. I will read it. I am just quoting from the Bio data form. Item 11 of the form asks: "To which State do you belong?" and it asks whether the applicant has stayed in Kerala or West Bengal for more than a year. This column has to be filled in by the applicants who are called for interview by the Defence Electronics Laboratory in Hyderabad. For what purpose is it being asked?

**SHRI ATAL BIHARI VAJPAYEE:** (New Delhi): This is a serious matter.

**SHRI E. BALANANDAN:** This is the official document. I am reading from the photostat copy. If son of Mr. Stephen, our Minister here applies for appointment there.... (Interruptions) then there will be special police verification. There is Police verification for Central Government appointment. But to-day double verifications is there, for those from Kerala and West Bengal. If somebody from Kerala applies for a job in the Defence establishment, this will be the fate. This is the situation created by Congress (I). Why do you bother about it? You want India to be one. Does this help? If you consider that Communists are a security risk, then declare it (Interruptions). Coming to the Budget, Kerala, as a State, is being neglected purposely by Central Government. Kerala is going to face a very serious economic crisis. Therefore, I demand that Government of India should immediately come forward with a proposal to give the required assistance to the cashew and coir industries. Steps taken by State Government should be immediately withdrawn. You should revive and strengthen the Fisheries Corporation. The discriminatory attitude towards plan should be stopped. Import of coconut oil should be immediately banned—and also of rubber and other things, which I have mentioned.

The Chairman of the Coconut Board, Mr. Devasi Kutty has demanded an enquiry. Some fishy thing has happened in the matter of import of coconut oil. He is a Congress (I) leader. I also demand an enquiry to be conducted into the import of coconut oil.

In the Budget it is said that Rs. 12 crores more will be provided for Police. I do not know why it is considered that more expenditure is absolutely necessary for police in Kerala. It is the only item on which additional money is to be given. The Minister might find some explanation.

How is the law and order situation in Kerala? Within these 80 days, 35 political murders have taken place there. 25 CPI(M) people have been killed. In

[Shri E. Balanandan]

the State where a Congress (I) Chief Minister was ruling, 25 or 30 Communists have been killed. *(Interruptions)*.

On 8th March, a serious incident took place in Kaniapuram in Trivandrum district, where 24 shops were set on fire by Congress (I) youth leaders. I am saying this from record. It was done because the shop-owners did not give money to these - Congress (I) youths. They demanded some money from the shop owners which they refused to bribe. That is why their shops had been set on fire.

Now, the Congress I Party talks loud about the new political arrangement that they are now having many parties came over to them and many are going to come. Mr. Karunakaran is saying that he will come back to power if the elections are held. I do not know when the elections are going to be held there. But a serious situation is developing in the State because of the Congress I Party's policies and politics by which communal forces in the State are being encouraged and all the communal political parties are brought into the so-called democratic front.

Call for Hindu Unity is made as if Hindus are in danger very seriously. I do not know how. I am or Hindu and I do not feel that we are in danger. But, anyhow, the Vishwa Hindu Parishad is going to have a Vishal Hindu Sammelan on 4th of April; and on 2nd, some other demonstration by Christians is going to be held in Ernakulam where Vishal Hindu Sammelan is being held. With Cross in hands, 30,000 Christians are going to have a demonstration. The Congress I Party is encouraging this kind of communal forces so that they can get more votes and come to power.

If you see to the history of Kerala from 1957 onwards, you will find that the Congress I Party was never in a majority in the Kerala State. *(Interruptions)*. They were coming to power in

Kerala by adjustment with this party or that party; They were utilising the central power to woo somebody. This is a political corruption.

Last time, Mr. Karunakaran started to form a government with 67 MLAs and one MLA's support had been mustered - by giving a district for an MLA and so many things. I do not say about these things here because I do not have documentary evidence with me. This way developing communal passion, caste passion, etc. the Congress I Party will not come to power in Kerala. I declare it here. What are the good things you are doing for the people of Kerala. The agriculturists, who are producing coconut, rubber, etc. are being put to hardship; and the cashew workers, coir workers, fishermen, etc. are being put to starvation. Kerala, as a State, is being neglected. If this attitude is taken by the Government, the unity of the country, I am afraid, will be very seriously affected.

In this House and outside talks about the Bay of Bengal, the Arabian Sea, etc. were there. I declare here that, this politics, this Congress I politics which is encouraging communal parties and the politics by which the Kerala State is being neglected thoroughly, is going to put them into the Arabian Sea by the people of Kerala if the elections are held in the Kerala State.

With these words, I oppose this motion.

MR. DEPUTY-SPEAKER: Hon. members, 3 hours have been allotted. We started it at about 12 P.M. The Minister will reply at 2.30 P.M. Therefore, I request the hon. members to take the time that has been fixed by the Business Advisory Committee.

SHRI E. K. IMBICHIBAVA (Calicut): I beg to move:

"That the Demand for Grant on Account under the Head "Land Revenue" be reduced by Rs. 100."

[Need to give unsurveyed occupied land near the seashore to the fishermen families.]. (13)

SHRI K. P. UNNIKRISHNAN (Bada-gara): I beg to move:

"That the Demand for Grants on Account under the Head 'Police' be reduced by Rs. 1,00,00,000."

[Need to decrease the charges for Police Administration which are totally disproportionate to the outlay on productive schemes and welfare measures]. (14)

SHRI E. K. IMBICHIBAVA: I beg to move:

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

[Need to improve the living conditions of the Police by providing houses]. (15)

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

[Need to improve the condition in the prisons.] (16)

"That the Demand for Grant on Account under the Head 'Public Works' be reduced by Rs. 100."

[Need to construct bridge on Canoli canal this year itself and one way road in Ponnairi Moniapatty.] (17)

"That the Demand for Grant on Account under the Head 'Public Works' be reduced by Rs. 100."

[Need to expedite the work of Chandragiri Bridge proposed under C.R.F.] (18)

"That the Demand for Grant on Account under the Head 'Public Works' be reduced by Rs. 100."

[Need to reconstruct the weak bridges at Muliya and Adkasthala in Kasargod Taluka.] (19)

"That the Demand for Grant on Account under the Head 'Pensions & Miscellaneous' be reduced by Rs. 100."

[Need to continue the payment of pension to the old agricultural labourers.] (20)

"That the Demand For Grant on Account under the Head 'Pensions and Miscellaneous' be reduced by Rs. 100."

[Need to pay unemployment doll to both education and uneducated youth.] (21)

"That the Demand for Grant on Account under the Head 'Education, Art and Culture' be reduced by Rs. 100."

[Need to conduct a survey and fix the places of priority on starting educational institution.] (22)

"That the Demand for Grant on Account under the Head 'Urban Development' be reduced by Rs. 100."

[Need to create special fund to develop localities of rural nature in the Municipalities.] (23)

"That the Demand for Grant on Account under the Head 'Social Welfare Including Harijan Welfare, be reduced by Rs. 100."

[Need to start industry for providing job to Scheduled Castes and Scheduled Tribes.] (24)

"That the Demand for Grant on Account under the Head 'Social Welfare Including Harijan Welfare' be reduced by Rs. 100."

[Need to increase hostel facilities to the Scheduled Caste students.] (25)

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

[Need to pay remunerative price to farmers.] (26)

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

[Need to set up fishing harbours at Kasargo, Azikal Bupoor, Ponnani and Kodungalore. (Conganore)] (27)

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

[Need to provide mid day meal to the children of fishermen in the schools in fisheries villages.] (28)

[Shri E. K. Imbichibava]

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

[Need to start cooperative societies in all the villages of declared fisheries.] (29)

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

[Need to start Banks in each district to give loans to fishermen on easy terms and nominal interest on the occasion of death, marriage and confinement.] (30)

"That the Demand for Grant on Account under the Head 'Community Development' be reduced by Rs. 100."

[Need to provide more funds to Kasargod Development Authority.] (31)

"That the Demand for Grant on Account under the Head 'Industries' be reduced by Rs. 199."

[Need to take action and reopen the Vanjinad Leather factory which remains closed due to mismanagement.] (32)

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

[Need to take up Kokadavu Project immediately.] (33)

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

[Need to construct minor ports at Azikal, Kasargod, Ponnani, Bupoor Kasargod Taluk.] (19)

MR. DEPUTY-SPEAKER: Shri Xavier Arakal.

AN HON. MEMBER: I suggested four hours. It is all right.

At 2.30 p.m. the Minister will reply.

SHRI XAVIER ARAKAL (Ernakulam): I rise to support the Supplementary Demands and Appropriation Bill. The po-

wers under Article 174 and 356 are called the most eminent prerogatives of the Head of State. Why the Central Government had to resort to these provisions of the Constitution is quite evident from the message of the Governor of Kerala, dated the 17th March, 1982. I quote:—

"I am personally satisfied that there is no possibility of forming an alternative viable and stable Ministry" (*Interruptions*). I am coming to you. Please listen to me.

In order to change the political instability created by the manipulation and the calculated corruptive methods of the Left Front there this had to be resorted to. (*Interruptions*). I shall come to your point.

I was so surprised to hear Mr. Balanandan taking about communalism and casteism. About what they have done in this matter, I shall quote Shri E. M. Sankaran Namboodiripad. Mr. Balanandan, please listen to what Shri E.M. Sankaran Namboodiripad has said about communalism and casteism. I quote Shri E.M. Sankaran Namboodiripad on the question of communalism and casteism:

"However, I could see the reality that, whatever the ultimate goal to which we were moving, we cannot wish away differences and distinctions based on the caste and the religious community. Socio-political organisations dedicated to the cause of serving the lower castes and fighting for reforming the social and family systems of even the upper castes, therefore, had my sympathy."

Who says? Their own leader, prophet of communism in India. He goes further and says,

"All the more so when some of these caste-based organisations started championing political demands, integrating the movements for political democracy with social justice for the oppressed castes."

Therefore, he started it. Now Mr. Balanandan may say who is supporting casteism and communalism; kindly let him answer that. (*Interruptions*).



**SHRI A. NEELALOHITHADASAN NADAR** (Trivandrum): He is misleading the House. (*Interruptions*)

**MR. DEPUTY-SPEAKER:** Order, order. I could not follow him. (*Interruptions*).

**MR. DEPUTY-SPEAKER:** Hon. Members, I want to make it very clear. When an hon. Member speaks, if he does not yield, you have no right to get up and ask for clarifications. Therefore, please do not interrupt. Please do not interrupt. You have got every right to speak and you will be called from the Opposition side and then you can reply to him. That is the democratic procedure. Not this way. (*Interruptions*)

**SHRI XAVIER ARAKAL:** When the Congress (S) has been constantly refusing the caste elements in our country. (*Interruptions*).

It has been the history, it is the history, I charge the Communist Party that they indulged in this sort of things. I refer to the remark made by Shri Balanandan horse trading. Who did it? Who split the Congress (S) Party? When they *en bloc* went out and joined united Democratic Front, LDF report it. The Janata Party who were elected with the mandate of the people, with the United Front, what happened? (*Interruptions*)

**AN HON. MEMBER:** Your own M.L.A. (*Interruptions*)

**SHRI XAVIER ARAKAL:** Sir, it is so surprising to hear Shri Balanandan talking about horse trading in this House. May I ask him what made Lonappan Nambadan, M.L.A., to jump from our side to their side? It is not a shame that they indulged in it?

**MR. DEPUTY-SPEAKER:** I think both of you are wrong, Mr. Arakal and Mr. Balanandan, because there is no horse racing in Kerala. It is there only in Madras and Bangalore.

**SHRI XAVIER ARAKAL:** I would like to say that the Marxist Parties came into power in Kerala in 1957 and they ruled for a span of less than two years. In 1967 they came again. They

ruled for a small span of time. In 1980, they came. If you analyse the political developments of these periods, you will very well be convinced that they indulged in corruptive, unlawful, immoral and politically unholy behaviour in the periods.

**PROF. RUP CHAND PAL** (Hooghly): You must be having a dictionary with you.

**SHRI XAVIER ARAKAL:** We did not send them out. By their sheer immoral activities they were forced to go out. This happened again in 1980.

Mr. Balanandan was talking about this minority Government there. He posed a question that when they had the support of 71 MLAs, why should they not have been asked to form the Government? He has also sarcastically referred to the casting vote of the Speaker. They were ridiculing us when we had got 71 MLAs with us. Now he says that when they were having 71 MLAs, they should have been allowed to form the Government. What is the logic in it? Are you not ashamed of putting forward such a logic?

Mr. K. A. Rajan is here. The CPI is the parasite and power suckers of our political system, which I have never seen in my life. Therefore, it is ironical to put forward such a demand. Mr. Balanandan was talking about political immorality like horse trading and what not. I am not talking a lot on that aspect.

The political situation in Kerala has always been percolating and Kaleidoscopic. That was the 12th Ministry with the fall of the last Ministry in Kerala in the last 25 years, about which an enlightened society cannot and should not be proud of. What are the causes of it? Should we not prevent it? Or should we encourage such a proliferation of parties and Governments? Here we have to find out the causes behind these divisions and factions in our political system. Is it conducive to have such a system? Can this be emulated

[Shri Xavier Arakal]

in other States? If it is emulated in other States, how will our political system survive? Therefore, the methods adopted by caste, communal and other forces should be curbed at any cost. Now the BJP is going to sit with the Left Front there. Till yesterday, the Marxist Party, the Janata Party and the RSS people were fighting with each other. Now, there is a new trend, an unholy trend emerging. Mr. Vajpayee can enlighten us whether they are going to support each other. Alliance of RSS and other religious and communal forces is a dangerous trend. This is a matter which has to be viewed seriously by those who believe in secularism and democracy. We dislike the ideology of the Marxist in the same way as we dislike fanaticism. This has to be done if we have to survive democratically.

A political party called CPI is there in Kerala. Whenever we have got power, they are always with us. With our help they came to power in 1969. In 1969, we allowed the CPI MLA to be the Chief Minister of Kerala. What was his majority then? (*Interruptions*) In 1969, we supported Shri Achuta Menon Ministry. What have they done? Till 1977, we were together. Due to some selfish reasons they left us. Let us examine the role of CPI in the political development and stability of this system in India and in Kerala. There, I charge them as the most opportunist class of politicians in India. I am bringing this to the notice of the House so that we will have a complete picture of what is happening on the political scene of India. This is the time when we take a serious look, a second look, at the role of these political coalition parties in Kerala.

Sir, I have all sympathy for the Janata. Five Members were elected with our support to the Kerala Assembly. May I ask the Opposition United Left Front Government party what there was harmony and everything was they have done in this matter? While the Left Front Government were in power, they were

conspiring to have a split both in Janata and Congress (S), and they had succeeded. When the Nayanar Government collapsed, these groups of both these parties came out. Encouraged by the Left Front Government while they were in power, they split these respective parties. One is under Mr. P. C. Chacko and the other is under Mr. Chandrasekharan. This is the thing which, with a political sense of morality and decency, we have to look down upon. The question is: How and why these two groups were taken away from these parties? How did P. C. Chacko group come out, how did Chandrasekharan's groups come out? These are the facts which we cannot deny. These are the political realities of Kerala where the Left Front Government has a major and decisive role. Therefore, I accuse them for creating instability and disorder in the State of Kerala.

Mr. Balannandan was telling about the coir and cashew industry in Kerala. I ask him: Under whose period, under whose time the traditional industries... (*Interruptions*). During whose time these traditional industries began to go down the gutters?

If you refer to the Budget, you will see an cumulative deficit of Rs. 86 crores. What was the reason for it? From 1980 onwards that treasury was plundered and looted by the Marxists and other people. Therefore, a cumulative deficit of Rs. 86 crores is accounted for. (*Interruptions*). Now they are talking about the cashew and coir industries, which are traditional industries. If I say something very frankly, these traditional industries were strangled and destroyed by the political manoeuvring of the CPI and CPI(M) in that industry. They were exploiting that class of people and, Sir, he now comes here and says that within the last 80 days of Karunakaran's rule everything collapsed and while they were in power nearly for two years and two months everything was perfectly all right, there was harmony and everything was perfectly well and in order. When Mr. Karunakaran took over the power for 79 days everything was not all right, and went wrong. What is this? They cannot fool the people for many months and

years. The people cannot be fooled. I can tell you one thing. In the next election we will see for whom the people stand, for (*Interruptions*). These are the things we have to highlight, but I can tell one thing very clearly. Only the Central Government can bail out the economy of Kerala. The economy of Kerala is ruined irreparably. Only the Central Government by extending help to the economy of Kerala both in industrial sector and in the agricultural sector can bail out the economy of Kerala. Therefore, in my Budget speech I highlighted the point of Plan allocation. I highlighted the point of giving more aid to the industrial sector of the Central Government. If I say only 2.3 per cent of the total Central Government investment is in Kerala, you can imagine the magnitude of the problem. There is negligible investment of the Central Government in Kerala. I request the Central Government to come forward with a massive industrial and other investments. Otherwise the economy of Kerala cannot survive. The economy of Kerala at present is under ruin beyond any repairable capacity. Though it is said we are earning over Rs. 1000 crores per year as foreign exchange, if you analyse an investment and productivity pattern I would say, there is no improvement. Therefore, my submission is the Central Government is the only authority who can deliver the goods in Kerala, who can bail out the economy of Kerala. The Central Government should come forward.

MR. DEPUTY-SPEAKER: Now they are also supporting.

SHRI XAVIER ARAKAL: They have to support. What I say about Sankaran Namboodripad and Balanandan. They do not get on well. We understand it. Therefore, this is my submission—the present Government impasse in Kerala was created by the calculated and cunning manipulations of the Opposition parties and the wages of that since they are going to have in the coming election. Therefore, I support the resolution and the Bills.

MR. DEPUTY-SPEAKER: Shri Arjunan. Your party has been allotted eight minutes. You finish in seven minutes.

SHRI K. ARJUNAN (Dharmapuri): I support the Budget proposals of Kerala State. The Government of India was left with no alternative except to dissolve the Kerala Assembly in the interest of sustaining democratic ethics in the country.

Kerala State Budget does reflect the hopes and aspirations of the people of Kerala.

The Left Democratic Government in Kerala, in collusion with AIADMK Government in Tamilnadu, did encourage corrupt practices in the sale and purchase of spirit. The LDF Government appointed Sadasivan Commission and the AIADMK Government appointed another Sadasivam Commission. Since the issues involved more than one State, the Centre appointed Ray Commission. Since all these issues are presently before the Supreme Court, I would not go into the details. Sadasivan Commission was wound up whereas Sadasivam Commission is in force. It is right time that the matter should be probed into properly. The amount earned through the spirit scandal is the root cause to topple the Government. Through this scandal they earned huge amount which was utilised to shift the loyalty of Shri Nambadan. This is the root cause to topple Karunakaran Government. It will not be out of place if I point out that one actress in Tamilnadu rushed to Trivandrum for all these reasons. I want you to probe into this matter.

The Communist Party wanted to dissolve Karunakaran Government and demanded elections. Now that demand has been accepted. The demand has been accepted at the appropriate time. They have to face the elections.

The LDF's cult of violence has given birth of cult of RSS in Kerala. This has spilled over in Tamilnadu's southernmost district. The stormy situation has moved towards the east and now it is centred in the southern part of Tamilnadu i.e. Kanyakumari and Tirunelveli. The law and order situation that started in Kerala moved towards Tamilnadu. Now



[Shri K. Arjunan]

there is no difference in situation between Kanyakumari and Tirunelveli. There is violence between Hindus and Christians. As far as my party is concerned, we are above caste and religion. We have no difference between Ibrahim, Abraham and Abiraman. Now the law and order situation which started in Kerala, moved towards Tamilnadu; the southern part of Tamilnadu is in danger. Several times the Opposition parties demanded that the Chief Minister of Tamilnadu should rush to Kanya Kumari. He went there. There were several deaths, arson and what not. All the occurrence was before the Chief Minister. The Chief Minister left Kanya Kumari and rushed to Madras without restoring peace. This situation is moving towards the North. I am afraid entire Tamilnadu will face danger due to caste and religion struggle.

I would like to point out in the three southern districts—Ramanathapuram, Tirunelveli and Kanya Kumari water is flowing from a hillock. The water starts from the west and mingles in the sea. It is not utilised by the Kerala people. It is going waste. I would appreciate if this water is utilised. The ensuing Government of Kerala or the Central Government may persuade the concerned authorities to help in the matter to divert the water towards Tamilnadu. It will be very helpful from energy point of view and from fertility point of view of Ramanathapuram, Tirunelveli and Kanya Kumari.

There is excess current in Kerala. They are selling that at the rate of 45 paise per unit. It is very costly. Tamilnadu is providing rice at a reasonable procurement price. You are giving current and demanding 45 paise per unit! It is too high.

I support the demand for an airport at Calicut and naval base in Cochin.

With this I conclude.

SHRI JAGANNATH RAO (Berhampur): I rise to support the statutory Re-

solution moved by the hon. Home Minister in regard to the President's proclamation relating to Kerala. The Governor had no option but to dissolve the Assembly under Article 174(2) and had to report to the President that the Government of Kerala cannot be carried on according to the provisions of the Constitution.

13 hrs.

The proclamation of the President was issued on the 17th of March, as the only alternative open to him. It is now claimed by the Opposition that they had a majority of 71 and they should have been asked to form an alternative Government. When Mr. Karunakaran came to power, he had a majority of 71. (*Interruptions.*) When he started functioning as the Chief Minister, he had 71. He did not lose in the House. Therefore, he had majority. And then, one member of the Ruling Front came out as an independent and went to the Governor and said that he would support the Opposition. This being the history in Kerala, the Governor was right in assuming that the alternative Government was not possible.

Right from 1956, 12 Ministries came to power and went out of power. Political instability is a feature in Kerala's politics. Political stability is a *sine-qua-non* for economic stability and progress. Therefore, the Governor is justified in dissolving the Assembly and reporting to the President to impose his rule.

The Opposition also moved a Motion of No-confidence against the Karunakaran's Ministry but that Motion fell through. That clearly shows that the Opposition would not be in a position to form an alternative Government if it had been allowed to do so. The stability for 80 days or 90 days' Ministry continuing in power and going out of power would not lead to progress in any State and Kerala is an example in India. There is no political stability and no Government is able to stand for a full term of 5 years.



SHRI K. P. UNNIKRISHNAN: Mr. Achutha Menon was there. He was there from 1972 to 1977.

SHRI JAGANNATH RAO: I am coming to that. He was there with the full support of the Congress. Now, no other party was there. Even CPM was not having the support of the Congress.

I am glad Mr. Achutha Menon continued for five years with the support of Congress. No CPM Government continued for a full term of five years. Nor did the EMS Government continue. It is no longer valid to argue that CPM should be allowed to run the Government. Mr. Nayanar could not run the Government. Even the Muslim League was not supporting him. Therefore, there is no point in arguing on technical basis that the Opposition should have been given an opportunity. How long this *see-saw* business will go on there. Therefore, the Governor is justified in dissolving the Assembly and recommending the imposition of the President's rule. I have been following the history of Kerala all these years since I have been in Parliament from 1957. One Ministry comes to power and then goes out of power. It has become a regular feature of Kerala's politics. Therefore, time is ripe for the political parties to realise that there should be stability in the State so that there could be economic progress. Kerala is one of the progressive States in the Indian Union. People are very literate and their percentage of literacy is very high. People are hard working and the economy of Kerala is on a sound basis. But people cannot develop or grow their economy unless and until political stability is there. Therefore, there is no good for CPM Members in this House arguing that they should have been allowed. They cannot function; there is no support in the Assembly. There is no other political party to support. The political history of India shows that no coalition Government, even of two Parties, was not able to last long. In Orissa, there was a coalition Government earlier but it did not last long. Therefore, it had to be dissolved and it had to go to poll again. In Kerala, the multi-party coalition, the Left

United Front, consists of so many groups. Can they continue long? Can there be an agreement on economic policies, let alone the political ideologies?

SHRI K. P. UNNIKRISHNAN: Your friend had 12 parties.

SHRI JAGANNATH RAO: When I justify the action of the Governor, I say the multi-party coalition will not be a success in any State and, therefore, the Governor had no option. He was well justified in exercising her discretion because of the past experience he had of Kerala politics. She did not agree to the demand of the Opposition.

A member of the Mani-Group who resigned from the ruling front first said, he will sit as an Independent and then he goes to the Governor and says, he supports the Opposition. How could the Governor act on such conduct of a member who is not steady? He does not know where he would be today he is here, on this Bench and tomorrow, he goes to another Bench. Therefore, the politics in Kerala is very much vitiated and it is high time that the people of Kerala, including all the political parties, realise that there should be political stability. The coalition will not function anyway in any State, more so in Kerala, because there is the multi-party coalition.

I have nothing more to say on the Budget because it is a Vote on Account. The Central Government takes a general view of all the States while developing the national economy. Kerala also stands to gain. There is no discrimination against Kerala simply because it was led by the CPM Ministry. It is not so; that has not been the case. It is no good saying that Kerala is being discriminated against. There is import of coconut oil; there is import of rubber. The import is not to harm Kerala's economy, but to stabilise Indian economy. We are importing and then exporting. Cashew we are importing from Africa and then we are processing and exporting. It is a continuous process in the national interest, not merely with a view to harm Kerala's economy.

[Shri Jagannath Rao]

I appeal to the members of the Opposition to support the Proclamation because the Governor was justified in sending the report and the President was justified in issuing the Proclamation, to take over the administration of Kerala, so that the Parliament has the jurisdiction over Kerala and the Vote on Account has to be passed.

SHRI RAM JETHMALANI (Bombay North West): Mr. Deputy-Speaker, Sir, there is one thing in the current situation with which I heartily agree that the legislature of Kerala ought to have been dissolved and has been rightly dissolved. But my grievance is not that the legislature of Kerala has been dissolved. My grievance is that this legislature ought to have been dissolved in October, 1981. It was kept alive for an oblique purpose and that oblique purpose raises questions of grave public propriety.

The Karunakaran Ministry came into existence on the 28th December, 1981. The non-dissolution of the Assembly from the 21st October, 1981 had given it more than two months to carry on nefarious horse-trading and to muster up, any confure up an artificial immoral majority. I have always wondered why the outgoing Nayanar Ministry did not advise the Governor to dissolve the legislature. When I made discreet enquiries from my friends, I was told that they committed a somewhat obvious mistake: they forgot to tender this advice at the proper time. That only shows that the Ministry and its outgoing Chief Minister were somewhat inadequate to the task in hand.

My Party stands in a somewhat unique position in that State. Without being offensive, I might say that we are really caught between the devil and the deep sea. On the one hand, we have our friends, the Communist parties and, on the other hand, we have the Congress-I, the ruling party. But I must acknowledge that between the two, we perhaps consider the Congress-I a much greater evil. Both of them are sold out to Moscow. But one thing in favour of my communist friends

is, here they at least acknowledge openly, they do not deny, and, on the other side, there is a pretence maintained, a camouflage and a smoke-screen maintained, by an occasional flirtation with the West. At least, with the Communists, we know where they stand and we know how to deal with them.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI P. VENKATASUBBAIAH): What a fine argument!

SHRI RAM JETHMALANI: Both are enemies of democracy. But one thing in favour the Communists is that they will destroy democracy in the future, in the unlikely event of their coming into power, but Cong. (I) are in power and they will destroy it in the present. We propose to deal with the current menace. And that is why, I said, we perhaps prefer the deep sea to the devil.

The question that arises is: What is the conduct of the Governor of Kerala? The Governor of Kerala surely knew the permutations and combinations as they existed in the State, in October, 1981, and yet the Governor refused to take the only wise and statesman like and moral action that ought to have been taken, namely, to dissolve the legislature and ask for a fresh mandate from the people at that time. The same Governor with full knowledge of the facts, by manoeuvring and manipulations, refused to dissolve the legislature with the result that a Ministry ultimately came into existence, a Ministry which was conceived in sin and which ultimately died in sin. They conjured up that majority by engineering immoral political defections and they have ultimately gone out of office by the same kind of immoral defections with which they got into office. So, their birth and death were both sinful and one cannot shed a single tear for them. I am glad, they are gone and, I am glad, the way they have gone is something which they deserve.

The same Governor who was quite happy with finding that there is a possibility of a viable Government with 70 : 70 division and the Speaker hanging in the middle, suddenly developed a new idea of arithmetic. The Governor's report says that the Karunakaran Ministry, with the exit of one gentleman whose name is mentioned—I hold no brief and no particular admiration for that gentleman—there are 69 persons in the United Democratic Front which is the ruling combination in the State. If there are 69 on this side, it is obvious that there are 71 on the other side. So, this Governor considers now that 71 members cannot be invited to form a Government whereas with a lesser majority, the same Governor had concluded that a viable Government was possible. This is a kind of double-standard which we compel our Governors to resort to with the result that ultimately what suffers is public morality; we keep setting up bad precedents in this country and we reduce our Governors to robots, to automations, to mindless morons, who have no loyalty to the Constitution and its spirit, but they have only loyalty to those who appoint them and put them into the position of power.

SHRI P. VENKATASUBBAIAH: You know Smt. Jyoti Venkatachalam is a very respected lady and she was also appointed by this Government as Governor and what reputation she enjoys. I only hope Shri Ram Jethmalani bears with me. When we impute any mala fide intention to the Government, the Governor can act in his discretion, according to the Constitution.

SHRIMATI SUSEELA GOPALAN (Alleppey): He wants expunction.

SHRI RAM JETHMALANI: I am assuming in favour of the distinguished lady that the Janata Government believed her to be a lady of good political character and having believed that she was a lady of good political character, we never put her to any political misuse. The test of the pudding is in the eating. The test is that when she is asked by her new bosses to embark upon an immoral political ven-

ture of this kind, she stands up to it or not.

SHRI P. VENKATASUBBAIAH: She is most entitled.

SHRI RAM JETHMALANI: We did not put her to such test. They put them to such tests. However, the sound political action by a Governor emerges from the co-existence of two factors. One is the political character of the Governor and the second is the political character of the Cabinet at the Centre which rules for the time being.

(Interruptions)

PROF. P. J. KURIEN (Mavelikara): Governor's name is mentioned and allegations are made. She is not present here to answer. That should be expunged.

MR. DEPUTY-SPEAKER: I will go through the record.

SHRI RAM JETHMALANI: We are dealing with the Governor's action in recommending the dissolution.

PROF. P. J. KURIEN: No, no. You are not talking of the Constitution. I think that you are simply putting a mala fide allegation on the person of Governor.

AN HON. MEMBER: The Governor is following double standards.

MR. DEPUTY-SPEAKER: I will go through the record.

SHRI RAM JETHMALANI: There is nothing to go through the record. I am entitled to say that the Governor in October, 1981, believed that 70:70 was viable but 69:71 in 1982, is not. Read the report of the Governor. I do not speak until I read my documents. Now, let me say this. I believe as a student of Constitutional law that every outgoing Chief Minister has the right to recommend the dissolution of the Legislature. Even a Chief Minister who has lost the confidence of his Legislature is entitled to appeal to the political sovereign over the head of the legal sovereign and advise dissolution and the Governor is bound to

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act in accordance with that advice. Therefore, I am quite convinced in my mind that whatever might be my differences with Mr. Karunakaran's Ministry and whatever be my opinion about its immoral birth and its equally immoral death, the Governor was bound to dissolve the Legislature and he has the Constitutional right to advise dissolution and the Governor, in following that advice, did not act wrongly. But the Governor let the cat out of the bag for she adds one additional reason for having embarked upon that course of action. If she had said that reason number one, namely Mr. Karunakaran has met me today and has conveyed to me the recommendation of the Council of Ministers that the State Legislature should be dissolved and I am, accepting that resignation and proceeding to dissolve the Legislature, I would have no grievance against her action, because Mr. Karunakaran was the Chief Minister, constitutionally competent to advise dissolution. But she proceeds further, 'I am personally satisfied that there is no possibility of forming an alternative, viable and stable Ministry'. Now this statement is factually wrong, in fact, it is so wrong that, I would say, that this is a departure from political rectitude and honesty, for the simple reason that she herself says that on 15th, she came to know about the defection of one Member which converted the majority from 70 to 69, reduced it by one, and then she said that on 17th Shri Karunakaran came and tendered his resignation. When did she make any attempt to call upon those who had a majority of 71 admittedly to form a Ministry and when did she test the viability and stability and strength of the new Ministry. Therefore, the statement is inspired, she could have rest content with the first ground, but the second ground lets the immoral political cat out of the bag and that only reflects the attitude of the Central Government.

Now this raises another serious query. Why is the Congress-I, anxious now to dissolve the Legislature, which it was not, only a few months ago. A few months ago the Governor never received such

advice to dissolve. But we have said that it is our suspicion and it is reasonable suspicion that you are terribly worried these days about the composition of the Rajya Sabha, you are worried about the strength of the ruling party in the Rajya Sabha, that you do not want.....  
(Interruptions)

You are worried about every seat because you want to muster up a majority of two-thirds in the Upper House with a view to carry out some nefarious Constitutional changes and amendments to the Constitution of India. We have expressed this suspicion. We have expressed this apprehension and unfortunately, nothing has been done to remove that suspicion and that suspicion, therefore, continues unabated, now in a very accentuated form.

When the motion of thanks to the President was being debated in this House, Prof. N. G. Ranga and Shri H. K. L. Bhagat made a fervent appeal for Opposition's cooperation and on that day, I, as the first speaker on the Opposition side, had got up and said that "We will give to this Government more cooperation than they want. We will give them so much cooperation that they will feel embarrassed". But, we said, "you must perform certain conditions". And I said The first condition was that". Put at rest all the apprehensions of the Opposition and tell the Opposition in forthright, clear and unambiguous terms that you have no intention to tinker with the Constitution and with the Parliamentary form of Government which that great galaxy of statesmen gave to us, that great galaxy of statesmen at whose feet we are not fit to sit and it is a Constitution and a form of Government forged by intellectual giants and, small pigmies in this country today are trying to tinker with the work, with the monumental work of those great men and, they are doing it because they want to camouflage the consequences of their corruption and incompetence. You want other forms in which there will be less scrutiny, less questioning, less exposure of your fraud



and of your misdeeds. The Prime Minister in her reply, all that she could say was that "Yes, the Opposition has now offered us cooperation." And one Member, in fact, put conditions. I am glad that he did not say that his friends should be in the Cabinet before he will cooperate."

If the P.M. wants to praise herself, I have no objection. The Prime Minister is entitled to flatter herself by thinking that "I am prepared to go there like some people who have gone from here."

I can say this that even if my Party comes into power, I shall not become either a Minister or Prime Minister either, because I have better things to do in life.

But if Prime Minister should flatter herself that we are offering cooperation and that we want some seats in her Cabinet, let her understand that we are offering to cooperate only because we find that the problems of the country are not capable of being solved with the kind of talent which you have mustered and in the interests of national progress and in the interests of the country's good, we are prepared to cooperate with you and sit and help you to solve your problems which it is not the normal function of the Opposition.

The part of the Opposition is to point out your incompetence and your misdeeds.

Sardar Zail Singh in his reply to the debate to the Home Ministry's Grants on the 24th, the other day did try to tell us that those people who are apprehending Constitutional changes in this country are living in a world of illusions. He said that there is some *Bharam* in their mind and he wanted to remove it and I wish I could take Sardar Zail Singh seriously because he is in the habit of making irresponsible statements.

When we come to the debate on Assam, I will point out that on a certain day in May last year, in some place in Rajasthan, he said that "Assam problem is solved. I have already found out 3,10,000

illegal immigrants and I am taking steps to remove them." Within seven days, in the same State, he went to another city and he said that "Assam problem is now completely solved. All the 3,10,000 immigrants are already sent out of the country and there is no problem." And there is no such problem. His statements are irresponsible statements and, therefore, I wish I can attach a little more credibility to his statements. But why does the Prime Minister leave this kind of apprehensions to be resolved by others; why does she leave it to Sardar Giani Zail Singh to resolve them? Why does she not make a forthright statement, if not here, at least in England where she is beginning now to swear by democracy?  
.....

MR. DEPUTY-SPEAKER: She has returned.

SHRI RAM JETHMALANI: She was there. I read her statement, the last statement this morning. She could have said at least there that 'I have no intention of ever making myself into any kind of President'. Everytime we hear questions being asked. The other day somebody asked a question—Do you consider the Presidential form of Government undemocratic? If Mrs. Gandhi declared, 'I want the Reagan type of government.', may be the intellectuals of this country will think. But my suspicion has always been that she is thinking of the Idi Amin type of government and that is a form of government which we cannot possibly support.

You have asked us to vote these grants with which you have come forward. I said before and I shall repeat it that this is a fraud on the financial control of Parliament. It is a fraud on democracy. It is a fraud on the provisions which have been very meticulously forged and put into the Constitution for preserving the financial control of Parliament over the executive's expenses. We are literally being asked to commit a breach of trust with people's money. For example, if you say that we claim a crore of rupees for Police, under the heading of Police we want to know whether it is for giving them additional amenities or improving

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the Marxists. There were very serious difficulties of education and living or if you want to increase the strength of the Police force and give them guns for the purpose of killing people and so on. So on these points complete information is necessary and without any complete information of that kind it is a matter on which it is impossible for us to vote rationally. Therefore, we know that today you have put us in a situation in which a vote on account has got to be passed; otherwise there is going to be a chaos. You will pass it with your majority but we shall, in this side of the House, sit in dissatisfaction, in frustration, in agony and tell you, 'Go ahead, Godspeed to you but you shall not do it with our vote.'

SHRI V S VIJAYARAGHAVAN (Palghat): Mr. Deputy-Speaker Sir, I wholeheartedly support the Presidential proclamation and the vote on account in respect of Kerala. If you look at the history of Kerala since independence, you would find that my friends sitting in the opposition got opportunities thrice to run the administration of Kerala. On all these occasions they could not complete the term. After the reorganisation of Kerala in 1956, election was held to the State Assembly in 1957 in which the Communist party got majority and a Government under the Chiefministership of Elankulathu Menakkal Brahmashree Sankaran Namboodripad assumed office. But before long that Government had to go out of office as a result of a mass upsurge. They say that it was dismissed by the Central Government. What actually happened was that they met the late lamented Panditji and begged him to dismiss them as they were unable to face the public uprising. Again they were given an opportunity in 1957. They fought the election as a united front and were swept to power with a massive majority. But that United Front too could not carry on for long. Serious differences cropped up among the constituent parties on many issues. In-fighting assumed menacing proportions. Allegations and counter allega-

tions against each other freely traded inside the Assembly and outside. Ultimately, that united front also collapsed in 1969. After that Shri Achuta Menon of the CPI became the Chief Minister with the support of the Congress party. Shri Achuta Menon was not a member of the Kerala Assembly. Although he had said in the beginning that there cannot be a Government with the help of the Congress he had to seek the support of the Congress leader Shri K. Karunakaran to form the Ministry. That Ministry continued upto 1970. In the election that was held in 1970, the United front with the Congress party as a major partner romped home. The Government assumed office with Shri Achuta Menon as Chief Minister. It is a well known fact that that United Front could not only complete the full term of five years but could continue in office even after that. In the subsequent election also the United Front in which the Congress party was a major partner, won a comfortable majority and came to power with Shri Karunakaran as the Chief Minister. Unfortunately, he could not continue as Chief Minister and resigned in order to prove his innocence before the court. Now, we know that happened in 1980. The Left Democratic Front came to power, with Shri Nayanar as Chief Minister. The LDF got 93 members in an Assembly of 140 members. Again they could not continue for long. The whole world knows why they could not continue in power and complete the term. The Central Government certainly did not intervene. There was no intervention on the part of Congress too. But the LDF collapsed because Mr. Nayanar the Chief Minister could not exercise any control over his Ministers and constituent units of the United Front. What is more even a person like Shri Achuta Menon who belonged to one of the constituents of the LDF has to say that the 17 ministers of the Nayanar Ministry were 17 different Cabinets. It was a Ministry which had given a go-by to the principle of collective responsibility. The constituent units felt insecure in the company of



ferences among them. Ultimately the Congress-S and the Kerala Congress had to come out of the Government. That was a period of political murders (*interruption*). In spite of the fact that the LDF had a massive majority they could not carry on. Law and order collapsed. Political murders became the order of the day. Situation became so serious that even a member of the Marxists party elected from Telichery constituency felt himself so insecure that he was afraid to walk in the street freely. The United front partners could not move about without the fear of violence. There were many political murders. It was then that the Congress under the leadership of Shri Anthony and Kerala Congress of Mr. K. M. Mani came out of the United Front. (*Interruption*). You can speak when you get the chance. Why do you interrupt me? Either you allow me to speak or I will wait till you have spoken. Sir, what I was saying was that political murder was the order of the day. I do not want to reel out the statistics. Churches and temples were plundered and looted. Thus the law and order machinery totally collapsed. Everyone would admit that during the time of Nayanar and T. K. Ramakrishnan human life had no value in Kerala. After they went out of office a popular Government came to power with Shri K. Karunakaran as the Chief Minister. My friends in the opposition kept up the refrain that the Karunakaran Ministry did not enjoy majority support in the Assembly. But majority has to be proved not in the streets but on the floor of the Assembly. Majority was proved there. The opposition brought a no-confidence motion against the Speaker. That too was rejected. Having met with failure on all fronts they became so desperate that they resorted to horse-trading ultimately. My friend Shri Imbichibava is sitting there, he said that the Centre has intervened in Kerala. I would like to ask him whether it was not his party which indulged in horse-trading and got Shri Nambadon to their side (*Interruption*). The Marxist party was talking about the casting vote. But after the defection of Shri Nambadon, why did not they think about casting vote? Today, they are running wild in the streets of Kerala because they were

not invited to form the Government. They are indeed a frustrated lot, because they could not run the Government and had to resign and go out. What can be done about it. So Sir, I heartily welcome the Governor's action in dissolving the Assembly. She did not encourage house-trading. The Government has taken a perfectly constitutional step. It is no use barking up the wrong tree. Once having got majority they could not carry on. I would ask you why you could not carry on. The Assembly was going to meet in a few days time. They could have brought a no-confidence motion in the Assembly. They could have opposed the budget in the Assembly. My friends are saying that the Assembly was dissolved just before the elections to the Rajya Sabha was due to be held. Why did not you wait till the elections? If you had majority you could have won two seats. But you did not wait till that. The reason is that you had the apprehension that when the Assembly met three from the opposition would come over to the side of ruling front. That is why you were in a hurry to resort to horse-trading. The Governor's action has put cold water on your plan. I wholeheartedly support her action.

History has proved that the Communist party could not provide stability in Kerala even though they got comfortable majority. So far as political stability is concerned, it is only when there was a Government with Congress party as a partner that Kerala got stability and progress. Only the Congress-supported United Front Government completed the full term. First it was the late Shri R. Shankar and his Ministry which completed 4 1/2 years in the early part of 1960's. During this period many important welfare measures were taken. Pension schemes for widows, destitutes and handicapped were initiated for the first time. This period also marked the beginning of legislations concerning agrarian relations in Kerala. The Government headed by Shri Achuta Menon in which the Indian National Congress was a major partner later on initiated land reforms in a significant way. Thus, any-

[Shri V. S. Vijayaraghvan]

one who knows the preliminary lessons of post-independent political history of Kerala could see that it was only a Congress backed Government which brought about significant progressive welfare measures in Kerala. Nobody can deny that. Therefore, in future also only a Government in which the Congress party has a major role will be able to provide stability in Kerala. I challenge my friends in the opposition to come to the political Kurukshetra. Let us see, who wins and who loses. I want to declare with all emphasis at my command that the United Democratic Front will come to power in Kerala with a massive majority in the coming election. Let there be no doubt about it in any one's mind.

Sir, I want to say a word or two about the Kerala budget. Although Kerala demanded a higher plan outlay this year it has not been given. They demanded Rs. 305 crores but were given only Rs. 275 crores which was the amount sanctioned last year. This is enough to meet the plan requirements of Kerala. Therefore, I request the hon. Minister to raise the plan outlay. Kerala is a State which is contributing a very large share of our foreign exchange. Unemployment among educated men and women in Kerala is very acute. In order to provide them with employment more industries should be set up. More Central investment is required for this. My request is that this problem should be taken seriously. Similarly, in respect of railway development Kerala is lagging far behind. The national average is 10 Kms. of railway line for one lakh of population whereas Kerala has got only 4 Kms of line for one lakh of population. This situation should not be allowed to continue. I would remind the hon. Minister about the need of setting up a coach factory in Palghat. I also want that Palghat should be declared as a backward district. Similarly, I demand that a naval academy be set up in Ezhimala. During Nayanar's time the industrial climate was hardly conducive to industrial development. Now that it has changed new industries should be set up. I do not want to take much of your time.

In fact, I want to give more chance to the opposition. The requirements of rice in Kerala should be met fully. (*Interruption*). Yes, Kerala is a part of India. Otherwise, how can Mr. Balanandan and me be sitting here (*Interruption*). Yes, I know that you had no loyalty towards your own country. That is why you are thinking in those terms. My only request is that you must be loyal to your motherland and not to some foreign country. You must think that Kerala is a part of India. Sir, I do not want to say anything more on that. Kerala's requirements must be fully met (*Interruption*). I challenge my friend Mr. Unnikrishnan. Let us see whether his party will be there in the Assembly at all after the next election (*Interruption*). Yes, Neelam's party has fortunately no representation in the assembly. I challenge them to meet in the political Kurukshetra.

Sir, once again I support the proclamation and the budget.

MR. DEPUTY-SPEAKER: Shri K. A. Rajan. Your party is given 5 minutes. (*Interruptions*)

MR. DEPUTY-SPEAKER: The time allotted is there; I have to announce it.

SHRI K. P. UNNIKRISHNAN: He has not spoken on the Budget.

MR. DEPUTY-SPEAKER: Why do you waste his time. I know he will always obey the Chair. Shri K. A. Rajan: Please be brief:

SHRI K. A. RAJAN (Trichur): Sir, I stand to oppose this Resolution tooth and nail. It is, in all respects, immoral, illegal and unconstitutional. While I oppose this Resolution, I may say, I am very glad that the Karunakaran Ministry which came by the back-door with a minority had its natural, premature and immoral death. The day he was installed as the Chief Minister of the State, he was just requested to go on continuing and holding his power in order to pass the vote on account and conduct the new elections in the State. But unfortunately the game did not work. That is why those people are

very much perturbed or worried or just derailing from the very point which we are discussing here. On 17th March, Karunakaran Ministry had to resign. What was the position in the numerical strength of the Assembly? It was quite clear that he had to resign because he was in minority. If you go through the history of the whole democratic process that has been working in the country, you will find that there has never been any deviation from the democratic norms followed in the country. Unfortunately, when the Nayanar Ministry resigned, because it lost the majority, what happened? What was the step taken by the Governor? At that time, it was quite clear that there were 67 Members on the Opposition side. But when Mr. Nayanar resigned, the Assembly was kept in suspended animation. If you look into the various circumstances or the instances, in this country, where non-Congress-I Government quit or resigned, you would know what was the step taken by the Governor. The Assembly was kept in suspended animation for some time. But now when the question of Congress-I Ministry which had to resign, came what step did the Centre take? They dissolved the Assembly. There are so many instances. Why do they adopt different yardsticks? I am not at all worried about what is going to happen in Kerala after the elections. We are not worried about the dissolution also. The point is when at the first instance the Nayanar Ministry quit, he had demanded dissolution of the Assembly and fresh elections in the State. But that was not acceded to. That is not the main problem. The main problem is something else. It is not the question whether we are throwing mud against each other. The question is the fundamental principle that is involved in the democratic set up of this country. There need not be any illusion on the ruling party side. The time is changed now. Not a single party can rule over any State for a certain period of time. That time has gone. Just before the dissolution of the Kerala Assembly, you had formed a coalition Government there. So, we are asking that under the new democratic set-up you have to observe strictly the democratic principles and norms and unless you observe them, it will boome-

rang on you after some time. That is what is going on in other States. What is happening in the States where the Congress-I party is in power? What is happening in Andhra Pradesh? Even within your party, there are so many people who are pulling the legs of your own party Members. Instead of indulging in mud-slinging business, you should think twice, before you say anything about the other parties or what is going on inside your own party.

Sir, our demand was that the Assembly should have been dissolved when Mr. Nayanar quit the Government. He also advised the Governor for the dissolution of the Assembly. But what did they do? It was kept under suspended animation and enough time was given for horse-trading and if you say now that the horse trading would start, that would be wrong to say so. You were in power for 80 days but unfortunately you could not stick on. Never in the history of the country it has happened that the Speaker, sitting in the Chair, had to act as a traffic Police Head Constable conduct the traffic in a busy junction and save the Government. That was a pathetic state we had to watch in Kerala.

Sir, now I am convinced on one point that there should be some accepted principles and norms in all these things. The ruling party with all its power and strength at the Centre should not try to over-rule or bypass the accepted democratic principles and adopt some unfair and illegal practices and make the Governor play in the hands of the ruling party at the Centre. This has happened not only with regard to Kerala, but it has happened with regard to Assam also. In Kerala you have not given even a chance to the opposition parties a try to form the Ministry. That is why we are opposing this Resolution. That is why we are very much concerned with these happenings. We are not worried about the outcome of the elections. You have accused certain political parties in the country. That should not be done. Before I conclude I would like to make one or two points in this House. I am not very much bothered about whether Kerala is under the President's rule or any other party comes to power. All I want to say is that the traditional indus-

[Shri K. A. Rajan]

tries of Kerala are in doldrums at the moment. The major traditional industry of Kerala that is, Coir, which employs thousands and thousands of workers are really facing crisis because large stocks of goods have been accumulated and I would request the Finance Minister to see that immediate steps are taken for lifting these accumulated stocks so that the industry could continue running and the workers are engaged uninterrupted. It regard to the Cashew Industry which employer about 1-1/2 lakhs of workers the Government has adopted the canalisation policy with which we differ and this policy has caused a great havoc to the industry and most of the workers are already starving. I would request the Government to provide some relief to them and take some relief measures so that the Cashew industry is saved.

Sir, the economy of Kerala is in difficulty. You know that Kerala is mainly dependent on agricultural economy. The main agricultural products of Kerala are cocount, rubber, cocoa, cashew, etc. The present import policy is against the interest of Kerala State. The import policy of the Government is against the assurances given by the Prime Minister on the floor of the House. Now, coconut oil is being imported, rubber is being imported, cocoa is being imported. It is done to the detriment of the States economy and the very existence of Kerala people. I would like to draw the attention of the hon. Finance Minister to the fact that unless you take steps to ameliorate the conditions of the workers and unless you take steps to stop the present import policy which goes against the interest of Kerala, the whole economy of the State would be ruined and the workers would be thrown out of jobs. The present policy is really creating a havoc to the whole people of the State and I hope that the hon. Minister and the Government will see to it that immediate steps are taken to ameliorate the conditions of the poor people of Kerala and stop the present import policy for the sake of the Kerala State.

SHRI K. P. UNNIKRISHNAN (Badagara): Mr. Deputy-Speaker, Sir,

while rising to oppose the motion for approval of the Presidential Proclamation relating to the State of Kerala and to the various proposals which are supposed to have been made in the so-called Budget, which my friend Mr. Pranab Mukherjee has laid on the Table of the House, I want to say something to the points which have been raised in this debate regarding the Presidential Proclamation.

Sir, it is very significant that both the Members who spoke from the Treasury Benches did not mourn the death of or early demise of their own Karunakaran Government. I know that at least some of them have felt about it. It is very important because, as my friend, Mr. Ram Jethmalani referred to, this whole Government which is a disgraceful episode in the whole parliamentary history of Kerala was not only conceived in sin but it is a result of the political metamorphosis which I have referred to here. Little did I imagine that I have to refer to this or at any time I would have to say anything about this because it involves a very dear friend of mine, I will consider him to be one of my closest personal friends in life—Mr. Antony. It was a plain defection of this gentleman and his group by which he transformed and added new dimensions to the theory of 'Ayarams' and 'Gayarams' and himself became 'Antonyram' and it was this metamorphosis which brought about a change in the Government, the betrayal of a promise that was given to the people of Kerala when we joined the Left Democratic Front. While I do not want to go into the details...

PROF. P. J. KURIEN: Out of 22 MLAs...

SHRI K. P. UNNIKRISHNAN: I am not yielding... (Interruptions)

MR. DEPUTY-SPEAKER: You note down his points and reply them later when you speak.



PROF. P. J. KURIEN: He does not yield to reason, what can I do?

SHRI K. P. UNNIKRISHNAN: Reason according to him! Is it the reason to remain in power or share the crumbs of power? This is a very important reason; I do concede. If that is your reason, I have no quarrel with it. By all means, have a share in power, I have no quarrel. If that is what Mr. Antony want I have no quarrel. I am not talking of you or your friends in the Kerala Legislative Assembly. Let him say so; I have no quarrel. It will be very good.

The process of Ayaram, Gayaram and Antonyram has completely changed the political landscape of Kerala from what it was in 1980. It is very significant that the 1980 Assembly election took place in Kerala after Shrimati Indira Gandhi had come back to power here with a massive mandate again and she had visited over 70 to 80 constituencies in a whistle-stop tour from district to district, constituency to constituency, but still the electorates of Kerala rejected her because they believed that the Left Democratic Front would survive. One of the most important assurances given on the eve of that election was, that not only they would fight for elections together, but they stood for certain things. I do not know, where you stand in relation to that programme, and where do you stand in relation to that theory which had been widely discussed in public meetings, not privately, that Shrimati Gandhi stood for authoritarianism? Do they still believe in that? Do they still uphold that? Or do they say that she has changed her ways? I have no quarrel, if you have changed. Now, that was the beginning of horse trading. I do not want to go into the details since I do not have the time.

It is important to remember that we in Congress accepted in Kerala the slogan of Left Democratic Front in our conference in Ernakulam in 1978. Shrimati Indira Gandhi was in opposition, then, she was not in power. If

she was a threat to democratic processes in 1978, when she was in opposition, now that she has become the Prime Minister and has the monopoly of power in Union and States, has she ceased to be a threat to the democratic processes, by which you swore till the other day? That is why, I am sorry to characterise that this is playing defection. It is the result of this defection, when it began. Even then they did not have a majority. Shri Karunakaran kept on telling everybody that they had a majority. Some of us asked him: "Where is your number? Would you please tell us the number?" But the Governor was satisfied under Article 164 of the Constitution. Government's satisfaction is subjective, but it has to be a normal satisfaction. Nobody who understood any arithmetic, leave alone the political arithmetic, knew that they had any majority. A Government, as Shri Ram Jethmalani put it, was conceived in sin and was installed without any majority as subsequent developments and speeches of the Janata Party leaders themselves show that they had no majority. It survived with a kind of instrument that my another friend, Shri Jose used, as the Speaker, that is his casting vote, by which he has been reduced, unfortunately, to a footnote in parliamentary history. It survived from day to day, hour to hour, till Mr. Nambadan pulled the carpet. Then again is the question of Governor's satisfaction. Did the Governor think when Mr. Karunakaran advised her that he had a majority and his advice for dissolution of the Assembly was valid? That is the question that I want to pose. Was it not relevant for the Governor to accept his advice? If it was relevant, it is to be clarified how she accepted it? It is a clear instance of a well set pattern that has been settled, whether it is in Assam or in Kerala, Assam will be discussed later, that you can only have the Governments which the Centre decides you will have in the States. The question of majority or minority has become an irrelevant factor and the Governors have been reduced to the levels of abject instruments for misuse of authority and power and constitutional provisions.



[Shri K. P. Unnikrishnan]

That is what we have witnessed in Kerala. The question was did the Governor consult the Opposition? I am not saying anybody claimed, but the normal democratic norm is that she would have called Mr. Nayanar and said what do you feel about it? I say this because he is the gentleman who had crossed over and clearly said that he was going to sit in the Opposition; and that is why the political arithmetic changed.

Now another question I want to raise before I go to the question of Budget, is the question that there was a Notification under the Representation of People's Act regarding the Rajya Sabha election issued on 17th of March even when nominations had been filed....

SHRI EBRAHIM SULAIMAN SAIT: (Manjeri): Not filed.

SHRI K.P. UNNIKRIISHNAN: Oh, yes, Mr. Sait, filed. And the scrutiny was also held.

SHRI EBRAHIM SULAIMAN SAIT: No, no.

SHRI K.P. UNNIKRIISHNAN: what no, no? Please don't interrupt. Check the facts. Scrutiny was held in the Secretariat of the Assembly of Kerala on 17th morning in the forenoon before the Governor issued the Proclamation under Article 174. A scrutiny was held and valid candidates were there in the field for the Rajya Sabha on the 17th of March in the forenoon. And in the evening, to subvert the whole electoral process as conceived in the Representation of the People's Act as well in the Constitution, because they would have lost the seat had the Declaration been made...

श्री गिरधारी लाल व्यास (भीलवाड़ा) : दूसरी बात गलत है ।

श्री के. पी. उन्नीकृष्णन : गलत क्या है ? सच बोल रहा हूँ ।  
I will resign my seat if that is not proved. Put it on the table of the House. What are you talking? (Interruptions)

14 hrs.

Therefore, my contention is that this not only violates certain norms regarding the conduct of the Governor, but it really violates the need for Representation in the Rajya Sabha and which had gone through the electoral process already. It was already initiated. Notification, acceptance of nominations and scrutiny, after all these three process had been gone through, the Governor issues a Proclamation under Article 174 the same evening, obviously at the instance of the Union Home Minister, Giani Zail Singh. So, I charge the Union Home Minister. Whether he is innocent or otherwise of the small niceties as I saw the other day in relation to his reference to the late Nazi, dictator, is another thing. He may be innocent about many things. Somebody might be saying please sign it, well it is necessary for us, for the party. But this is how it has happened. So, Sir, there has been a clear violation of not only the proprieties and constitutional provisions and so on.

MR. DEPUTY-SPEAKER: Please conclude.

SHRI K.P. UNNIKRIISHNAN: Sir, there is plenty of time.

MR. DEPUTY-SPEAKER: Time is plenty upto 12 O'Clock. But everybody is asking. You must also cooperate.

SHRI K.P. UNNIKRIISHNAN: So, I oppose this Motion for approval of this.

And as somebody has said we will see it in Kurukshetra. Certainly they have to. There is no means, unless you extend as you did earlier. Certainly we will see and we will certainly accept the verdict, whatever it is the electorate. But the point that I want to make here is that we have two clear Fronts in Kerala. One an enormous kind of Front that has been cooked up of 12 parties. It is not on the basis of any programme. What programme adjustment can there be between the NDP and the SRP on the question of job reservations? Will they accept any programme? Have they accepted it? What

unity can there be between the Josoph group, Mani group and the Kerala Congress? What unity can there be between my friend, Shri Sulaiman Sait's party and the NDP on the question of reservations? And if there is any agreement, we would like to know; we would like to be enlightened about it.

AN HON. MEMBER: What about Front?

SHRI K.P. UNNIKRISHNAN: Of course, we will go and go only if we accept (a) a code of conduct and (b) if there is a programme. On this there is no question. The whole State unfortunately has to go through these political vicissitudes. I hope this will end in the next election. I had an opportunity to talk to the former Prime Minister, Shri Morarji Desai once. He argued with me where is the poverty in Kerala? What are you talking about the poverty there? Is it that there is any poverty in Kerala? I wish the other States had the same poverty. That is what the former Prime Minister said. The present Prime Minister, although did not say these things, but the Centre's attitude towards Kerala is very much the same, whether it is in relation to industries or power or various other things. It is the same.

Now, I want to invite the attention of the House to a very significant factor. It is said that Kerala people have reached a high average middle class standard; so not much of attention need to be paid toward that State. Now, see, Sir, in the period between 1961 and 1981 according to the figures of the Planning Commission. In 1961, factory employment in Kerala was one lakh seventytwo thousand; and in Karanataka, it was one lakh seventyfive thousand and in Madhya Pradesh it was one lakh sixtynine thousand a difference of one or two thousands. In 1980-81, Kerala factory employment remains at two lakh ninetysix thousand, whereas in Karanataka it has jumped up to five lakhs fortyseven thousand—three times and in Madhya Pradesh to three lakhs thirtytwo thousands. Nothing is more revealing than this. Why has it doubled

and trebled in Madhya Pradesh and Karanataka respectively, whereas in Kerala it remains stagnant? That is an index of the progress we have made, not to speak of its comparison with Maharashtra, Tamil Nadu or Gujarat. That is in relation to this that our demand for a higher plan outlay acquires significance. Shri Vijayaraghavan said that we had asked for Rs. 310 crores or so and it remains at Rs. 275 crores. I find you have raised it to Rs. 294 crores. Well somebody told me this now. What is this Rs. 275 or even if it is Rs. 294 crores, if you go through the detail of these documents. If we had an opportunity to go through these in depth as we demand this morning, would have exposed the whole case and the attitude of the Centre towards Kerala.

Take for example the question of irrigation. Only 10.4 per cent of Kerala land is irrigated. And the allocation for irrigation in Kerala has been brought down from Rs. 20/- crores in 1981-82 to Rs. 18 crores in 1982-83. There is a peculiarity about our agriculture. I concede we are not good at production of cereals, because the land is intensively used for cash and plantation crops.

Now, I want to invite the attention of the Finance Minister, who was Commerce Minister earlier, to one thing. I know he knows the facts. In Kerala, every party, including his own has been demanding that import of coconut oil should be ended. In the last two years they have been making statements—even the Prime Minister has said earlier—that there are no imports. Occasionally she asks. 'Is there any import?' Very innocently twitting come remarks. But there have been imports—she knows—under RAP licence. What is the result? The result is that, in 1980, the price in Alleppy was Rs. 1840 for coconut oil and Rs. 1800 for coconut and now for coconuts it is less than Rs. 900—in two years—and around Rs. 1000 for coconut oil.

Now Kerala and coconut are not only intertwined in history, not only that we use the maximum of our land for coconut

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cultivation because Kerala itself is a land of koras as you are well aware—now, the coconut farmers have lost hundreds of crores of rupees—but as a result of land reforms everybody has a small plot of land, everybody is dependent on this as a cashing crop. Now, what is the response of the Centre? The response is to continue with these imports. He says that it has been in the pipeline—it is always in the pipeline—and it was done earlier. Even his own Kerala Karshaka Congress has asked for an inquiry. I know a gentleman, an official—I do not want to name him—a day before he retired ordered that these licences should be issued.

Similar is the fate of cocoa. Recently when I was there I found that people were thinking of cutting off cocoa plantation and trying to plant something else. I hear that the Bulgarian Government had given them an offer, but there has been no response from the Centre to this offer.

It is very important for Parliament to know what Kerala earns for the country—he might be better off with statistics; from coffee and tea more than a hundred crores of rupees, Rs. 30 to 40 crores from pepper, more than a hundred crores of rupees from marine food—probably it has reached bigger levels—from cashew, from coir, and so on. But what is the response to the hard-working agriculturists of Kerala from the Centre? It is only gestures like import of coconut oil, total neglect of cocoa and various other plantation crops and cuts in plan outlay.

Now a very subtle argument has been used 'what we are importing is the industrial grade of non-edible oil'. But the Customs knows, everybody knows, what is being imported. That is the attitude. The same thing is reflected in their attitude to traditional industries like coir, cashew and handlooms. I would also like him to go into the details of these questions and help the State to recover, far from our political differences.

The same is the case with infrastructure, whether it is railways or national highways. In the case of railways, Kerala is

one State which earns the maximum per density passenger traffic as well as revenue, but there has not been a single.....

MR. DEPUTY-SPEAKER: I think, it is not an election speech.

SHRI K. P. UNNIKRISHNAN: These are the issues to be raised if it is a Budget. I said that it was not, but still when you insist that it is, then I have to say all these. Not a single major railway project, even Kayangulam-Alleppey—Cochin line has not been taken up.

I will conclude after raising one or two small things. Take the question of power. What is the investment in this Budget, Plan or non-Plan? There is a myth going around that we are surplus in power. Technically or statistically, at the moment, it may be correct, but it is not true. When you want to emphasize on power development—in the Union Budget there is a very big outlay—what is that you are giving us, whether it is for Idikki, Phase-II or Puyathankutty or any other project? Six projects are waiting for clearance. So, that is where it is very unfortunate that I have to characterize this Budget as a Policeman's Budget. For Police, there is an increase in outlay—I would like to know from him why it is so—of Rs. 12 crores; and there has also been a corresponding increase in the outlays for jails. I don't have any quarrel. There should be facilities in jail. So, for Police and jails, there is a disproportionate increase. For irrigation there is a cut-down, and also for welfare measures.

The Prime Minister, as also the earlier Finance Minister have said that they have squandered money by giving pension to agricultural workers and allowance for the unemployed that is how the Left Democratic Government has behaved.

In conclusion, I say that whatever may be the electoral fortunes of any party, it is the duty of the Union Finance Minister also to attend to some of these pressing problems which, if unattended, can create an explosive situation not only for Kerala, but also for the country.

SHRI A. NEELALOHITHADASAN NADAR (Trivandrum): As a Member of this House representing the capital city of Kerala, I am rather worried that the President's rule has been imposed in Kerala at a time when its annual budget is to be discussed and passed. I put the whole blame for imposing the President's rule in Kerala, on the Congress (I) party and on the Central Government.

As Mr. Unnikrishnan has rightly pointed out, elections to the Kerala Legislative Assembly were held just after the Lok Sabha elections. Mrs. Gandhi returned to power, with the re-emergence of Indira Wave, as some of them may put it. (*Interruption*)

The first task Mrs. Gandhi had done after swearing herself in as the Prime Minister, was to go to Kerala and campaign for candidates of Congress (I) and its allies. As Mr. Unnikrishnan was pointing out, she was touring almost 100 constituencies; but I want to point out that when she toured Kerala for these candidates, she went to all temples—from Padmanabha Swami temple to Guruvayoor temple. She had gone to meet all the heads of churches and mosques and she had knelt down on her knees. Even after doing all these things, her party was able to catch only 17 seats in an Assembly having 140 elected representatives. As Mr. Unnikrishnan stated on the very day on which the Left Democratic Front Ministry was sworn in, the Congress leader Mr. Karunakaran announced at Trivandrum: "We will not allow this Ministry to continue for long. One Cabinet Minister, Mr. C. M. Stephen and the then Minister of State for Home Affairs, Mr. Makwana were deputed, for bringing down the Nayanar Ministry. If I am told correctly, even the Intelligence Wing of the Home Ministry and the Central Government Ministers were deputed there to persuade the people there to defect in order to bring down Nayanar's Ministry. Anyhow, that had happened. After the down-fall of the Ministry, when the Kerala Governor had summoned Mr. Karunakaran to form a Ministry, actually he was having the support of only 67 MLAs in a House of 141 Members. With the horse trading for a long time and horse trading un-

der the leadership of even Shrimati Indira Gandhi going there and giving leadership, they were able to manipulate the strength of only 69 elected members and had made it 70 with the support of one nominated member; and they had survived only because of the casting vote of the Speaker.

Mr. Jethmalani pointed out that this Ministry was formed and had gone down in sins. Nobody shed tears; not even the members of the Ruling Party. The Governor, who had summoned Mr. Karunakaran to form a government only when he was having the support of 67 MLAs, had not found out whether an alternative Ministry could be formed by the opposition who were having a clear support of 71 MLAs. That shows that the Governor of Kerala has been used by the Congress I Party, by the Central Government, as a tool to achieve their political motive.

The problem regarding coconut and rubber was also listed before the House. The import of coconut and rubber is done only in accordance with pro-IMF policy of this Government.

Tea industry in Kerala is also facing crisis. The relief announced by the Central Government regarding full rebate on excise duty on un-blended tea directly exported from the gardens may not benefit the Kerala Tea Industry, because the Kerala tea is mostly used for blending purposes. If this reduction is made for all tea produced in the gardens, only then the Kerala tea will be benefited. I demand such a change.

The unemployment is the main problem in Kerala. As you are all aware, Kerala young men and women are going not only throughout the country but also throughout the world for seeking employment. The industrialisation is the main solution for solving the problem of unemployment. But after independence, Kerala has been neglected in the matter of industrialisation. If this state of affairs continues even without any party politics, the people of Kerala will have a genuine feeling that the Kerala State is being neglected by the Centre. After this, we are going to discuss the budget



[Shri A. Neelalohithadasan Nadar]

of Assam. You know what is going on in Assam. I fear that if this state of affairs continues, this attitude of the Central Government continues,—I fear that—Assam may be repeated in Kerala in some other form.

MR. DEPUTY-SPEAKER: Yes, Please conclude.

SHRI A. NEELALOHITHADASAN NADAR: The traditional industries of Kerala, coir, cashew and handloom are in a very bad state of affairs. Coir industry case has already been explained by Shri Balanandan. A Cashew Development Scheme submitted in February 1979 to the Central Government is still in cold storage. I am told that already 28 persons of coir industry died due to hunger. Regarding cashew we are in need of raw nuts. Already the State Government headed by Shri Nayanar at that time had taken some initiative to have some cashew nut cultivation. I request the Central Government to finance the cultivation of chashew. Then, about handloom industry, on 24th August 1981 an all-Party delegation from Kerala submitted a memorandum to the Prime Minister. Members of Parliament from Kerala and the State Government of Kerala have taken up the issue, but nothing has so far been done. I am happy to bring to the notice of this House that the left Front Democratic Front Government headed by Mr. Nayanar had stated some important social welfare measures such as giving pension to agricultural labourers.

MR. DEPUTY-SPEAKER: That has already been mentioned.

SHRI A. NEELALOHITHADASAN NADAR: It was stopped by the minority Government of Karunakaran. I want this to be continued even from the Central Budget, if necessary.

We were having a well-defined public distribution system. As you may be aware, when the whole country was facing inflation and rise in prices, even during the time of festivals like Onam the Nayanar Government was able to distribute through fair price shops and stores all

consumer articles at reasonable prices to the people of Kerala to meet their minimum needs. Similary. (*Interruptions*).

MR. DEPUTY-SPEAKER: On some other occasion I will give you more time.

SHRI A. NEELALOHITHADASAN NADAR: This is the most important occasion as far as I am concerned.

MR. DEPUTY-SPEAKER: Assam is also coming.

SHRI A. NEELALOHITHADASAN NADAR: Assam Budget will not take much time. Sir, similarly, (*Interruptions*)

AN HON. MEMBER: We will also want more time.

SHRI A. NEELALOHITHADASAN NADAR: Assam has been discussed several times.

AN MON. MEMBER: No discrimination here.

MR. DEPUTY-SPEAKER: There are many Members from Kerala who want to speak.

SHRI A. NEELALOHITHADASAN NADAR: During the time of the Democratic Front Ministry the Fisheries Corporation has implemented many welfare programmes for fishermen, such as the scheme of assistance to fishermen for acquiring craft and gear, motorisation of country crafts, subsidised housing schemes, rehabilitating fishermen, developing Kovalam to Vizhigam fishing harbour area, installation of diesel bunks bus service for the fisherwomen, scheme of insurance and gratuity for fishermen... (*Interruptions*).

MR. DEPUTY-SPEAKER: Wherefrom are you reading them? Is it an election manifesto or what?

SHRI A. NEELALOHITHADASAN NADAR: Construction of fish lending centres, etc. These are the programmes which were implemented in Kerala under the Left Front Democratic Government.



MR. DEPUTY-SPEAKER: You conclude now... (*Interruptions*)

SHRI A. NEELALOHITHADASAN NADAR: I demand the continuance of these programmes and financial assistance from the Central Government for these programmes. And we had also formulated at that time, suggestions for the welfare of the fishermen, and suggested a scheme of assistance to have fish lending centres, scheme of assistance to fishermen for having cycle-bound fish vendors, electrification of fishermen's houses, scheme for providing latrines for fishermen, scheme for providing community amenities. I also demand implementation of these schemes.

MR. DEPUTY-SPEAKER: I am calling the next Member. I have waited enough.

SHRI A. NEELALOHITHADASAN NADAR: An Artisan Development Corporation has been formed in Kerala. Formerly, it was a scheme of crores of rupees. But I find that only one or two lakh of rupees are being allotted for this purpose. Similar welfare measures should be implemented for palm climbers and tappers. I demand clearance of some important projects of Kerala such as the second and third stages of development of Vizhingam fishing harbour, Vamanapuram irrigation project and a National Institute of Ayurveda at Trivendrum.

An important matter as far as Budget is concerned, is curtailment in expenditure. There is a demand for establishing a Bench of the Kerala High Court at Trivendrum. Thousands of rupees are being wasted as a mode of TA given to those officers of the State Government who go to Ernakulam for representing the State Government in the High Court. This can be avoided if a Bench of the Kerala High Court is established at Trivendrum with filing powers.

Mr. Arakal and others have said that whenever the Communist Party or the Marxist Party came to power, the Ministry had fallen. It is mis-quoting of history. The first Ministry of 1948 of old Travancore headed by Pattam Thianu Pillai had fallen when the Congress was

having an absolute majority in the Assembly....

MR. DEPUTY-SPEAKER: Now, you have to stop. Now, Mr. Banatwalla. (*Interruptions*).

SHRI G. M. BANATWALLA (Pannani): Sir, I rise in support of the motion for approving the Proclamation of the President.

MR. DEPUTY-SPEAKER: I had announced earlier that the Minister will reply at about 2.30 p.m. Since there are one or two speakers more, he will reply at 3 O'Clock.

SHRI G. M. BANATWALLA: Mr. Deputy-Speaker, Sir, the imposition of President's Rule in any State and the dissolution of the Assembly of that State is certainly not a happy occasion. It is not an occasion to rejoice, but the hard realities of the situation are that there was no other option. An objective assessment of the situation prevalent in Kerala and given the shifting loyalties that were there, leads to only one conclusion, an inescapable conclusion, that there was no option but to impose the President's rule and to dissolve the Legislative Assembly there. The criticism of this rightful course of action, I humbly submit, is borne out of the politics of expediency based on most unhealthy and abject aspirations.

Sir, it has been argued that the Governor ought to have explored the possibilities of an alternative Government. In the first place, no party seriously staked the claim to form an alternative Government. Moreover, the need is not merely for an alternative Government, but also for a stable and viable government, and that was what was under the consideration of even the founding fathers of our Constitution.

Sir, I refer to the Constituent Assembly debate Vol. IX, and at page 153 it was the honourable Shri K. Santhanam who had listed so many situations in which

[Shri G. M. Banatwalla]

there can be a constitutional break-down of machinery in a State. At one place he refers and says, and I quote:

"There may be political breakdown. This is a point which requires analysis. A political breakdown can happen when no Ministry can be formed or the Ministries that can be formed are so unstable that the Government actually breaks down."

Therefore, it is quite in accordance with the spirit of the Constitution that the Governor in Kerala suggested that the President's Rule should be imposed.

Sir, there is the talk about the Rajya Sabha election and therofe, it was argued that the Kerala Assembly ought not to have been dissolved. I must submit that there can be no elections to Rajya Sabha by a State Assembly on the eve of its own elections. When it had become very clear that no stable Ministry could be formed and when it had become very clear that the elections are necessary, then I submit that keeping the Assembly alive only for Rajya Sabha elections would have been a fraud on the electorate of Kerala and it would have amounted to surreptitiously depriving the people of Kerala of the opportunity to send to Rajya Sabha their rightful representatives through an Assembly constituted with their mandate. It is very strange that when the Nayanar Government fell, our Marxist friends and their allies argued that in view of the shifting loyalties in Kerala Assembly, the Kerala Assembly had lost its mandate. They have now come forward with the argument that the same Assembly, which according to them had lost the mandate, should also be allowed to send their representatives to the Rajya Sabha. Sir, I must submit that this is nothing but an exposition of the worst form of political immorality that could be found in our country.

Sir, I submit two important points further for the consideration of this House and the nation at large. There is a precedent of dissolution even after the Notification calling for Rajya Sabha

elections. In the case of Delhi, the Notification for Rajya Sabha elections was issued on March 11, 1980. But despite this notification, the Delhi Metropolitan Council was dissolved on March 21, 1980. Further, I must draw your attention to Section 12 of the Peoples Representation Act, 1951 which is with respect to notifications for elections to Rajya Sabha. The proviso that is there to Section 12 is very important.

"Provided that no notification under this Section shall be issued more than three months prior to the date on which the term of office of the retiring Members is due to expire."

This proviso clearly indicates the spirit of the Constitution, and our elections i.e. that no Assembly should hold elections to Rajya Sabha three months prior to the date of its own exit. In other words there should be no elections to Rajya Sabha if the Assembly is facing elections. In other words, there should be no elections to the Rajya Sabha on the eve of General Elections in a particular State. That is the spirit of the Constitution but of course I can understand that Marxists and their allies in their company can hardly understand the spirit of the Constitution. I must congratulate the Governor of Kerala for having acted in the enlightened interest of the people of Kerala and for having acted in the enlightened interests of the healthy conventions and the spirit of the Constitution.

A few words about the Budget and then I have done.

The year 1981-82 in Kerala is expected to end with a deficit of Rs. 84.52 crores. The present estimates that are there for the year 1982-83, put the overall deficit during the year at Rs. 1.28 crores. Contrast this projected estimate of Rs. 1.28 crores for 1982-83 with the estimate of deficit during 1981-82 at Rs. 84.52 crores; that shows the spending spree with which the Kerala Government that was there during the major part of the year was motivated. I am happy that the day of deliverance came to the people

of Kerala when the Nayanar Government failed. I am sure that the Marxists and their allies are having nothing but unrealistic dreams if they are thinking of coming to power.

I must also refer to an important point and that is with respect to Calicut Airport. This particular project has been hanging fire for the past sixty years. The Prime Minister had declared at Calicut that the work would commence in 1981 itself. I raised a question here in this House and in reply to my unstarred question I was told that the project is now ready and requires clearance of the Cabinet. Perhaps it requires the clearance of the Finance Ministry. I hope the Finance Minister will to-day get up and declare that clearance has been granted and commencement of the work will be there in April, 1982 this year itself.

We have the demands for grants before us and the vote on account. Here I would require your serious consideration that the vote on account is sought for the first six months of the financial year 1982-83. I submit it would have been more appropriate to have restricted the vote on account for a period of four months only. This would have been proper and in accordance with the usual practice over the year. I feel that asking the vote on account for a period of six months would be a little encroachment upon the rights of the newly elected Assembly which, I hope, would be elected in the near future. I must also emphasise upon the Government to prevail upon the Election Commission to see that the elections in Kerala are held as early as possible.

Sir, Kerala is faced with an important problem of sea erosion. In the last few decades, Kerala lost 3460 hectares of land due to erosion by sea. I, therefore, submit that this problem of sea erosion is as important as defending the land borders of our country. The problem is concerned with a population of 7 millions and who are the poorest section of the people. The Sixth Five Year Plan envisages a total provision of Rs. 45 crores for Kerala but only Rs. 11.40 crores has

been allotted as the outlay for the first two years of the Plan period. Hence, there is need for greater attention and higher allocation.

Sir, then, power projects also need greater attention especially at the present juncture of energy crisis. For this purpose, I will briefly state three points and then conclude. In the first instance, all the pending projects should be cleared immediately. There are as many as 7 projects pending and of them, some have been submitted as early as 1972. Secondly, Sir, it is necessary to exempt the hydro electric projects in the State, from the purview of the Forest Conservation Act, 1980, which is putting a great obstacle especially when the hydro electric projects in the State are located in hills with thick vegetation. Finally, there is need for greater assistance and allocation for power projects in the State. The present allotments of Rs. 15 to Rs. 20 crores for generation of projects and about Rs. 30 crores for distribution and transmission, are totally insufficient.

With these words, and with the remarks I have made with respect to Vote on Account, I support the Budget and the Vote on Account. I also support the Resolution moved for the acceptance of the Presidential proclamation. I once again congratulate, through you, the Governor of the State on having acted with political sagacity and in the interest of Kerala and healthy political conventions.

श्री गिरधारी लाल व्यास : हमारा पार्टी की तरफ से नाम भेजा हुआ है ।

MR. DEPUTY-SPEAKER: I have already announced.

(Interruptions).

MR. DEPUTY-SPEAKER: I am allowing the Members from Kerala first. Please sit down. There is some adjustment. In every Bill, you want to speak. I am sorry, you may not be called also. I cannot help it.

श्री. अजित कुमार मेहता (समस्ती पुर):  
उपाध्यक्ष महोदय, राष्ट्रपति की घोषणा



[प्रो. अजित कुमार मेहता]

और बजट के विरोध करने के क्रम में मैं आपका और सदन का ध्यान इतिहास के 25 वर्ष पहले ले जाना चाहता हूँ।

1957 में केरल में आम-चुनाव हुए और सरकार बनी। लेकिन सरकार कुछ ही महीनों के अन्दर 1957 में ही बर्खास्त कर दी गई। इसका इनिशिएटिव हमारी वर्तमान प्रधान मंत्री, जो कि उस समय कांग्रेस की प्रेजीडेंट थी, ने लिया।

एक माननीय सदस्य : यह गलत बात है।

प्रो. अजित कुमार मेहता : सही बात है, आप इतिहास देखिए। यह गन्दा काम किससे करवाया गया, आज जिनको फादर आफ माडर्न इण्डिया कहते हैं, पंडित जवाहरलाल नेहरू जैसे व्यक्तियों से।

हमारी प्रधान मंत्री इंग्लैंड में हो रहे फेस्टीवल आफ इण्डिया की पैंटरन हैं, वहाँ इतिहास को झुठलाने का कार्यक्रम किया जा रहा है। वहाँ फादर आफ दि नेशन का कोई उल्लेख नहीं है, लेकिन फादर आफ माडर्न इण्डिया के नाम से पं. जवाहरलाल नेहरू का उल्लेख किया गया है। . . . . . (व्यवधान)

श्रीमती कृष्णा साही (बेगूसराय) : उपाध्यक्ष महोदय, ये केरल के बजट पर भाषण दे रहे हैं या किस चीज पर भाषण दे रहे हैं?

प्रो. अजित कुमार मेहता : मैं उसी रेफ्रेंस में कह रहा हूँ—इतना गन्दा काम उस समय स्वर्गीय जवाहरलाल नेहरू के हाथों करवाया गया। यह चरित्र है—हमारे प्रधान मंत्री का कि उन्होंने जो संवैधानिक ढंग से चुनी हुई सरकार थी उसे असंवैधानिक माध्यम से भंग कराकर प्रजातंत्र का गला घोट्टा है। . . . .

SHRI P. VENKATASUBBAIAH: Perhaps, the hon. Member is not aware that there was the Vimochan Sangran Samiti. The entire people of Kerala rose in revolt and they brought down the EMS Ministry. I must tell the hon. Member not to indulge in such invectives.

PROF. AJIT KUMAR MEHTA: That was not correct. That is what he is saying.

MR. DEPUTY-SPEAKER: You come to the Vote on Account and the Budget.

प्रो. अजित कुमार मेहता : मैं राष्ट्रपति जी की उद्घोषणा का विरोध करते हुए उसी सन्दर्भ में बोल रहा हूँ। अब मैं वहाँ की राज्यपाल के दोहरे मानदण्ड पर अपने कुछ विचार व्यक्त करना चाहता हूँ। वहाँ की राज्यपाल ने अपने प्रतिवेदन में लिखा है—

“मैं स्वयं इस बात से सन्तुष्ट हूँ कि किसी व्यावहारिक, स्थायी या स्थिर सरकार बनने की कोई सम्भावना नहीं है। इन परिस्थितियों से मैं इस निष्कर्ष पर पहुँची हूँ कि राज्य के सर्वोच्च हित में राज्य विधान मंडल को भंग कर दिया जाय और लोगों को फिर अपनी राय जाहिर करने के लिये चुनाव कराये जाय।”

राज्यपाल की यह सन्तुष्टि कुछ महीने पहले कहाँ थी? दोनों पक्षों में 70-70 विधायक थे, अध्यक्ष को ले कर 71 हुए, तब उन को यह विश्वास हो गया कि वह सरकार स्थायी होगी। उन्होंने उन को सरकार बनाने के लिए निमन्त्रण दे दिया, लेकिन जब तक विधायक के टूटने से विपक्ष में 74 लोग हो गये, तब उन को यह बात समझ में आई कि अब स्थायी सरकार नहीं बन सकती। बलिहारी है—इस समझ की।

अब मैं राजनीतिक अनैतिकता के ऊपर कुछ कहना चाहूँगा—श्री बनातवाला जी ने उस की चर्चा की है और भी काफी चर्चा हो चुकी है। श्री बनातवाला एक गलत बात के लिए सफल पैरवीकार हो सकते हैं, लेकिन सफल पैरवी से कोई गलत बात सही नहीं हो जायगी। उन्होंने उदाहरण दिया है राज्य सभा के चुनाव का। उन्होंने उदाहरण दिया है दिल्ली का 19 मार्च, 1980 का। मैं पूछना चाहता हूँ—1980 में यहाँ कौन सी सरकार थी? आप अपनी ही बात का उदाहरण देना चाहते हैं और उस से सिद्ध

करना चाहते हैं कि आप जो गलत काम करेंगे वह सही होगा।

राजनीतिक अनैतिकता का एक दूसरा उदाहरण दीखे—मैं जानना चाहता हूँ—क्या यह सही नहीं है कि प्रधान मंत्री के प्रिन्सिपल सैक्रेटरी\*\* ने केरल की बहुत सारी यात्रायें की और बहुत से लोगों से मिले . . . . .

(Interruptions).

SHRI SONTOSH MOHAN DEV: You give notice. Why is he mentioning the name without giving notice? (Interruptions).

MR. DEPUTY-SPEAKER: I will not allow. You can criticise the Prime Minister. . . . (Interruptions).

PROF. AJIT KUMAR MEHTA: I am withdrawing the name.

(Interruptions)

PROF. AJIT KUMAR MEHTA: But it is a fact.

MR. DEPUTY-SPEAKER: I will not allow. . . .

SHRI SATYASADHAN CHAKRABORTY: He can mention it. (Interruptions).

MR. DEPUTY-SPEAKER: I will not allow it. (Interruptions).

SHRI SATYASADHAN CHAKRABORTY: Under what? (Interruptions)\*\*

MR. DEPUTY-SPEAKER: You don't talk about the rules. Don't mention the name.

(Interruptions)\*\*

MR. DEPUTY-SPEAKER: I need not tell you. Please do not record whatever he said.

Do not challenge me. Do not challenge the Chair. I am telling you. You don't challenge the Chair. It is all right. There is a limit. I know everybody knows his limitation. They must know their limitations. (Interruptions).

प्रो. अजित कुमार मेहता : मैं दावा करता हूँ कि मैं ने जी कहा है आप इस को गलत सिद्ध कीजिए। क्या प्रधान मंत्री जी के प्रिन्सिपल सैक्रेटरी ने बार बार केरल की यात्रा की या नहीं। वे इस मंशा से वहां गये थे कि केरल की सरकार को अनैतिक ढंग से तुड़वाया जाए और उन्होंने सरकार को तुड़वाने का गलत काम किया और उस में वे सफल हुए। यह राजनीतिक अनैतिकता है। . . . (व्यवधान) . . .

अब मैं संचार मंत्री श्री स्टीफन की इस सारे काम में भूमिका को चर्चा करूंगा। इन को डिफ्यूट किया गया था केरल की सरकार को गिराने के लिए। श्री स्टीफन केरल से आते हैं और उन को वहां पर पांव रखने की भी जगह नहीं मिली और उन्होंने दिल्ली में आ कर शरण ली लेकिन दिल्ली वालों ने उन को वापस भेज दिया। फिर कर्नाटक में कुछ गलत वायदे कर के वे संसद में पहुंचे हैं और यहां संसद में पहुंचने पर टेलीफोन में असफल हो कर उन्होंने केरल में होर्स-ट्रेडिंग का काम किया। होर्स-ट्रेडिंग का अगर मैं हिन्दी में आवाद करूं, तो इस का मतलब होगा घोड़ों का व्यापार। उन्होंने केरल में राजनीतिक घोड़ों का व्यापार किया है। . . . (व्यवधान)

MR. DEPUTY-SPEAKER: Please conclude and help me.

प्रो. अजित कुमार मेहता : मेरा बहुत सा समय ऐसे ही चला गया है। मैं फ्री प्रेंस जर्नल, बम्बई, जो कि 7 फरवरी, 1982 का है, उस का एक वाक्य यहां उद्धृत करना चाहूंगा।



[प्रो. अजित कुमार मंहता]

"Free Press Journal: 7th January.

Cochin, Feb. 6—

"Mr Rajiv Gandhi, M.P. said here today that there was nothing wrong in the Karunakaran Ministry in Kerala continuing in office with majority and by the Speaker's casting vote in the Assembly.

Talking to newsmen, he said, he did not agree that the continuance of the Ministry was an unhealthy democratic process. The Constitution permitted it, he added."

मैं पूछना चाहता हूँ कि केन्द्र में जो दल सत्तारूढ़ है, उस के पक्ष में अगर अध्यक्ष को ले कर 71 विधायक हैं, तो वह सरकार बनाना संवैधानिक है और जब विपक्ष में 71 विधायक हो जाएं, तो पता नहीं उस में कौन सी असंवैधानिक बात हो गई। गवर्नर की रिपोर्ट वहां से मंगवा ली और सरकार को भंग कर दिया। ऐसा लगता है कि संविधान किसी रानी के एक राब की तरह से है, जिस को पीछे से उठा कर लोग चले, तो वह संवैधानिक है और अगर उस राब को पीछे से उठा कर चलने से इन्कार कर दें, तो वह सारा काम असंवैधानिक हो जाएगा। इस में आगे लिखा है :

"Mr. Gandhi said that Mr. Karunakaran was providing an honest and a stable Government in that State. There was, therefore, no need for apprehending about political instability."

अब देखिये, उतने ही मंत्री सत्तारूढ़ दल की तरफ हैं तब तो वहां स्टेबल गवर्नमेंट हुई। माननीय सांसद श्री राजीव गांधी के अनुसार जब उतने ही विधायक विपक्ष में चले आये तो वह सरकार स्थायी नहीं हो सकती। बाह र न्याय।

"Replying to a question he ruled out the possibility of an immediate poll in Kerala since the present Government enjoyed majority in the Legislature. Even if he wanted elec-

tions, he would not disclose his mind now, Mr. Gandhi quipped. Mr. Gandhi said that the Congress-I would welcome in its fold the Congress-S Group led by Mr. A. K. Anthony...." etc.

यहां मैं यह कहना चाहता हूँ कि माननीय सांसद ने किस संवैधानिक अधिकार का प्रयोग करते हुए कहा—यदि उनके दिमाग में था कि निकट भविष्य में चुनाव होने जा रहे हैं—तो यह वे बतायेंगे नहीं। वह कौन होते हैं चुनाव कराने वाले। यह एक्स्ट्रा कांस्टीट्यूशनल अथॉरिटी है।

इसकी चर्चा बहुत लोगों ने की है कि राज्य सभा के चुनावों से पहले राज्य विधान मंडल को बरखास्त करना ठीक नहीं था। यह ठीक है।

अब मैं बजट की ओर आपका ध्यान आकर्षित करूंगा। इसमें कहा गया है कि पुलिस की मद में 1981-82 के मुकाबले 1982-83 में 12 करोड़ रुपये ऊपर चला गया है और जेल की मद में 22 लाख रुपये ऊपर चला गया है। यानी इन दोनों मदों के लिए इतना अधिक प्रावधान किया गया है। क्या आप सारे राज्य को पुलिस स्टेट में बदलना चाहते हैं जबकि जेल और विकास की मद में प्रावधान तीन करोड़ रुपये कम कर दिया गया है। इस बजट के बारे में और तो कुछ कहा नहीं जा सकता, जैसा कि श्री सतीशचन्द्र अग्रवाल ने कहा कि यह हवाला बजट है।

मैं केरल का नहीं हूँ, इसलिए विस्तृत विवरण के अभाव में इस पर अधिक न कह कर राष्ट्रपति की घोषणा और बजट का विरोध करता हुआ अपना स्थान ग्रहण करता हूँ।

SHRI RATANSINH RAJDA (Bombay South): Mr. Deputy-Speaker, Sir, the State of Kerala has undergone many political convulsions, but the recent developments have shown that, if there is any State which is the symbol of political immorality on the part of the ruling Party engineered from the Centre, that is the case of State of Kerala.

Right from the beginning, the way events have developed and taken place, it has become a sordid story, a very sorry state of affairs, with regard to the democratic norms in our country.

I do not know what happened. Mrs. Gandhi went there and when the minority Government was imposed and foisted on the people of Kerala, questions were asked by the Reporters of the Prime Minister, 'Why has the Governor taken this decision?'. She said, 'Governors have their own ways to arrive at conclusions on such matters'. (Interruptions). Now I am going to propose your name, Mr. Arakal for the Chief Ministership of Kerala.

15 hrs.

Sir, I would point out certain basic things that have occurred. I think this is an atrocity committed on the democratic norms in the State of Kerala. Now, what are the main events? I would point out the installation of a minority government, the way in which the government was foisted on the people of Kerala—that was not through a democratic process. They said 70—70 and then what happened was that these sordid developments took place.

Now what happened is this. That proverbial instability of government Kerala has been suffering from is there. The spectacle is there. Within 18 years they had 12 governments and 6 Ministries in the last five years. When such an instability prevails it is the duty of the Central Government to see that all democratic norms are maintained. But the only thing they are interested in is that 'We cling to power at any cost, take power in the hands at any cost.' trampling under foot all the democratic norms. That is what they have done in Kerala and because of that not only the people of Kerala but the entire country suffer. Our political morality has gone down and there is deterioration in the political standards and the moral standards....

SHRI XAVIER ARAKAL (Erana-kulam): In 1977 you dissolved 9 Assemblies.

MR. DEPUTY-SPEAKER: Don't go to that subject.

SHRI RATANSINH RAJDA: I am not going. He is a very good friend of mine. Out of affection he is saying that.

MR. DEPUTY-SPEAKER: He understands the position.

SHRI RATANSINH RAJDA: Having foisted this minority government, how has this government survived? For 80 days or whatever the period it survived. An unprecedented thing happened. It survived on the casting vote of the Speaker. I can understand the casting vote of the Speaker. There are certain norms to be maintained as far as the casting vote is concerned. I do not understand why within one day seven times the Speaker comes out to save the Ministry. So this raises the question of partiality of the Speaker. The Speaker cannot just try to be partial he cannot be partial. But here it is a clearcut case where the Speaker wanted to continue this Ministry....

MR. DEPUTY-SPEAKER: It is his constitutional duty. As you are mentioning Speaker, I am just telling you.

SHRI RATANSINH RAJDA: You are Deputy-Speaker. You are here is the Centre.

MR. DEPUTY-SPEAKER: As the Speaker is being touched, that is why I said.

SHRI RATANSINH RAJDA: Constitutional duty cannot go to this extent.

MR. DEPUTY-SPEAKER: You cannot criticise the Speaker. He is entitled to perform his constitutional duty.

SHRI RATANSINH RAJDA: Technically, when there is a tie, the presiding authority can cast his vote. That is the casting vote. Now if you do it 7 times in a day and you do it

[Shri Ratansinh Rajda]

with a view to save the Ministry, then I will say that it is political immorality and it is unconstitutional. I would like to submit the way in which it was done shows that there are certain implications behind it. The implications are that when the Speaker is convinced that there is a razor-thin majority and this Ministry cannot survive and only on his casting vote it can survive, to continue that experiment for 7 times....

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI P. VENKATASUBBAIAH): On the support of his partymen.... (Interruptions).

MR. DEPUTY-SPEAKER: He has left that subject. Please come to vote on account.

SHRI RATANSINH RAJDA: Mr. Venkatasubbaiah is usually a very cool, calm and collected Minister. Today he is out of place.

Now, Sir, I was just trying to say that the role played by the Speaker is highly questionable to say the least. Now, that apart, the Governor's role, the role played by the Governor. Are we having Governors who become a rubber stamp of the Central Government? That is the next question that I am posing. The Assembly has been dissolved and there was a proclamation under Art. 356 of the Constitution on the Governor's report. Now, Sir, under Art. 174 of the Constitution, the Governor dissolved the Assembly. This is the seventh time that Kerala has come under President's Rule.

There are certain basic questions which I would like to pose. They are:

1. Should the Governor act as a rubber stamp of the ruling party at the Centre to serve its political interests?

If such political interests of the ruling party at the Centre are to be served by

the Governor, then, I think, the Governor is not doing justice to that high responsibility and high office for which he is called upon to act.

2. How long will the country be put up with the political defection which was engineered by the ruling party? (Interruptions).

It is you who engineered the defection.

MR. DEPUTY-SPEAKER: I do not agree with you.

SHRI RATANSINH RAJDA: Through you I express this. Shri Zail Singh is here. Now, Sir, the State's political fabric at grassroots is almost in shreds such a spectacle in the House that the Speaker had to exercise his casting vote as many as seven times on a single day.

Sir, the role played by the Governor was also very dubious to say the least. The way in which the Centre engineered the defection showed that they wanted to cling to power at any cost.

Sir, my friend, Shri Banatwalla, is not here. But, I heard his speech in this House with rapt attention. He was trying to defend what was indefensible. I do not know what stakes he has in Kerala.

MR. DEPUTY-SPEAKER: He is a Member from Kerala.

SHRI RATANSINH RAJDA: That I know. That was why I say that he was trying to defend what was indefensible in the House.

As far as Demands for Grants are concerned, details are not given. Only heads are given. They have not given all the details. Rs. one crore has been allocated for the Home Ministry. Unless we know all the details, how are we supposed to vote all these Demands? This is my objection.

With these few words, I have done.



\*SHRI K. KUNHAMBU (Cannanore): Mr. Deputy Speaker, Sir, I rise to support the Presidential proclamation in respect of Kerala and the Kerala Budget for 1982-83. Although some political parties in the Opposition tried to create some controversy about the dissolution of Kerala Assembly, all those controversies died down soon because the people were convinced about the lack of political honesty in their stand. The people in general have supported the presidential proclamation.

Kerala is a political laboratory. Many important political experiments have taken place there since independence. United front have a history in Kerala. Different political parties having different ideologies come together on a common platform and on a basis of a minimum programme undertake welfare measures for the people. This in fact has been the history of United fronts in Kerala. The left-Democratic front that came to power in 1980 also was formed with the blessings of the people for the purpose of doing good to the people of Kerala on the basis of a minimum programme. I would like to charge the Marxist Party that it was the result of their wrong policies and wrong approach to political problem that was responsible for the ouster of the United Front. Not only that the Marxists did not show tolerance and a spirit of mutual adjustment which is very essential for the survival of any United Front Government, they let lose without any foresight a section of the workers and created maximum public nuisance. However I do not want to go into any details of that. The Marxists Party indulged in such provocative acts like attacking the offices of the constituent parties and beating up their workers. The people of Kerala got fed with them and they genuinely desired to see that that Government goes out of office. Honouring the sentiments of the people the Congress Party had to come out of that Government. It is a primary duty of any party to honour the sentiments and act accord-

ing to the wishes of people. After coming out of the United Front Shri A. K. Anthony the leaders of the Congress party got a such state wide and enthusiastic reception which was enough to show that people approved of what he did.

Sir, Kerala needs a stable Government for its progress. In the present juncture only those parties which believe in democratic values and democratic behaviour will be able to provide a stable Government to Kerala. That is why all those parties which believe in democracy have come together on one platform. They have sunk their differences to save the democratic system and the people of Kerala. The present United Democratic front is going to face the people with a definite programme. I would like to declare it in the House that in the coming election the UDF will come to power with a massive majority.

Coming to the budget, I do not want to say much about the budget as such because it is a vote on account and it is meant for carrying on the routine administration. However, taking this opportunity I would like to place certain problems before the House. I feel that when important problems of Kerala reach Delhi they become less important and I detect an attitude of indifference and neglect on the part of the Government here. The annual plan outlay for the year 1982-83, is the same as that of last year. The neighbouring State of Tamilnadu has got substantial increase in plan outlay this year. I do not really know why Kerala's demand for higher plan outlay was not conceded by the Central Government. Therefore, I hope that the hon. Prime Minister will pay personal attention to this matter.

I want to say a word about the Calicut Airport. This has been hanging fire for a every long time. The hon. Prime Minister while addressing a public meeting at Calicut had assured the people that the

[Shri K. Kunhambu]

Airport would be constructed without any delay. But so far no decision has been taken and it is still in the shadow of uncertainty. It is rumoured that a decision has not been taken due to political pressure from certain quarters. It would be quite unfortunate. Therefore, I request the Government to take immediate decision in this matter.

Another point is about a naval academy. The original proposal was to set up the naval academy in Ezhimala. But this proposal also remains in a state of uncertainty. The site selection Committee had recommended that it should be set up in Ezhimala itself. Therefore, I would request the Government that the naval academy should be set up in Ezhimala and it should not be shifted to other States due to political considerations.

Another point is about the development of Neendakara and Cannanore ports under the Indo-Norwegian Projects. In Cannanore this particular port is known as Moplabay. It has become useless due to heavy silting in the port. The fishermen cannot ply their boats from this port because of this condition. Therefore, I request that the Central Government should take some interest in this matter and help the fishermen by carrying out desilting operations in this port.

Finally, I want to say just one thing about Shri K. Karunakaran the former Chief Minister of Kerala. Many things have been said about him in the context of what happened in Kerala over the past few months. I want to say one thing in this connection. I cannot forget the services that he rendered when he was a Chief Minister in 1977. I want to tell the House that he had appointed directly 40 harijan young men as Sub-Inspectors of police. I want to ask my Marxists friends as to what they have done. My friend Mr. Imbichibava was the Transport Minister in Namboodripad Ministry. They could give only two per cent representation to the harijans. Similarly, immediately after becoming the Chief Minister this time Mr. Karunakaran

appointed the harijan cooperative federation in Kerala. On the contrary what did Shri Namboodripad and his party do when they were in power. In 1957 when they were in power I had to agitate against the eviction of harijans from their land. Sir, I was an MLA at that time. I was arrested and was presented before the court in handcuffs. This is what they did to a member belonging to the harijan community. I do not want to say anything more I conclude by once again supporting proclamation and the budget.

SHRI CHANDRAJIT YADAV (Azamgarh): Sir, I think that the situation in Kerala has eased now for a brief period both for the political parties there and also the people of that State. Since the State came into existence, there have been changes of 12 Governments. For the last 21 years, there were 12 Governments in Kerala and now again Kerala State has come under the President's Rule. I think the Governor's action in dissolving the Assembly is indefensible. In my opinion, the Governor had adopted a double standard in Kerala and the Opposition is right in voicing their opinion against the Governor's action, so far as Kerala and Assam are concerned, the Opposition Parties there were demanding that the Assemblies should be dissolved and fresh elections should be held. But at that time the Governor of Kerala did not consider it necessary for the dissolution of the Assembly and allowed the Congress Government to function with a very thin majority of one M.L.A. being on their side. What was the result? The result was that Karunakaran Government lasted only for 80 days. The Central Government and the leaders of ruling party were telling that there should be political stability in the State. They were telling that we did not want to go to polls time and again and that enough time should be given for the exploration of the possibilities of forming a Government. Therefore, the right thing would have been that instead of dissolving the State Assembly the Governor should have taken a little more time to explore the possibility as to whether the Government could again be formed by the Opposition Group with



one MLA who defected from the ruling Congress-I coalition Group. When the Governor of Assam could keep the Assembly in suspended animation for months and months together why was it not done in the case of Kerala? It was stated that election for 3 seats in the Rajya Sabha should not take place because the Congress-I Government is not in power there. But when the Congress-I Government was in power, proper notification was issued for the election of the Members to the Rajya Sabha. The Notifications were already issued and the election proceedings have already been started. Had the Congress-I Government been in power, it would have been all right. But now the Congress-I were not in majority, it was a clear case that out of the 3 seats, the Opposition would bag 2 seats and the Congress-I would get one seat only. That was the reason why the dissolution was recommended. It is a small political game, that is, for getting one seat more, they murdered democracy.

Now, what happened in Assam? There the Opposition Group said time and again that they had the strength of 65 Members and they submitted a list of 65 Members signed by them, but they were not allowed to form the Government. At the same time, the Minority Group was allowed to form the Government. When the Assembly was summoned, the Chief Minister did not have political courage to face the Opposition and he had to resign. So, this kind of practice adopted by the ruling party at the Centre has created an impression in the whole of the country that the Government at the Centre is misusing its power and trying to misuse the office of the Governor for its own political ends. This, I think, is not proper. My friends say that the Janata Government did the same thing. If the Janata Party did a wrong thing, are you going to copy that? The Congress Party has a greater responsibility, in my opinion, because it was a Party which fought for the freedom; at least the struggle freedom was lead by the Indian National Congress, and the democratic set-up in this country came into existence because of the understanding and leading of the Indian National Congress.

**SHRI RAJESH PILOT (Bharatpur):** How many signatures were given for Shri Jagjivan Ram and Shri Morarji Desai, when my senior colleague, Shri Chandrajit Yadav supported Shri Charan Singh to become the Prime Minister? Were not the signatures in support of Shri Jagjivan Ram more than others?

**SHRI CHANDRAJIT YADAV:** I have never agreed with the comparison of the Congress and the Janata Party Governments. I am not interested in that. We should be more interested in solving the issues and problems in which the people of the country are interested. Therefore, irrespect of these things and which party did what, we have to take a correct and balanced view.

Really speaking, the Governor's office was used for a small political gain. The Governor's act was indefensible and biased, which cannot be defended.

I will now come to some other points. Already, the Kerala Assembly has been dissolved, but please do not allow President's rule to continue for a longer period. Even the earlier Congress Chief Minister, Shri Karunakaran had expressed his desire publicly that Kerala would like to go to polls in early May. I think, the Government should fulfil its responsibility and the earliest opportunity should be provided to the people of Kerala to elect the Government of their choice.

**MR. DEPUTY-SPEAKER:** The elections are to be conducted by the Election Commission. What can the Government do?

**SHRI CHANDRAJIT YADAV:** I know that. The Election Commission's authority was eroded. The Election Commission had issued a notification for Rajya Sabha elections. By manipulation and by dissolving the Assembly, the entire authority of the Election Commission was completely destroyed. This is what I am saying. The Election Commission's authority should be respected; it was not respected in Kerala.

[Shri Chandrajit Yadav]

Very often, the question is raised about the Communist friends sitting here. I would like to say that all of them, in Kerala, West Bengal and other parts of the country have come only through democratic processes. It is very much undemocratic to attack those forces which have come to this House or have obtained majority in certain States through democratic processes. Therefore saying that they are all anti-democratic or non-democratic is not correct; this kind of gimmicks have been rejected time and again by the people of this country. Instead of resorting to these things, please take care of your own home, look after your own problems. You have not been able to strengthen your party, you have not been able to take up and solve the issues of the masses. That is why, the people did not give you the bigger support. The Congress Party itself decided at that time, and it was a correct decision, to sit with Communists in the same United Front Government, with those forces which you had called anti-democratic and anti-people, and who did not have faith in democracy. This does not behave well.

I would now say only two things, and I hope the Finance Minister will reply to them when he speaks. One of the complaints of the people of Kerala is that when they recommend certain projects, or recommend certain Bills for the assent of the President, or for the consideration of the Government of India, it is deliberately delayed and it is a discrimination against the people of Kerala. I remember that one Land Reforms Bill was recommended by the Left Democratic Front Government long time back, and it was kept pending with the President of India for a long time, and the clearance was not given. It was certainly against the wishes of the people of the State.

Now, there are also a few important projects. There is one important project, which would be in the interest of the people of Kerala; it concerns a large number of people and it can be a very important industry for that State. Cocoa is a very important crop in Kerala. Out of cocoa they feel that they can have

important things like butter, milk, and many other products similar to milk. That project has been lying pending with the Modern Bakeries for a long time. Such a project will go a long way to provide employment to unemployed people.

Now in Kerala almost two lakh educated boys and girls are unemployed. Sir, the Kerala Government has been giving them Rs. 50/- per month as unemployment allowance. And they recommended to the Central Government, the Planning Commission to give Rs. 50/- more so that it can become Rs. 100/-, a moderate unemployment allowance. But the Central Government has been saying that it is a dole. Will you please, Mr. Finance Minister, look into the fact that governments in many European countries, including France, Italy, UK, Scandinavian countries, have been giving unemployment allowance? They do not treat it as doles. But our Government's approach is totally anti-youth. Neither they are able to provide jobs to them, nor do they give unemployment allowance. Please consider this and raise the allowance from Rs. 50/- to Rs. 100/-.

Another thing is that the Civil Supplies Corporation of Kerala is one of the best organisations in the State. It has been admitted by all so far as the public distribution is concerned. Ninety per cent population of Kerala has been covered by the public distribution system. This is a major organisation for the distribution of supplies to the vulnerable sections of the society. They had been getting credit from the Banks. Now, it has been stopped, I am told. Rs. 20/- crores are needed by them for strengthening the public distribution system.

Therefore, I would request you that during the President's Rule steps should be taken to see that at least these things which are in the interest of the common people of Kerala are arranged. I think the Central Government should at least in the future take every care to see that the democratic processes are not throttled; democracy gets strengthened and it does not suffer from any politicking in the interest of the common people.

PROF. P. J. KURIEN (Mavelikara): Sir, I don't want to repeat anything that has already been said, but I have to answer some of my friends.

If I remember correctly, Shri Jethmalani, Shri Neelalohithadasan and Shri Unnikrishnan said that the Kerala Government under the Chief Ministership of Karunakaran was formed with the support of only 69 MLAs.

SHRI A. NEELALOHITHADASAN NADAR: 67.

PROF. P. J. KURIEN: O. K. Anyhow. They believed that the Governor invited Shri Karunakaran to form the Government when Shri Karunakaran was in minority.

First, I would like to answer that point. First of all it is not a material fact. The fact is that Shri Karunakaran had the majority of 71 Members, out of 141 in the Assembly. Now, the question is who is to be satisfied about the majority? It is correct that Shri Neelalohithadasan Nadar or Shri Unnikrishnan, or for that matter Shri Jethmalani are not convinced of the majority. But they will never be convinced of that. The question is who is to be convinced about the majority? I have to quote a precedence. In 1970 Shri Achutha Menon formed a Government in Kerala. At that time the Achutha Menon Government was supported by my friend, Shri Unnikrishnan and Shri Neelalohithadasan Nadar.

SHRI A. NEELALOHITHADASAN NADAR: You also supported him.

PROF. P. J. KURIEN: Yes, I also supported. But politically you supported. Not as an MLA, but politically.

When Achutha Menon came from Delhi to Trivandrum he announced that he would not form a Government with the support of Karunakaran, the Congress leader. And without Karunakaran, the Congress leader, Achutha Menon was not having a majority. But if Karunakaran's

four MLAs were also added, Achutha Menon would be having a majority of one vote.

*(Interruptions)*

PROF. P. J. KURIEN: I am not yielding.

*(Interruptions)*

MR. DEPUTY-SPEAKER: When he is not yielding, it will not go on record.

*(Interruptions)*

MR. DEPUTY-SPEAKER: Whatever he says will not go on record.

*(Interruptions)\*\**

PROF. P. J. KURIEN: Shri Achutha Menon declared that he did not want the support of Congress. According to him, the CPI leader, he was having only a minority support. But Mr. Karunakaran met the Governor and said that he was going to support Shri Achutha Menon and the Governor was satisfied. *(Interruptions)* Why? *(Interruptions)* How do you know what happened between the Governor and..... *(Interruptions)* I am not yielding. He is interrupting me.

*(Interruptions)*

MR. DEPUTY-SPEAKER: Do not record, whatever he says.

*(Interruptions)\*\**

MR. DEPUTY-SPEAKER: You must be happy that every member is given a chance to speak. Why did you say that he should not be given a chance?

*(Interruptions)\*\**

PROF. P. J. KURIEN: In Kerala, neither Shri Achutha Menon nor the people were convinced about that, but the Governor was convinced, because Shri Karunakaran gave an assurance to the Governor that he would support Shri Achutha Menon. Only Governor's satisfaction was the criterion then for which all these friends including Mr. Nadar and



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others supported. Exactly the same situation happened in 1982 also. (*Interruptions*) The Janata Party MLA, gave an assurance to the Governor. (*Interruptions*)

I know. I can challenge it. One MLA told me. (*Interruptions*)

SHRIMATI SUSEELA GOPALAN (Alleppey): This is absolutely wrong. (*Interruptions*)

PROF. P. J. KURIEN: One MLA from the Janata Party which declared support to the Congress-I Government told me personally. (*Interruptions*)

SHRIMATI SUSEELA GOPALAN: Shrimati Kamalam supported. They said, "The Janata Party has given the consent." But in the Assembly itself, Shrimati Kamalam declared at that time that she did not give the consent. Only when her party took the decision, she had given the consent. How can he say this? Actually, he is wrong.

(*Interruptions*)

SHRI P. NAMGYAL (Ladakh): I am on a point of order. The other day when Dr. Farooq Abdullah was speaking, I just wanted to clarify certain points which you did not allow. You did not allow anything to go on record, and while Mr. Kurien is speaking you are allowing Mr. Nadar to interrupt his speech, and it is going on record. (*Interruptions*)

MR. DEPUTY-SPEAKER: I allowed, because Mrs. Gopalan belongs to the weaker section.

SHRI P. NAMGYAL: I mean Mr. Nadar, Sir.

SHRIMATI SUSEELA GOPALAN : I do not belong to the weaker section.

MR. DEPUTY-SPEAKER: Generally, I am speaking.

SHRIMATI SUSEELA GOPALAN: I do not accept 'women' as weaker section.

PROF. P. J. KURIEN: ....(*Interruptions*) I do not say anything about the statement made by the M.L.A. in the Assembly. All that I said is ....(*Interruptions*)

You were working with the Congress (I) and you are sitting here, my friend, and you are interrupting me. (*Interruptions*).

MR. DEPUTY-SPEAKER: Please do not interrupt him.

PROF. P. J. KURIEN: All what I said is this: that a certain Janata M.L.A. and their political leader Mr. Gopalan had assured the Governor that they are giving support to Mr. Karunakaran. It is a fact about which I am convinced. I am saying it. May be they are not convinced. I am not worried. I am not worried about it. I am not thrusting my opinion on them. I am only saying this through you to the House. They need not change your opinion. But I am convinced. (*Interruptions*).

SHRI P. VENKATASUBBAIAH: This is another theory of Janata Party!

PROF. P. J. KURIEN: This is another theory.

MR. DEPUTY-SPEAKER: Mr. Kurien you please conclude.

PROF. P. J. KURIEN: All what I said is the Governor was ....(*Interruptions*)

MR. DEPUTY-SPEAKER: Let him speak.

PROF. P. J. KURIEN: According to the Constitution, the Governor has to satisfy about the majority when the House is not functioning; and when the House is functioning, the majority is to be proved in the House. The second point I would like to say is about dissolution, the controversial point. There again I would like to know one thing. Once the Assembly was meeting and the No-Confidence Motion was presented by the Opposition, it was clear that there were 71 members in support of Karunakaran. The

satisfaction of the Governor was proved in the House. That is the question. Now the Governor has to be satisfied; if that is not proved in the House then their allegation will stand. If the Governor's satisfaction is proved in the House....  
(Interruptions)

SHRI K. P. UNNIKRISHNAN: With the casting vote of the Speaker.

PROF. P. J. KURIEN: No, no, do not mislead me. Not with the casting vote. What I said is, that out of 141 there are 71 members altogether in the Assembly. That fact has been proved in the House. Subsequently what happened? What happened subsequently? When Shri Karunakaran assumed the Chief Ministership, you know the Speaker was elected and all that. What happened? The new Speaker was elected.

AN HON. MEMBER: The new Speaker!

PROF. P. J. KURIEN: He wants always to interrupt.

MR. DEPUTY-SPEAKER: Come to the subject. That is all right.

PROF. P. J. KURIEN: Considering the Speaker apart, Mr. Karunakaran was having 71, Mr. Nayanar was having 69. That was proved in the Assembly meeting.

AN HON. MEMBER: He is taking lot of time.

Because you interrupted me.

MR. DEPUTY-SPEAKER: You have taken much of his time. Please do not spoil him.

PROF. P. J. KURIEN: The second point is that when the Assembly was meeting a new Speaker had to be elected and it happened to be 70-70. That is a Constitutional requirement. I am not going into that. (Interruptions)

AN HON. MEMBER: It is also when the M.L.A. crossed.

PROF. P. J. KURIEN: Now, as soon as Karunakaran formed the Ministry there came demands from all the then Opposition Parties including the Marxists, CPM, and Congress(S) led by Shri Unnikrishnan, and all the Opposition Parties that the Assembly should be dissolved. From the very moment of assumption of office of Chief Ministership by Mr. Karunakaran, there was strike and public meetings were conducted demanding dissolution of the Assembly and nothing else. This demand continued. What was the plea? The plea was that Mr. Karunakaran had 71 MLAs with him out of 141 MLAs including the Speaker and, therefore, the Assembly should be dissolved. What happened? Subsequently, one day, one MLA crossed the floor. It might be horse trading, I do not know. With the result, Mr. Nayanar had the support of 71 MLAs. Immediately they demanded that they should be allowed to form the Government. (Interruptions) You take today's speech of Mr. Balanandan. He has criticised the Governor for not inviting Mr. Nayanar to form the Government. (Interruptions)

SHRIMATI SUSEELA GOPALAN: Because he was adopting different standards. We did not want to form the Ministry. (Interruptions)

PROF. P. J. KURIEN: It only means that they wanted to form the Government. Is it not double standard that when Mr. Karunakaran is having 71 MLAs, there should be dissolution and when Mr. Nayanar is having 71 MLAs there should not be dissolution? (Interruption)

Then Mr. Unnikrishnan talked about defection. In Kerala out of 22 MLAs belonging to Congress (S), 6 MLAs were with him and 16 MLAs were with Mr. Antony. Then who is the defector? (Interruptions) Further out of 68 members of the KPCC Executive, only 10 members supported his view and 52 members supported Mr. Antony. (Interruptions) Who is a defector?

SHRI K. P. UNNIKRISHNAN: You should not go into all these things.



PROF. P. J. KURIEN: Is standing with majority a defection? One more thing.

MR. DEPUTY-SPEAKER: That should be the last thing. *(Interruptions)*

PROF. P. J. KURIEN: Why did he call us defectors? Simply because in Kerala our party with absolute majority decided to withdraw support....*(Interruptions)*

MR. DEPUTY-SPEAKER: Prof. Kurien, you should avoid your internal party squabbles.

*(Interruptions)*

PROF. P. J. KURIEN: Our party withdrew support from the Left Democratic Government and decided to support a Congress (I) Government. *(Interruptions)*..... Sir, what is this? You should control them.

*(Interruptions)*

MR. DEPUTY-SPEAKER: Prof. Kurien, please conclude.

*(Interruptions)*

PROF. K. K. TEWARY (Buxar): Sir, this is not the way. He should be allowed to speak. They had their say and so he should be allowed.

SHRI SONTOSH MOHAN DEV: Sir, the tension in the House itself proves that there should be more allocation of funds by the Finance Minister to the Kerala State.

PROF. P. J. KURIEN: Mr. Unnikrishnan called Mr. A. K. Anthony and all of us as defectors. The reason is only this. *(Interruptions)*. Let me put forward my point, then you can answer.

MR. DEPUTY-SPEAKER: If you want, you can come to this seat.

*(Interruptions)*

PROF. P. J. KURIEN: Now you should ask them to sit.

*(Interruptions)*

MR. DEPUTY-SPEAKER: You must avoid making any remarks. You should not interrupt. I am sorry. Mr. Kurien, please conclude.

PROF. P. J. KURIEN: Why don't they allow me to speak?

MR. DEPUTY-SPEAKER: Prof. Kurien, please conclude.

SHRI P. VENKATASUBBAIAH: Sir, it is not fair on their part. They should allow the hon. Member to speak. This is most unfair.

MR. DEPUTY-SPEAKER: When a Member speaking, if some other Member interrupts, how will he take it? If the same thing happens to him tomorrow, what will happen? Therefore, every Member has to protect himself.

*(Interruptions)*

MR. DEPUTY-SPEAKER: That is not the way.

PROF. N. G. RANGA (Guntur): It is most unfair.

MR. DEPUTY-SPEAKER: Please allow him to speak.

PROF. P. J. KURIEN: I patiently heard all the speeches including the remarks made on me saying that we are defectors. Even then I did not oppose them. Now you should allow me to answer. If they do not allow, they are the most undemocratic people. Mr. Nadar called me a defector. I kept quiet. Now I must answer. I want to know whether Mr. Nadar is a defector or I am a defector.

*(Interruptions)*

DR. KRUPASINDHU BHOI (Sambalpur): He is our stolen property. Kindly allow him to speak whatever he wants to speak.

PROF. P. J. KURIEN: The only reason for his calling me a defector is that we decided to withdraw from the Left Democratic Front Government and support the Government led by Mr. Karunakaran. That is the reason. For that ...

*(Interruptions)*

MR. DEPUTY-SPEAKER: I am sorry, this is not the way.

(Interruptions)

MR. DEPUTY-SPEAKER: No, no, I am sorry.

PROF. P. J. KURIEN: Why does he say Shrimati Gandhi as an authoritarian? I would ask him... (Interruptions). When he as a Parliamentary Party Secretary went and begged Shrimati Gandhi for supporting their Government...

SHRI K. P. UNNIKRISHNAN: Never. He is accusing falsely. (Interruptions) I reserve my right... (Interruptions).

PROF. P. J. KURIEN: You were Parliamentary Secretary. (Interruptions).

SHRI K. P. UNNIKRISHNAN: There were no negotiations.

PROF. P. J. KURIEN: He was parliamentary Secretary of the Party when Shri Y. B. Chavan was the leader. (Interruptions). Government was sworn with the support of Shrimati Gandhi. (Interruptions). So, there is precedence along with him to support or bring support from other party. (Interruptions).

SHRI K. P. UNNIKRISHNAN: Our views are well known.

PROF. P. J. KURIEN: If taking or giving support to Congress (I) is defection then he is number one defector. (Interruptions).

SHRI K. P. UNNIKRISHNAN: This is wrong. (Interruptions).

MR. DEPUTY-SPEAKER: I have a right to call the Home Minister.

(Interruptions)

Please sit down.

(Interruptions).

MR. DEPUTY-SPEAKER: Prof. Kurien, you have got to conclude now. Are you going to conclude?

PROF. P. J. KURIEN: What can I do? (interruptions).

Shri Neelalohithadasan Nadar calls me a defector. (Interruptions).

SHRI A. NEELALOHITHADASAN NADAR: I am ready to contest in Tri-vandrum even against Shrimati Gandhi. (Interruptions). I am ready to challenge... (Interruptions).

PROF. P. J. KURIEN: Let anybody talk about defection. My party has decided with a majority decision and we stand by it and by our party decision. That is what I have to say.

MR. DEPUTY-SPEAKER: Prof. Kurien, I am not allowing you any further. I have to go to the next item.

(Interruptions)

MR. DEPUTY-SPEAKER: All right only two minutes. We have got to go to the next item as everything must be over to-day.

(Interruptions)

MR. DEPUTY-SPEAKER: Nobody should intervene.

PROF. P. J. KURIEN: I am coming to the Budget since there are only two minutes with me.

SHRI RAM JETHMALANI: The major part of his speech still remains.

MR. DEPUTY-SPEAKER: There will be unanimity in it. Since there are some problems of Kerala, there will be no fight now.

PROF. P. J. KURIEN: The Budget proposals are for six months. The Vote On Account is for six months. Why to postpone elections? My request is that the elections in Kerala should be conducted at the earliest. That is one of the points, I would say.

Many hon. Members have said, here, about the Plan allocations to Kerala and that the allocations have not yet been enhanced as compared to other States. In all other States, there is an enhancement of the Plan allocation but we have only the same as that of last year. I would request the Finance Minister to reconsider the matter.

Regarding investments in the public sector, I had an answer of an Unstarred

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Question yesterday, that only 2.3 per cent of the total investments in the country is made in the State of Kerala. You know, by any calculation, that is very low. I would request that these aspects should be considered. The imbalances with respect to employment, with respect to public sector investment, and with respect to Plan allocations should be corrected. There is a serious allegation that Kerala is being neglected. It is our repeated request to the Central Government and since the Kerala administration is with the Central Government now, they should utilise this time to correct these imbalances and proper and reasonable demand of Kerala should be met.

I do not want to repeat other things since many Members have already mentioned them.

MR. DEPUTY-SPEAKER: Now, the Home Minister will reply. (

गृह मंत्री (श्री जल सिंह) : उपाध्यक्ष महोदय, राष्ट्रपति की उद्घोषणा को मान्यता देने के लिए जो प्रस्ताव रखा गया है, उसके सम्बन्ध में, और बजट के सम्बन्ध में भी मेम्बर साहबान ने अपने विचार रखे हैं। वित्त मंत्री जी मौजूद हैं और मैं समझता हूँ कि मेम्बर साहबान ने उनका काम काफी हद तक कर दिया है। फिनांस के मसलों पर काफी गम्भीरता से सोचना पड़ता है और उस तरफ मेम्बरों ने कम ध्यान दिया है और ज्यादातर पोलिटिकल बातें ही कही हैं। उन्होंने इस बात पर जोर दिया कि केरल में राष्ट्रपति-राज क्यों लागू किया गया और असेम्बली को भंग क्यों किया गया, और इस बारे में उन्होंने अपने अपने विचार रखे।

मैं इस नतीजे पर पहुँचा हूँ,--खास तौर पर प्रो. कुरियन की तकरीर के बाद--कि कोई ऐसा मसला नहीं रहा, जिसको हाउस के सामने न लाया गया हो और हर तरफ से न लाया गया हो। आज का दिन तो इतना मुबारक है कि सब ने अपने अपने इरादों के मुताबिक बातें कही हैं और इसमें पार्टी का स्थान नहीं किया है। विरोधी

दल के बँचों से ही हमारे विरोधियों को जवाब मिल गया है, लेकिन फिर भी मेरा कर्तव्य है कि जो संकाएँ यहां पर रखी गई हैं, मैं उनके बारे में कुछ बातें कहूँ।

इस तरह की बातें कही गई हैं कि वहां पर डेमोक्रेटिक सेट-अप को तोड़ दिया गया है, यह अस्सी दिन का राज एक ही वोट से चलता रहा है और वहां की गवर्नर रबर-स्टैम्प हैं, जो कि बिलकुल गलत है। मैं समझता हूँ कि गवर्नर एक ऐसी पदवी है, जिसके बारे में हमें कोई बात नहीं कहनी चाहिए। लेकिन जो फैसले हो जाते हैं, उनपर विचार किया जा सकता है।

केरल की गवर्नर बहुत दूर-अंधेरे, निष्पक्ष और विद्वान गवर्नर हैं। केरल की सियासत में बारू के करीब पोलिटिकल पार्टियां हैं। उनके नाम एक ही हैं और वे उसके आगे कुछ न कुछ लगा कर गुजारा करती हैं। आपको मालूम है कि केरल सब से पहला प्रदेश है, जिसमें एक पार्टी के नाम से दो-दो पार्टियां बननी शुरू हो गईं, यहां तक कि मुस्लिम-लीग भी दो हैं और फिर आल-इंडिया से अलहिदा होकर केरल की कांग्रेस बन गई। उसकी भी दो पार्टियां हैं। इस तरह से जब इतिहास को देखा जाए तो उत्तर प्रदेश में सबसे पहले डिफ्रेंक्शन शुरू हुआ और छोटी-छोटी पोलिटिकल पार्टियां बनाने की बुनियाद केरल में रखी गई। मैं इस बारे में कुछ नहीं कहता हूँ क्योंकि आज सिर्फ केरल की बात है।

16.00

गवर्नर साहब का सिलेक्शन हुआ मुद्दत हुई। यह उस वक्त हुई, जब हमारे बुजुर्गों का यहां राज था और युवावस्था में था। श्री मोरारजी भाई, चौधरी चरण सिंह और बाबू जगजीवन राम--यह इनके वक्त का सिलेक्शन हुआ है। इतने वक्त गवर्नर रहने के बाद वे केरल के हर मामले को ठीक तरह से समझ गई हैं और उन्होंने जो फैसले किए हैं, अपनी मर्जी से किए हैं। यह गवर्नर की हुस्ती को गिराने की बात है कि जो हम चाहें करवा लें, लेकिन हम कैसे करवा सकते हैं। यदि इस प्रकार की बातें आप केरल के गवर्नर के प्रति कह

सकते हैं, तो फिर तो हर गवर्नर के प्रति कह सकते हैं। उन्होंने अपने डिस्ट्रिक्शन से, अपने विचार से केरल के लोगों के भले के लिए, डेमोक्रेसी के हितों के लिए फैसला किया है और वहां की एसेम्बली भंग करने का फैसला उन्होंने लिया है।

डिप्टी स्पीकर साहब, स्पीकर के बारे में भी बहुत सी बातें कही गईं कि उन्होंने वोट क्यों दिया और क्यों सरकार को बचाया। आप तो मेरे से ज्यादा जानते हैं और मੈम्बर भी ज्यादा जानते होंगे। दुनिया भर में डेमोक्रेटिक सिस्टम में जब पार्लियामेंटरी सिस्टम का राज था तो स्पीकर का वोट ही ऐसा वोट होता है जो निष्पक्षता से ड्यूटी को निभाता है। वह कोशिश करता है कि अनुशासन ठीक रहे और हर मੈम्बर की इज्जत रहे, लेकिन उसकी ड्यूटी यह भी होती है कि डिस्ट्रिक्शन पैदा न होने दे। वह अपने वोट से कभी सरकार को नहीं गिरायेगा और उनको न गिराना चाहिए। मੈम्बर गिरा सकते हैं, तो गिरा दें। जब यह समय आ जाए कि अपने वोट के बगैर फैसला नहीं हो सकता है, तो स्पीकर साहब ने यह हाई ट्रिडिशन कायम की है कि उसने अपने वोट से सरकार को गिरने को कोशिश नहीं की, क्योंकि स्पीकर का काम इन्स्टीबिलिटी लाना नहीं, वह स्टेबिलिटी लाना होता है। इसलिए कोई अन-डेमोक्रेटिक बात नहीं हुई है।

मैं मੈम्बरों से प्रार्थना करूंगा कि केरल के विधायकों को आपको बधाई देनी चाहिए कि हिन्दुस्तान में डेमोक्रेसी इतनी मजबूत हो गई है, यदि कई पार्टियों के फ्रंट भी बन जायें तो एक-एक वोट से 80-90 दिन तक राज चल सकता है। दुनिया के अन्दर यह मानी हुई बात है कि जहां डेमोक्रेसी मजबूत हो जाए, वहां एक-एक वोट से भी कई साल तक राज चल सकता है। इसलिए मैं समझता हूँ कि उनको एतेराज नहीं करना चाहिए।

डिप्टी स्पीकर साहब, एक बात यहां पर बड़े जोर से उठाई गई कि राज्य सभा के मੈम्बरों का चुनाव था, इसलिए उसको क्यों नहीं रखा गया। कान्स्टीट्यूशन में इसकी

कोई बाधा नहीं थी, लेकिन रवायात तौर पर देखा जाए तो गवर्नर ने बहुत ही अच्छा काम किया। जब उनको मालूम हो गया कि यहां कोई भी फ्रंट अकेले तो चल नहीं सकता है, हो भी नहीं सकता था, दोनों फ्रण्टों की सरकार देख ली और जो लैफ्ट फ्रण्ट था, वह लैफ्टिज्म को छोड़ गया, तो उनके साथ उनके साथी छोड़ गए और अब किसको डिफैक्टर कहें और किस को डिफैक्टर न कहें। दोष हम गवर्नर को देते हैं। मेरे दोस्त माननीय कांग्रेस (एस) के नेता श्री उन्नीकृष्णन जी यहां बैठे हुए हैं। असल में तो इन्हीं की कृपा से सरकार बनी और इन्हीं की कृपा से सरकार गिरी। पहले फ्रण्ट को गिरा दिया, पहले फ्रण्ट की सरकार इन्हीं की कृपा से बनी, फिर गिरा दिया। फिर दूसरे फ्रण्ट की सरकार इन्हीं की कृपा से बनी, उसको भी गिरा दिया। आप दोष हमको क्या देते हैं, दोष तो इन को देना चाहिए, ये अपने यहां अनुशासन नहीं सम्भाल सके, ऐसे किस तरह से शासन चलायेंगे जब आप के यहां अनुशासन चला गया। इस लिए हम को दोष देना अच्छा नहीं लगता है।

मुझे श्री चन्द्रजीत यादव की आज की तकरीर सुन कर थोड़ा आश्चर्य हुआ, अफसोस तो नहीं हुआ, चूंकि वे बहुत दूरअन्दाज हैं, इन्होंने जितने पॉलिटिकल मामलों को देखा है, सोचा है, समझा है, जितनी इन की स्टडी है शायद बहुत कम आदमियों की होगी। ये सारी बातों को देख कर और पहचान कर आये हैं, हमारे साथ रह कर भी देखा है, बाहर भी देखा है और उस के बाद इस नतीजे पर पहुंचे हैं कि इस में कुछ नहीं पड़ा है। ईश्वर की कृपा से उठ कर वहां से यहां आ गये, यहां से वहां चले गये, एक दिन फिर यहां आयेंगे, इस लिए आप को हमारे खिलाफ गुस्सा नहीं होना चाहिये....

श्री कृष्ण चन्द्र हलदर (दुर्गापुर) : वह तो आप भी चलायेंगे....

श्री जैल सिंह : आप जरा खामोश हो कर बैठिये। किसी की गलत बात को सुन लेना भी हासिले की बात होती है। बहादुरी



[श्री जैल सिंह]

के बग़ैर राजनीति नहीं चलती है, वैसे राजनीति में कामलता, कठोरता और सरलता भी चाहिये, लेकिन बहादुरी के बग़ैर कोई चीज़ काम नहीं आती है। बहादुर आदमी ही किसी की बात को दिलेरी से सुनता है, ज़वाब भी दे देता है जब मौका लग जाता है।

मैं यह कह रहा था कि डेमोक्रेसी को बचाने के लिए क्या करना चाहिए? आप हम को डेमोक्रेसी का घातक कहते हैं, लेकिन हमारी कुछ रवायत हैं, हमारी नेता श्रीमती इन्दिरा गांधी की कुछ नीतियां हैं। जब वह 11 साल पहले राज्य करती थीं, उस ज़माने में हिन्दुस्तान के 9 प्रान्तों में विरोधी दलों की सरकारें थीं। कोई भी दल यह शिकायत नहीं कर सकता, कोई भी प्रान्त यह शिकायत नहीं कर सकता कि उन को फाइनेन्शियल एस्सिस्टेंस न दी गई हो, अमन और शान्ति के लिए उन की पूरी मदद न की गई हो, उन की स्टैबिलिटी को कायम रखने के लिए कोआपरेशन न मिला हो और आज भी हिन्दुस्तान में वेस्ट बंगाल, त्रिपुरा, तामिलनाडू और जम्मू-काश्मीर में जो सरकारें हैं वे हमारी पार्टी की नहीं हैं लेकिन वे यह शिकायत नहीं कर सकतीं हालांकि विरोधी दलों को तो विरोध कर के फर्ज पूरा करना है, लेकिन हमारी सरकार के खिलाफ यह इल्जाम नहीं लगाया जा सकता कि हम कहीं भी उन के साथ डिस्क्रिमिनेशन करते हैं। केरल में भी हमारी पार्टी की सरकार थी और आसाम में भी हमारी पार्टी की सरकार थी, अगर हम ने अपनी पार्टी की सरकारों को हटाने के लिए गवर्नर की रिपोर्ट को मन्ज़ूर कर लिया तो इस में आप को नाराज़गी क्यों है? मैं केरल के नेताओं से पूछता हूँ—जब पहली बार सी.पी.एम. के मुख्य मंत्री माइनारिटी में आये और हम ने गवर्नर का राज्य किया तो उस वक़्त उन्होंने नहीं कहा कि मौका देना चाहिए, बल्कि उन्होंने कहा सस्पेंडेड एनिमेशन क्यों की है, इस को डिजाल्व करते। लेकिन जब दूसरे मुख्य मंत्री के ज़माने में मौका आया तो कहते हैं कि आप ने उसे भंग क्यों

कर दिया। दो चीज़ों पर एक साथ नहीं चला जा सकता। यहां तो बहुत कम समय हुआ है, 80 दिन में ही बदल गई, भगवान की कृपा है, कितना बदल गया इंसान। वही आर्ग्यूमेन्ट्स जो पहले उस के बुरे खिलाफ दिये जा रहे थे, आज उस के हक में दिये जा रहे हैं। यह काम आम तौर पर जो बड़े लायर होते हैं अपने सायल के हक में कर बैठते हैं, लेकिन पॉलिटिक्स में यह बात अच्छी नहीं लगती है।

जेठमलानी जी मेरे बहुत दोस्त हैं। हम प्हाले पड़ोसी भी थे—सिन्ध और पंजाब में। जब देश का काँची गाना गाया जाता है तो पंजाब और सिन्ध ये दोनों नाम पहले आते हैं। और पंजाब का एक बहुत बड़ा हिस्सा दूसरे मुल्क में चला गया और सिन्ध तो सारा ही चला गया। वे हमारे मित्र हैं। उन की गमी, सदी और स्वभाव मिलते हैं लेकिन एक बात नहीं मिलती और वह यह है कि वे बहुत लरनेड पर्सन हैं और मैं एक कामनमैन हूँ और यह मेरे बस की बात नहीं। मैं जेलों में बैठा रहा और ये रेलों में और कालेज में रहे। यह उन की खुशकिस्मती है कि उन को कहीं जाना नहीं पड़ा लेकिन एक बात मैं उनसे बड़े अदब से कहूंगा कि पर्सन टू पर्सन किसी को कंडेमे करना या किसी को नुकसान पहुंचाना, यह कोई उंचे दर्जे की बात नहीं है। कल भी आप ने कर दिया और आज भी कर दिया मगर मुझे खुशी है कि आप शायर भी बन गये। कल तक मैं यह सोचता था कि आप को उर्दू ज़बान से नफरत है लेकिन आज आप ने एक शेर कह दिया और आप कहते हैं कि खूद बनाया है और मेरा ख्याल भी यही है कि खूद इस को बना लाए हैं और मेरे लिए बग़ैर रुपये पैसा लिए बहस कर दी। अदालत में दो मिनट के लिए भी बिना पैसे लिए बहस नहीं करते हैं। यहां तक तो मैं खुश हूँ मगर उसके बाद दूसरी तकरीर में भी कृपा कर के मेरा जिक्र किया और थोड़ी सी चोट लगाई। खैर चोट तो लगती रहती है पालीटिक्स में लेकिन पर्सन नहीं लगनी चाहिए।



SHRI RAM JETHMALANI: I never attacked you personally. We are talking of politics and political character.

श्री जैल सिंह : मैं पालीटीकल करैक्टर, पर्सनल करैक्टर और जिस को हिन्दुस्तान के लोग समझते हैं कि करैक्टर क्या है, वह सब डिस्कस करने के लिए तैयार हूँ लेकिन इस के बारे में अभी कुछ नहीं कहता । मैं तो खुश हूँ लेकिन फिर भी आप की मार्फत इन को कहता हूँ, इनको मश्विरा देता हूँ, मान लें तो मेहरबानी और न मानें तो कोई बात नहीं । मेरा कहना यह है कि भागने वाले के लिए एक जैसा ही मैदान होता है, किसी के लिए ज्यादा और किसी के लिए कम नहीं होता लेकिन कुएं के अन्दर मुंह डाल कर अगर कोई किसी को गाली दे, तो तीसरे आदमी की जरूरत नहीं, कुएं से उसकी वही आवाज आती है । मैं बहुत अदब से कहना चाहता हूँ :

नजरे करम न सही, नजरे गजब ही सही । मगर मैं खुश हूँ कि हूँ तो किसी की नजर में ।।

मैं अर्ज कर रहा था कि यह तमाम मसले जो हमारे सामने आए हैं, इन के लिए एक बात और कही गई कि कांग्रेस सिर्फ अपनी सरकार बनाना चाहती है और सरकार जहां इन को नहीं वसूती, ये गवर्नर रूल कर देते हैं और कोई भी हो, कभी भी हो, सारे उसूलों को कुर्बान करके अपनी सरकार को रखते हैं । डिप्टी स्पीकर साहब, यह बहुत बड़ा इल्जाम है और यह बिल्कुल बे-बुनियाद है । हम हिन्दुस्तान की हुकूमत ज़रूरत की मंजूरी से कर रहे हैं लेकिन उसूलों का, प्रिंसीपलों का पालन करने के लिये राज्य कर रहे हैं । और केवल राज करने के लिए राज्य नहीं कर रहे हैं, लोगों की सवा करने के लिए हमारी नेता को आज तक अपनी जिन्दगी में बड़ी से बड़ी ताकत से टक्कर लेनी पड़ी लेकिन अपने प्रिंसिपलों को कभी कुर्बान नहीं किया । हमारे विरोधी, जिन को हम बहुत अच्छी तरह से जानते हैं और जिन के लिए मेरा दिल नहीं कहता कि मैं कुछ कहूँ, अपनी कुसीर अपनी जगह छोड़ कर चले जाते हैं और अभी हमारी आनरबिल लेडी मेम्बर, श्रीमती

गोपालन को डा. कुरियन के लेक्चर के दौरान जब 10 बार उठना पड़ा, तो मैं सोचता था कि एक नेता जी, जो सी.पी.एम. के नेता की कुसीर पर बैठे हैं, वे खुद इस को सम्भाल लेंगे लेकिन उन को भी उन की मदद पर आना पड़ा, अपनी पार्टी के लिए आना पड़ा, और कोई बात नहीं है लेकिन फिर यह कह दिया कि हमें राज की जरूरत नहीं, हम लालच नहीं करते । शायद मैं गलती नहीं करता, यही उन्होंने कहा था । तो इस सम्बन्ध में मुझे एक बात याद आ गई इसी हाउस की ।

SHRIMATI SUSEELA GOPALAN : You are adopting double standards. This is what I said.

SHRI ZAIL SINGH: People know who is adopting double standards. You come in the court of people.

दोखिए फिर क्या होता है ? मैं लेडी मेम्बर का बहुत सम्मान करता हूँ ।

मुझे याद आ गया । हमारी पार्टी के मेम्बर आपस में लड़ रहे थे । एक मेम्बर ने दूसरे की सियासत में दखल दिया । दूसरा मेम्बर आदमी जोरदार था, दिमाग से कुछ कम था, वैसे मजबूत था । उसने कहा कि तुम को यहां से कुएं में फेंक दूंगा अगर हमारे काम में दखल दिया । पहले वाले ने इस बात को जा कर ऊपर शिकायत की । उस वक्त पंडित पंत जी जिंदा थे । जब शिकायत पंत जी तक पहुंची तो उन्होंने दोनों को समझा-बुझा कर कहा कि आपस में लड़ना-भगड़ना अच्छा नहीं है । अब आगे से मत लड़ना । जे जरा मजबूत था उसको डांट भी दिया गया । जब दोनों बाहर आये, वे आज भी जिंदा हैं, मैं उनका नाम नहीं बताऊंगा, तो वे दोनों ठीले थे । उनसे पूछा गया कि सुनाओ जी क्या हाल है ? इस पर दोनों ने जवाब दिया कि अब हमने फैसला कर लिया है कि हम किसी के काम में दखल नहीं देंगे ।

इसलिए मैं अपने सी.पी.एम. वालों से कहता हूँ कि आप अब यह कहना चाहते हो कि हम राज नहीं करना चाहते हैं क्योंकि

[श्री जैल सिंह]

कांग्रेस को समुद्र में फेंक दिया जाए । मैं मिलेगा । वे दिन गये ।

एक दोस्त ने तकरीर करते हुए कहा कि कांग्रेस को समुद्र में फेंक दिया जाए । मैं कहना चाहता हूँ कि हमारी समुद्र में भी जूथेबंदी बन गयी है, आसमान पर भी बन गयी है । अगर कभी आप चन्द्रमा पर जाओगे तो वहाँ पर भी आपको कांग्रेस के जूथे मिलेंगे ।

मुझे भी कहा गया है कि किसी न किसी तरह से सोचते रहते हैं कि कहां प्रोजेडेंट रूल हो, इसी बात पर हम ध्यान रखते हैं । उन्होंने कुछ और भी हवाला दिया । मैं इतना ही कहता हूँ कि यह जो फैसला किया गया है वह भारतीय संविधान के अनुसार किया गया है और वहाँ के लोगों के हित में किया गया है और डेमोक्रेसी की शानदार रवायतों को कायम रखने के लिए किया गया है । डेमोक्रेसी वहाँ बदनाम हो रही थी । अगर हम यह कदम नहीं उठाते तो डेमोक्रेसी और बदनाम होती ।

हमारे दोस्त ने कहा कि घोड़ों का व्यापार शुरू हो गया है । घोड़ों का व्यापार कह देना अच्छी बात नहीं है । मैं सब पार्टियों से कहता हूँ कि आप अगर गिनती करने लगें तो पता लगेगा कि सब की पाटी में खरीदें गये हैं । उनकी गिन्ती कहां तक की जाए, यह उनकी हतक है । वे लोगों से चुन कर आये हैं इसलिए लोगों के प्रतिनिधि हैं । किसी प्रतिनिधि को कैसे हम ऐसी बात कह सकते हैं । जब हमारे पास लोग आते थे तो कह दिया कि हम खरीदते थे । अब आपको पास कोई गया तो आप कहते हैं कि आप को खरीदने का मौका नहीं दिया ।

आखिर मैं हाउस से प्रार्थना करता हूँ कि यह प्रस्ताव मंजूर किया जाए ।

THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE): As most of the observations made by the hon. Members relate to the political aspect of the problem, my task has become easy to reply to some of the general observations

which have been made in the course of the debate.

The first point which has been made is about the plan size of Kerala which is of the order of Rs. 275 crores for the state plan of the 1981-82. The fact was explained on the floor of the House in other connections. As the hon. Members are aware, in regard to adjustment of the overdraft, a decision was taken, that a part of the overdraft would be adjusted towards the plan outlay of 1978-1983. That formula was applied to each and every State irrespective of the political character of the Government in that State. But, when I found out that with the application of this formula in respect of three States, their actual plan would be reduced even compared to the plan outlay of 1981-82, off these three States—one is Kerala, the other is Rajasthan and the third is West Bengal; West Bengal's plan outlay has not yet been finalised—we had to take the decision for that reason, namely, that to protect the State's Plan outlays at least at the level of last year, let us not make an adjustment towards the overdraft of these three States. If we were to apply that formula which had been applied in respect of the other States, then, the actual plan outlay as far as Kerala was concerned would have been much less. Therefore, it is no use pointing out why the plan size has not been increased.

In regard to the Central assistance, there is a set formula. To-day we are discussing Kerala Budget. You might say that you should give more allocation to Kerala. Then, other States will also come with the same plea. They may say that we are giving more to one State and less to another State. So, according to the standard practice, the central assistance was increased by ten per cent in respect of each State. That ten per cent increment was made in respect of Kerala also. Except for maintaining the plan size at the current year's level it was not possible for us to increase it substantially.

Second general point that had been mentioned was this. The import policy which

is being pursued by the Government is affecting the economic interests of the Kerala State. In the last two years or so when I was in the Ministry of Commerce, half-a-dozen times, I have replied and reacted to some of those questions. Still, I am not quite clear as to how it is affecting the economy of Kerala State. Take, for example, the case of rubber. The total production is about 150 to 155 thousand tonnes. But, our total requirement for the industries is about 1,75,000 tonnes. If we import this 20,000 tonnes, how it is going to affect the economy of Kerala? Just tell me that. These were comparisons of the price of natural rubber which we were getting. You compare that with Malaysia or any other rubber producing country to find out whether Kerala was getting more or less for their rubber. If we imported more than the requirements, then, that was the reason why I committed myself on the floor of the House that in 1980 I only canalised that and wanted to regulate it and to see that that situation was not created at any particular point of time... (Interruptions). You had your say. I am expressing my views. It is no use interrupting me. If you want to listen to my views please do so. Otherwise I shall speak and I shall not answer any of your single point.

**MR. DEPUTY SPEAKER:** Let him reply to the points raised. He is only replying to your point. Please sit down. Mr. Nadar, kindly sit down.

**SHRI PRANAB MUKHERJEE:** I am giving my views as I understand. Sir, the total requirements was between 25 to 30 thousand tonnes. In fact, I am being criticised by the other side that I am not giving protection to the small scale industries because of this price for the natural rubber. A number of small-scale industries are being shifted from here to free zone in Kerala. That complaint is also coming. That has come from the other side. Therefore, I say that it is not a fact that import policy of rubber is going to affect the economy of Kerala.

Coming to coconut oil, I had explained the position when I was a Commerce Mi-

nister very clearly about the import policy of 1980. There was a snag and that snag was like this. Some of the importers interpreted that the coconut oil was used for industrial purposes and so this could be imported under the O.G.L. But when I revised the import policy which I announced in last April I made it quite clear. In the present import policy any edible oil for industrial purposes or for edible purposes cannot be imported under OGL. It has to be imported through canalising agents and we have not imported coconut oil something was in the pipeline which is coming down; that too is a very restricted quantity. When Prime Minister visited Phillipines we discussed about the trade agreements or commercial terms various countries made so. Naturally, Phillipines was interested in selling their coconut oil and they offered that and asked us whether we are in a position to take it. It is just as we offer our commodities. These are just mutual exchange of views. No decision has been taken to import coconut oil. I do agree that some oil is coming but it is coming because of the fact I mentioned. I am not permitted to do anything. Even the hon. Members are fully aware of a large number of writ petitions which have been filed in respect of edible oil cases. The verdict and judgement of the court has gone to the extent that even if they can produce the postal receipts (that they have sent some letters to the organisation of CCIE) it should be presumed that they have applied before the canalisation, that they made the application before that, and it will have to be treated as pre ban commitment. But this is a different issue. We are fighting against that. But some quantity of imported coconut oil is coming only because of that. But so far as the policy of 1981-82 is concerned I have made it quite clear and I have explained it. Same is the case with cocoa. From some Members suggestions came and they said, you put it in the restricted list. Earlier it was under OGL. I have put it in the restricted list. I have not permitted import of raw cocoa. A limited quantity of cocoa powder was permitted to be imported for blending purposes and to reduce the acidity content. When the earlier



[Shri Pranab Mukherjee]

Government was there—I am not taking of the Karunakaran Government, but the earlier Government—we had discussed it. I told them, I am prepared, as Commerce Minister to extend the cash assistance for exporting your cocoa to the international market, you take some initiative to establish some unit which can make some sort of chemical treatment and reduce the acidity content of the cocoa. But nothing has been done. If a commodity is not sold in the domestic or the international market, it is bound to have its effect. You cannot help it. Therefore it is not the import policy. We have regulated the import policy. We are keeping an eye on those particular areas and we are earning more.

I do agree with Mr. Unnikrishnan that these are areas where we are earning lot of foreign exchange and it is not in our interest to see that these are affected.

The third thing is this. While making their observations some of the Members have suggested certain things and referred to two schemes. One was about pension to the agricultural workers and the other was the scheme of giving pension to the unemployed. None of these schemes has been given up. Why are you politicalising it? Even if you had gone through the condensed document you would find this. The amount which you allocated is the same amount which is now allocated; why are you not looking at it? We have reservations because we cannot confine the scheme to one State. There are many other States. The States' resources are not enough to meet it. The scheme is ideal. There is no denying this fact. As Mr. Chandarjit Yadav has suggested, if we could do it, it would have been an ideal situation. But with the existing economic situation whether we could do it in all the States is the question. Mr. Karunakaran's Government not only continued it, but they wanted to increase it. Therefore it is no fault of them. And they themselves have done it, included it and in the present Budget also it has been included. So, therefore, there is no question of giving up of those two schemes. We are continu-

ing and we have raised the allocation in the Budget itself.

While making this observations, Shri Unnikrishnan just picked up the non-plan outlay on irrigation. That is just a statistical jugglery. Why are you taking only the non-plan outlay on irrigation? If you go through the papers, you will find that it has not decreased. If you are interested in the figures, I can give you. In the budget estimate for 1981-82, it was 51.82 crores, and in the budget estimates for 1982-83 it also 51.82 crores. And the responsibility will have to be taken by the Government which you supported, because Shri Karunakaran's Government was only for eighty days. In the rest of the financial year, either it was your Government or the State was under the President's rule for a short while. The Plan allocation is much more important than the non-Plan expenditure.

Now, I come to another general point which Shri Banatwalla and Prof. Kurien raised. Why are we having a Vote on Account for six months? Normally, we have Vote on Account, Particularly if we are presenting the budget in the Monsoon session, for four months. Sometimes there is a gap between these two sessions, as it is a very long session. There is no intention as the Home Minister has made it clear to delay the elections; we would like to hold the elections as early as possible. There is no intention of prolonging the President's rule there. Technically, if we have four months Vote on Account, that period will be over in July and if the monsoon session does not meet in July, we will be in a tight situation. Sometimes we meet in the third week of July, or sometimes in the first week of August. In order to avert that eventuality, I took the Vote Account for six months. The intention is not to prolong the President's rule in the State.

The last general point which the hon. Members have mentioned is with regard to two projects, about which they are very much agitated. One is Calicut Airport. I am happy to inform that so far as I am concerned, I have okayed it; shortly it is going to the Cabinet, and perhaps in a short time it will be approved. If it has not been already done. It will be done.



The other is with regard to the two railway projects. I am not making any commitment, because we have not been able to make nay allocation. But I have suggested both to the Planning Commission and the Railway Ministry for this; of course, it will not be possible to undertake both the projects. Of these two, one which will be more economically viable and is more important from the economic point of view, is I think, the line which will go to Alleppy. One was to lead to Guruvayur and the other was to Alleppey. I have suggested that the line which will lead to Alleppy should be re-examined, and a reappraisal made. From our side, we will try to see what we can do, how much resources we can make available for this.

There is only : one more point in regard to the increase of Rs. 12 crores in the police budget. Much has been said about this. But you will agree with me that a substantial part in this increment is because of the dearness allowance. Day in and day out, you are shouting against the limited part, the arrears, which I asked the employees to deposit in the provident fund; for that action, you have been criticising the Government. And when some amount increases in the police expenditure head, a part of which is because of the enhanced dearness allowance, why should you mind it? I appreciate that if I had given you the detailed break-up, you would not have objected to it. But I have already explained, why I could not give the details. A part of this amount of Rs. 12 crores, i.e. Rs. 2.36 crores is on account of the dearness allowance, and Rs. 2.75 is to provide for more facilities to replace the vehicles, and to acquire some new vehicles. Those break-ups are also with me. These are the reasons why Rs. 12 crores have been increased in the police budget. Neither the budget is meant for increasing the police force nor for resorting to repressive measure. This is what I wanted to submit.

SHRIMATI SUSEELA GOPALAN: What is your approach with regard to the traditional industries?

SHRI PRANAB MUKHERJEE: I will only request the lady Member to just go through these bulky questions. All these detailed answers given by my colleague, Shri Narayan Datt Tiwari, I have brought out here. If I had time, I would read each and everything. It is no use placing it on the Table of the House because these are parliamentary papers. Please do some homework and see what steps are being taken to protect the coir industry.

SHRI E. BALANANDAN: Sir, one point has not been covered. It is for the Home Minister to reply. In the biodata to be given by the applicants in the Defence Electronics Research Laboratory, Hyderabad, at column No. 11, it is asked whether the applicant has stayed in West Bengal or Kerala for more than one year. What has the Home Minister to say about this? Do you want to say something about that? I want an answer from you. Is it fair?

MR. DEPUTY-SPEAKER: I shall now put the Statutory Resolution approving the Proclamation in relation to the State of Kerala moved by Giani Zail Singh to the vote of the House.

The question is:

"That this House approves the Proclamation issued by the President on the 17th. March, 1982 under Article 356 of the Constitution in relation to the State of Kerala."

*The motion was adopted.*

I shall now put all the cut-motions to the Demands for Grants on Account in respect of the Budget for the State of Kerala for 1982-83 to the vote of the House together.

SHRI K. P. UNNIKRIISHNAN: We are not pressing all. Some may be pressed.

MR. DEPUTY-SPEAKER: Does any Hon. Members desire that any of his cut-motions should be put separately?

SHRI K. P. UNNIKRIISHNAN: I want my Cut Motion to be put separately.

**MR. DEPUTY-SPEAKER:** Now, I shall put Cut Motion No. 14 moved by Shri K. P. Unnikrishnan to the vote of the House.

The question is:

"That the demand for grant on account under the head Police be reduced by Rs. 1,00,00,000."

[Need to decrease the charges for Police Administration which are totally disproportionate to the outlay on productive schemes and welfare measures] (14).

*The Lok Sabha divided:*

**Division No. 4] [16.45 hrs.**

**AYES**

Balanandan, Shri E.

Chakraborty, Shri Satyasadhan  
Choudhury, Shri Saifuddin

Das, Shri R. P.

Ghosh Goswami, Shrimati Bibha  
Giri, Shri Sudhir

Gopalan, Shrimati Suseela

Halder, Shri Krishna Chandra

Imbichibava, Shri E. K.

Jethmalani, Shri Ram

Lawrence, Shri M. M.

Mahata, Shri Chitta

Mehta, Prof. Ajit Kumar

Misra, Shri Satyagopal  
Mohammed Ismail, Shri

Nadar, Shri A. Neelalohithadasan

Pal, Prof. Rup Chand

Rajan, Shri K. A.

Shamanna, Shri T. R.

Singh, Shri B. D.

Unnikrishnan, Shri K. P.

Varma, Shri Ravindra

Verma Shri R. L. P.

Yadav, Shri Chandrajit

Zainul Abedin, Shri

**NOES**

Ahmad, Shri Mohammad Asrar

Ahmed, Shri Kamaluddin

Arakal, Shri Xavier

Arjunan, Shri K.

Azad, Shri Ghulam Nabi

Baitha, Shri D. L.

Bajpai, Dr. Rajendra Kumari

Banatwalla, Shri G. M.

Bansi Lal, Shri

Behera, Shri Rasabehari

Bhatia, Shri R. L.

Bheekhabhai, Shri

Bhoi, Dr. Krupasindhu

Bhole, Shri R. R.

Bhuria, Shri Dileep Singh

Birbal, Shri

Brar, Shrimati Gurbrinder Kaur

Brijendra Pal Singh, Shri

Chandrashekharappa, Shri T. V.

Chaturvedi, Shrimati Vidyawati

Chaudhary, Shri Manphool Singh

Chennupati, Shrimati Vidya

Chingwang Konyak, Shri

Daga, Shri Mool Chand

Dalbir Singh, Shri

Das, Shri A. C.

Dennis, Shri N.

Dev, Shri Sontosh Mohan

Era Anbarasu, Shri

Faleiro, Shri Eduardo

Gadgil, Shri V. N.

Gadhavi, Shri Bheravadan K.

Gandhi, Shri Rajiv

Gehlot, Shri Ashok

Gomango, Shri Giridhar

Gouzagin, Shri N.

Hakam Singh, Shri

Jadeja, Shri Daulatsinhji

Jaffer Sharief, Shri C. K.

Jain, Shri Virdhi Chander

Jamilur Rahman, Shri

Jena, Shri Chintamani

Karma, Shri Laxman  
 Kuchan, Shri Gangadhar S.  
 Kunhambu, Shri K.  
 Kunwar Ram, Shri

Laskar, Shri Nihar Ranjan

Madhuri Singh, Shrimati  
 Mahabir Prasad, Shri  
 Mahajan, Shri Vikram  
 Mahendra Prasad, Shri  
 Makwana, Shri Narsinh  
 Mallikarjun, Shri  
 Mehta, Dr. Mahipatray M.  
 Mishra, Shri Ram Nagina  
 Misra, Shri Harinatha  
 Misra, Shri Nityananda  
 Mohsin, Shri F. H.  
 Muthu Kumaran, Shri R.  
 Muttemwar, Shri Vilas  
 Muzaffar Hussain, Shri Syed

Nagina Rai, Shri  
 Naik, Shri G. Devaraya  
 Naikar, Shri D. K.  
 Namgyal, Shri P.  
 Netam, Shri Arvind  
 Nikhra, Shri Rameshwar

Panday, Shri Kedar  
 Pandey, Shri Krishna Chandra  
 Panigrabi, Shri Chintamani  
 Panika, Shri Ram Pyare  
 Parashar, Prof. Narain Chand  
 Pardhi, Shri Kesharao  
 Parthasarathy, Shri P.  
 Patnaik, Shrimati Jayanti  
 Pattuswamy, Shri D.  
 Phulwariya, Shri Virda Ram  
 Poojary, Shri Janardhana  
 Pradhani, Shri K.

Raju, Shri P. V. G.  
 Ramamurthy, Shri K.  
 Ranga, Prof. N. G.  
 Rao, Shri Jagannath  
 Rao, Shri P. V. Narasimha

Rathod, Shri Uttam  
 Raut, Shri Bhola  
 Ravani, Shri Navin  
 Rawat, Shri Harish  
 Reddy, Shri K. Brahmananda

Sahi, Shrimati Krishna  
 Sajjan Kumar, Shri  
 Saminuddin, Shri  
 Satho, Shri Vasant  
 Satya Deo Singh, Prof.  
 Sayeed, Shri P. M.  
 Scindia, Shri Madhav Rao  
 Shailani, Shri Chandra Pal  
 Shaktawat, Prof. Nirmala Kumari  
 Shankaranand, Shri B.  
 Sharma, Shri Kali Charan  
 Sharmaa, Shri Nand Kishore  
 Shastri, Shri Hari Krishna  
 Sidnal, Shri S. B.  
 Singaravadivel, Shri S.  
 Singh, Dr. B. N.  
 Singh Deo, Shri K. P.  
 Subburaman, Shri A. G.  
 Sunder Singh, Shri  
 Suryawanshi, Shri Narasing  
 Swaminathan, Shri R. V.

Tariq Anwar, Shri  
 Tayeng, Shri Sobeng  
 Tayyab Hussain, Shri  
 Tewary, Prof. K. K.  
 Tripathi, Shri Kamalapati

Varma, Shri Jai Ram  
 Venkataraman, Shri R.  
 Venkatasubbaiah, Shri P.  
 Vijayaraghavan, Shri V. S.  
 Virbhadrha Singh, Shri  
 Vyas, Shri Girdhari Lal  
 Yadav, Shri Ram Singh  
 Yadav, Shri Subhash Chandra  
 Yazdani, Dr. Golam

MR. DEPUTY-SPEAKER: Subject to correction, the result\* of the division is:

Ayes — 25

Noes — 123

*The motion was negatived.*

MR. DEPUTY-SPEAKER: Now I shall put all other cut motion moved to the vote of the House.

*Cut motions Nos. 13 and 15 to 34 were put and negatived.*

MR. DEPUTY-SPEAKER: The question is:

"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 out of the Consolidated Fund of the State of Kerala on account for or towards defraying the charges during the year ending on the 31st day of March, 1983, in respect of the heads of demands entered in the second column thereof against Demand Nos. I to XLIV."

*The motion was adopted.*

MR. DEPUTY-SPEAKER: The question is:

"That the respective supplementary 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 out of the Consolidated Fund of the State of Kerala to defray the charges that will come in course of payment during the year ending the

31st day of March, 1982, in respect of heads of Demands entered in the second column thereof against:—

Demand Nos. I to III, V to XI, XIII to XXX, XXXII, XXXV to XLII."

*The motion was adopted.*

16.45 hrs.

KERALA APPROPRIATION (VOTE ON ACCOUNT) BILL\*, 1982

THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE): 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 the State of Kerala for the services of a part of the financial year 1982-83.

MR. DEPUTY-SPEAKER: Now, the question is:

"That leave be granted to introduce a Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Kerala for the services of a part of the financial year 1982-83."

*The motion was adopted.*

SHRI PRANAB MUKHERJEE: I introduce† the Bill.

I beg to move:

"That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Kerala for the services of a part of the financial year 1982-83, be taken into consideration."

\*The following Members also recorded their votes:

AYES: Shri D. P. Yadav and Shri Dhanik Lal Mandal;

NOES: Shri Zail Singh and Shri Rajesh Pilot.

\* Published in Gazette of India- Extraordinary, Part II, section 2, dated 27-3-82.

†Introduced moved with the recommendation of the President.



MR. DEPUTY-SPEAKER: Now, the question is:—

"That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Kerala for the services of a part of the financial year 1982-83 be taken into consideration."

*The motion was adopted.*

MR. DEPUTY-SPEAKER: Now, we shall take up Clause by Clause consideration of the Bill.

The question is:

"That clauses 2 and 3 and the Schedule stand part of the Bill."

*The motion was adopted.*

*Clauses 2 and 3 and the Schedule were added to the Bill.*

MR. DEPUTY-SPEAKER: The question is:

"That Clause 1, the Enacting Formula and the Title stand part of the Bill."

*The motion was adopted.*

*Clause 1, the Enacting Formula and the Title were added to the Bill.*

SHRI PRANAB MUKHERJEE: I beg to move:

"That the Bill be passed."

MR. DEPUTY-SPEAKER: The question is:

"That the Bill be passed."

*The motion was adopted.*

## KERALA APPROPRIATION BILL\*, 1982

THE MINISTER OF FINANCE  
(SHRI PRANAB MUKHERJEE): 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 the State of Kerala for the services of the financial year 1981-82.

MR. DEPUTY-SPEAKER: Now, 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 the State of Kerala for the services of the financial year 1981-82."

*The motion was adopted.*

SHRI PRANAB MUKHERJEE: I introduce† the Bill.

I beg to move†:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Kerala for the Services of the financial years and 1981-82 be taken into consideration."

MR. DEPUTY-SPEAKER: Now, the question is:—

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Kerala for the services of the financial year 1981-82, be taken into consideration."

*The motion was adopted.*

MR. DEPUTY-SPEAKER: Now we shall take up Clause by Clause consideration of the Bill.

The question is:

"That Clauses 2 and 3 and the Schedule stand part of the Bill."

*The motion was adopted.*

*Clauses 2 and 3 and the Schedule were added to the Bill.*

\*Published in Gazette of India Extraordinary Part II, Sec. II, Dated 27-3-82.  
Introduced/moved with the recommendation of the President.

**MR. DEPUTY-SPEAKER:** The question is:

"That Clause 1, the Enacting Formula and the Title stand part of the Bill."

*The motion was adopted.*

*Clause 1, the Enacting Formula and the Title were added to the Bill.*

**SHRI PRANAB MUKHERJEE:** I beg to move:

"That the Bill be passed."

**MR. DEPUTY-SPEAKER:** The question is:

"That the Bill be passed."

*The motion was adopted.*

16.49 hrs.

**MOTION RE. SUSPENSION OF SUB-RULE (2) OF RULE 206 IN RELATION TO DEMANDS FOR GRANTS ON ACCOUNT (ASSAM), 1982-83**

**THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE):** I beg to move:—

"That in relation to the Demands for Grants for expenditure of the Government of Assam during the financial year 1982-83, this House do suspend so much of sub-rule (2) of 206 of the Rules of Procedure and Conduct of Business in Lok Sabha, as relates to 'a statement of the detailed estimate under each grant divided into items' for the purpose of granting Vote on Account by this House."

**MR. DEPUTY-SPEAKER:** The question is:

"That in relation to the Demands for Grants for expenditure of the Government of Assam during the financial year 1982-83, this House do suspend

so much of sub-rule (2) of rule 206 of the Rules of Procedure and Conduct of Business in Lok Sabha, as relates to 'a statement of the detailed estimate under each grant divided into items' for the purpose of granting Vote on Account by this House."

*The motion was adopted.*

16.50 hrs.

**STATUTORY RESOLUTION RE. PROCLAMATION IN RELATION TO STATE OF ASSAM,**

**ASSAM BUDGET 1982-83—GENERAL DISCUSSION,**

**DEMAND\* FOR GRANTS ON AC- AND CONUT (ASSAM), 1982-83**

**SUPPLEMENTARY\* DEMANDS FOR GRANTS (ASSAM), 1981-82**

**THE MINISTER OF HOME AFFAIRS (SHRI ZAIL SINGH):** I beg to move:

"That this House approves the Proclamation issued by the President on the 19th March, 1982 under article 356 of the Constitution in relation to the State of Assam."

**MR. DEPUTY-SPEAKER:** Resolution moved:

"That this House approves the Proclamation issued by the President on the 19th March, 1982 under article 356 of the Constitution in relation to the State of Assam."

Now we take up the Demands also.

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, out of the Consolidated Fund of the State of Assam, on account, for or towards defraying the charges during the year

\*Move with the recommendation of the President.

ending on the 31st day of March, 1983, in respect of the heads of demands entered in the second column thereof against Demand Nos. 1 to 72."

"That the respective supplementary 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 out of the Consolidated Fund of the State of Assam to defray the charges that

will come in course of payment during the year ending on the 31st day of March, 1982, in respect of heads of demands entered in the second column thereof against—

Demand Nos. 10, 11, 15, 16, 18, 21, 22, 24, 25, 27, 31, 32, 33, 36, 37, 38, 40, 43, 44, 47, 54, 55, 57, 58, 59, 61, 63, 64, 67, 68, 71, and 72".

*Demands for Grants on Account (Assam) 1982-83 submitted to the vote of Lok Sabha*

Demand No.	Name of Demand	Amount of Demand for Grant on account submitted to the vote of the House	
1	2	3	
		Revenue Rs.	Capital Rs.
1. State Legislature . . . . .		28,96,000	..
2. Council of Ministers . . . . .		11,50,000	..
3. Administration of Justice . . . . .		97,43,000	..
4. Elections . . . . .		2,49,91,000	..
5. Taxes on Income and Expenditure . . . . .		4,41,000	..
6. Land Revenue and Land Ceiling . . . . .		4,11,85,000	..
7. Stamps . . . . .		5,00,000	..
8. Registration . . . . .		15,54,000	..
9. State Excise . . . . .		39,70,000	..
10. Sales Tax and Other Taxes . . . . .		63,88,000	..
11. Transport Services . . . . .		1,78,66,000	49,25,000
12. Electrical Inspectorate . . . . .		3,72,000	...
13. Small Savings . . . . .		1,62,000	
14. Financial Inspection . . . . .		1,37,000	..
15. Civil secretariat and Attached Offices . . . . .		1,94,40,000	..
16. District Administration . . . . .		1,79,81,000	..
17. Treasury and Accounts Administration . . . . .		59,08,000	..
18. Police . . . . .		18,73,84,000	50,000
19. Jails . . . . .		86,68,000	..
20. Stationery and Printing . . . . .		73,04,000	..
21. Administrative and Functional Buildings . . . . .		3,27,21,000	6,00,48,000
22. Fire Services . . . . .		51,56,000	..

1	2	3
		Revenue Rs. Capital Rs.
23.	Vigilance and Special Commissions . . . . .	6,58,000 ..
24.	Civil Defence and Home Guards . . . . .	1,26,26,000 ..
25.	Guest Houses, Government Hostels, etc. . . . .	16,36,000 ..
26.	Administrative Training . . . . .	3,69,000 ..
27.	Vital Statistics, etc. . . . .	5,10,000 ..
28.	Pensions and other Retirement Benefits . . . . .	1,81,60,000 ..
29.	Aid Materials . . . . .	1,22,00,000 ..
30.	State Lotteries and Others . . . . .	24,48,000 ..
31.	Education . . . . .	57,23,67,000 1,00,000
32.	Art and Culture . . . . .	52,28,000 ..
33.	State Archives . . . . .	1,10,000 ..
34.	Medical and Public Health . . . . .	25,62,89,000 70,25,000
35.	Sanitation and Sewerage . . . . .	6,50,000 2,00,000
36.	Housing Schemes . . . . .	1,26,72,000 19,31,000
37.	Residential Buildings . . . . .	1,21,79,000 2,21,43,000
38.	Urban Development . . . . .	55,75,000 55,45,000
39.	Information and Sublicity . . . . .	33,75,000 ..
40.	Labour and Employment . . . . .	1,39,84,000 ..
41.	Civil Supplies . . . . .	66,61,000 ..
42.	Relief and Rehabilitation . . . . .	48,000 ..
43.	Welfare of Scheduled Castes/Scheduled Tribes and others . . . . .	2,50,28,000 5,00,000
44.	Social Welfare . . . . .	1,55,70,000 ..
45.	Prohibition . . . . .	25,18,000 ..
46.	Pensions to Freedom Fighters, Rajya Sainik Board, etc. . . . .	20,36,000 14,87,000
47.	Natural Calamities . . . . .	3,46,00,000 ..
48.	Social and Community Services . . . . .	2,50,000 ..
49.	Planning Board . . . . .	16,35,000 ..
50.	Co-operation . . . . .	2,74,11,000 2,12,08,000
51.	North Eastern Council Schemes . . . . .	81,34,000 1,89,32,000
52.	Statistics . . . . .	59,18,000 ..



1	2	3	
		Revenue Rs.	Capital Rs.
53.	Weights and Measures . . . . .	18,32,000	..
54.	Trade Adviser . . . . .	3,44,000	..
55.	Agriculture . . . . .	19,73,50,000	..
56.	Irrigation . . . . .	2,43,96,000	13,04,38,000
57.	Soil and Water Conservation . . . . .	1,95,74,000	60,00,000
58.	Animal Husbandry and Veterinary . . . . .	4,44,91,000	..
59.	Dairy Development . . . . .	72,00,000	..
60.	Fisheries . . . . .	1,06,53,000	1,00,000
61.	Forest . . . . .	10,32,76,000	..
62.	Community Development . . . . .	4,18,42,000	..
63.	Industries . . . . .	21,70,000	2,64,73,000
64.	Sericulture and Weaving . . . . .	2,32,33,000	1,22,000
65.	Cottage Industries . . . . .	1,09,44,000	61,50,000
66.	Mines, Minerals and Power . . . . .	45,23,000	29,00,00,000
67.	Flood Control . . . . .	4,35,05,000	6,50,00,000
68.	Roads and Bridges . . . . .	13,71,33,000	11,95,00,000
69.	Tourism . . . . .	18,38,000	..
70.	Payment of Compensation and assignment to local bodies and Panchayati Raj Institutions . . . . .	1,96,35,000	..
71.	Assam Capital Construction . . . . .	..	20,63,000
72.	Loans and Advances to Government Servants . . . . .	..	3,12,50,000

*Supplementary Demands for Grants (Assam), 1981-82 submitted to the Vote of Lok Sabha*

Demand No.	Name of Demand	Amount of Demand for Grant submitted to the vote of the House	
		Revenue Rs.	Capital Rs.
1	2	3	
10.	Sales Tax and Other Taxes . . . . .	15,18,000	..
11.	Transport Services . . . . .	23,00,000	1,15,32,000
15.	Civil Secretariat and Attached Offices . . . . .	8,50,000	..
16.	District Administration . . . . .	15,49,000	..
18.	Police . . . . .	8,00,00,000	..

1	2	3	Revenue Rs.	Capital Rs.
21.	Administrative and Functional Buildings . . . . .		4,00,000	1,30,52,000
22.	Fire Services . . . . .		8,00,000	..
24.	Civil Defence and Home Guards . . . . .		2,79,000	..
25.	Guest Houses, Government Hostels, etc. . . . .		6,95,000	..
27.	Vital Statistics, etc. . . . .		2,73,000	..
31.	Education . . . . .		52,84,000	..
32.	Art and Culture . . . . .		3,00,000	..
33.	State Archives . . . . .		3,80,000	..
36.	Housing Schemes . . . . .		..	16,00,000
37.	Residential Buildings . . . . .		..	10,05,85,000
38.	Urban Development . . . . .		1,00,000	50,00,000
40.	Labour and Employment . . . . .		5,000	..
43.	Welfare of Scheduled Castes/Scheduled Tribes and Others . . . . .		19,00,000	..
44.	Social Welfare . . . . .		71,38,000	..
47.	Natural Calamities . . . . .		..	14,10,000
54.	Trade Adviser . . . . .		5,000	..
55.	Agriculture . . . . .		15,63,000	1,50,00,000
57.	Soil and Water Conservation . . . . .		1,07,000	..
58.	Animal Husbandry and Veterinery . . . . .		11,87,000	..
59.	Dairy Development . . . . .		1,65,000	..
61.	Forests . . . . .		1,19,35,000	..
63.	Industries . . . . .		..	1,87,44,000
64.	Sericulture and Weaving . . . . .		11,75,000	11,25,000
67.	Flood Control . . . . .		..	10,00,000
68.	Roads and Bridges . . . . .		1,23,34,000	22,38,000
71.	Assam Capital Construction . . . . .		..	7,18,000
72.	Loans and Advances to Government servants . . . . .		..	51,74,000

MR. DEPUTY-SPEAKER: Time allotted is 3 1/2 hours.

Items Nos. 13, 14, 15 and 16 will be discussed together.

SHRI SATYASADHAN CHAKRABORTY (Calcutta South): Mr. Deputy Speaker, Sir, I am really unhappy because this House has to discuss the Budget of Assam and also the Proclamation. As hon. Members know, this article 356 was much debated in the Constituent Assembly and an assurance was given during the debate by the founding fathers of the Constitution, particularly Mr. Ambedkar, that this article would be used sparingly and that too when there was an external danger or when the constitutional machinery of the State totally broke down. But to our utter dismay, we find that this article which smacks of the Government of India Act of 1935 against which the Indian National Congress also fought, is now being used liberally by the ruling party. This is not good for democracy.

I was unhappy because the representatives of Assam except my friends, Mr. Sontosh Mohan Dev and Mr. Laskar, are absent from this House. So, we can say that in a participatory democracy the people of Assam are almost absent here because their representatives barring the two, are not here. I am also unhappy because of the fact that we have to discuss the Budget of a State, which the representatives of the people of the State should have discussed. It has never happened in our country that a State has remained unrepresented for such a long time in this House. Also it has never happened in our country that such a prolonged agitation was successful in creating a condition where holding of elections was next to impossible. This is a serious thing. We may have differences. Our Home Minister can attack our programme; we can also attack their programme. But we must try to work together to see that the fundamentals of the Constitution are preserved, the rights of the people to send their representatives are guaranteed and parliamentary democracy can work in our country. Who is responsible for this? Decidedly the agitationists in Assam. They are creating a condition where peaceful election has become impossible. And what is the atti-

tude of the Central Government or the Congress (I)? Well, here in this House the Ruling Congress (I) is telling to us and to the country at large that they are against the secessionists and they are against disintegration. But I would ask the leaders of this Party: Have you held any public meeting in Assam? Have you taken note of what your people are doing in Assam? You are speaking here loudly and vigorously to us in favour of defence of democratic rights, integrity and fighting against secessionist forces in Assam. But what are your people doing there and what are your leaders doing there? Why is it that you are not going to the people, mobilising the masses against those persons who are masquerading as the friends of the Assamese people, but who are actually doing a great disservice to the people of Assam? Sir, that is not all. It was agreed by all the parties that 1971 would be the cut-off year. You invited the Opposition Parties, you talked to them and there was a sort of consensus that 1971 would be the cut-off year. Now the agitationists have given a 15-point programme and now you are talking of 1961 to 1971 can be discussed. Why are you going to

succumb to this pressure? What are you going to discuss? Why 1961 to 1971 should be discussed? It has been agreed by all the parties. But what have these leaders said? They said, political parties are irrelevant. Are you going to accept this? And then, what are you going to do? Now, the Assembly is not there. How long this Presidential Proclamation will continue? Well, it can continue for one year. What are you going to do after one year? How are you going to learn the State after one year? In the mean time, what are they going to do? Our Home Minister must be aware of it, and I am sure he is aware of it. The agitationists backed by the secessionist forces are imposing curfew. Have you ever heard of this? You are here in Delhi, you say that you have a Government and a capable leader, a dynamic leader, but in Assam what are they doing? They are imposing curfew. Not only that. You must be aware of the fact that they say that 'we have our own prison'. What is this? Is it a parallel government that they can have their pri-

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son and they can impose curfew? Not only that. Times without number I have said in this House, and I would request all of you to remember, that it is the whole Assam Administration which is behind the movement. Today the people are not behind the movement. It is the State Government of Assam including your State Government officers who are backing and encouraging this movement. How are you going to tolerate it? What are you aiming it? Is it the integrity of the country? What are you aiming at?

17 hrs.

Are you really interested in fighting the secessionist forces? No. You are trying to come to terms with the agitationists because your party has no base in Assam. Somehow you want to occupy the chair. You are for power. No means to you is bad. You are trying to come to terms, giving concession, trying to sacrifice the rights of the minorities—linguistic and religious. You are trying to sacrifice their right. Why? you are coming to terms with the agitationists somehow to form a Government. Otherwise what is your aim? You kept Assembly in suspended animation with the hope that you will be able to form a Government. Your hopes have shattered. The opposition combined had majority. I would ask one question to our Home Minister, Shri Zail Singh—what is the power of the Governor? Under the Constitution has the Governor any discretionary power? The answer is 'no'. You see the judgment of the Calcutta High Court. You go through the decision the Governors' meeting took, except Governor of Assam on tribal question, Governors have no discretionary powers. In our Constitution, in a Cabinet form of Government, neither the governor nor the President can have any discretionary power. In England the king or the queen is known as magnificent cipher. They are the constitutional head only. What is the right of the queen of England? She has the right to be consulted and the right to warn? Otherwise she has no right. At the Centre you have the President. We have amended the Constitution. The

President has to abide by the advice tendered by the Council of Ministers. Previously, it was not there because the understanding was there that the convention would be respected. In a Parliamentary system, in a Cabinet system, the President is a constitutional head. He must accept the advice tendered by the Council of Ministers. But then, here in Centre, you have amended the Constitution and it is good that you have done it—that the President is bound by the advice of the Council of Ministers. Why is it that the Governor should not be bound by the advice of the Council of Ministers? How is it that in Assam the Governor goes and asks this question to the Opposition Party, I want to know who will be in the Cabinet and who will be in the Ministry? May I ask you when Shrimati Indira Gandhi got majority, did the President ask her—who are to be your Ministers? When you formed the Ministry in Kerala, which has gone out of power, did you ask it? When you fostered Gogoi Government, did you ask it? No. You have two standards—one for the ruling party and the other standard for the Opposition party. The question for the Governor is to ascertain whether a combination of parties or a particular party has a majority or not. The convention is even if it has no majority, the party with the largest number is invited to form the Ministry. The leader allowed. You did it in Travancore Cochin. The minority PSP with a number of 17 was allowed to form the Ministry. But why in the case of Assam you cannot do it? You do not want to have a majority Government in Assam. So, the Governor has to be used as the agent of the Centre. This was not provided in the Constitution. Mr. Stephen, you know what happened in the Assembly debate? Some of your party Members wanted that the Governor should be elected by the people just as it is done in the United States of America. But, then, you say, there can be no two elected entities of Governor and the Council of Ministers. But there was a guarantee, that the Governor will not exercise such power. You go through the whole thing. Now, what are you doing? You are giving a go-bye to the conventions, and even to the spirit of the Constitution.



Sir, may I not ask him what does democracy mean that God has ordained that the Congress (I) under the dynamic leadership of Mrs. Gandhi will rule? Do you mean to say it?

THE MINISTER OF COMMUNICATIONS (SHRI C. M. STEPHEN): The people of Assam say.

SHRI SATYASADHAN CHAKRABORTY: The people of Assam have given the verdict. The people of Kerala have given the verdict. Yes, there were the elected democratic Governments. When the people voted, they not only voted for certain Parties but they voted for certain programmes. When another Ministry is installed, do you respect the voice of the people, what your political scientists and your political philosophers say viz. that the voice of the people is the voice of God. The people of Kerala did not vote for Congress (I). Their verdict was against Congress (I). Now, without consulting the people, if you can instal a Ministry headed by Congress (I), are you really respecting the opinion of the people? I do not mind if the people reject any Party. I do not mind. In a democracy, the people have the right. But do you have the right to utilise your power at the Centre, do you have the right to utilise your money to entice the people to come and join? Is it your political morality? Is it not the question of propriety? You are talking of defection. We are talking of corruption. Is it good that you would be enticing the Members belonging to another Party to come and join saying, I shall make you Minister? Is it good? Well, Sir, I can say, you are sowing the wind and you are going to reap the whirlwind. You engineer defection and you have become a victim of defection. Because, among such politicians, there is no back-bone. There is no principle. Wherever there is money, they go. Whoever makes the Ministry, they go. Well, democracy will not survive with opportunists. We create Constitution and we create institutions. They are to be worked by men. The institutions and the Constitutions depend upon the men who are working them.

If such defections are engineered, constitution cannot work.

In Assam, you want the Chief Minister to remain in power. Who are the persons? Today, you make a lady the Chief Minister. She cannot remain. It is not for the Opposition. If some of your party are supporting one person, others take another person for the Chief Minister. He cannot remain. There is instability. Why? Because, they now know that for becoming the Chief Minister, the support of the Centre is necessary and not going to the people is necessary. They need the blessings of the Centre. It reminds me of Moghul days. When the provincial satraps used to come to Delhi to the Emperor and after getting the blessing of the emperor, the provincial satraps used to go. There was no question of consulting the people. Are you going to reverse the process of history? Are you going to do the same thing?

I do not mind if your Chief Minister is there. But what type of people are coming? Are they not political fortune-hunters? Are they not get-rich-quick type of people? Are they not the people who are jockeying for power. Are they not the people who do not have the interest of the country in their hearts? I ask this question? It is for you to answer.

Now, I would like to ask this question. What are you going to do after one year? You are between the devil and the deep sea, and by suspending the Constitution, by not allowing the majority combination to form the Ministry, now you will have to come to terms with the agitationists including the secessionists, because you will have to form the Government and you are determined not to allow others. Well, there may be elections. How can there be elections? They are challenging the voters' list. They are challenging the whole thing. They are trying to disenfranchise the ordinary persons who are the citizens of India.

Well, a decision has to be taken; it cannot be prolonged for long. Many a

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time, I have said in this House that I have sympathy for some of the genuine demands of the Assamese people. But I do not have any sympathy for those persons who in the name of Assamese people are trying to divide the people, who are trying to dis-enfranchise a section of the people and who are trying to de-stabilise and uproot millions of people creating problems all over India.

Only the other day, the hon. Minister, Shri Laskar said, there is no question of Assamese becoming a minority. What all these things are for then? How long will you be sitting idle? Not only that. You know, my party—you may criticise; I don't mind; in democracy, I criticise you and you criticise us—is firm on one question, that is, the unity of India, the integrity of India and the unity of the people. because we fight for the unity of the toiling masses and we know that if the toiling masses are divided, their exploitation will intensify and their strength to fight will diminish. We are fighting for their cause.

Our people are attacked. In Namrup, our trade unionist has been killed. Many of our people have been killed. They are not Bengalis; they are not belonging to a minority community. Our Assamese leaders are attacked. The INTUC people also take part in that. Whom are you attacking and whom are you protecting? We may have differences. Can you disagree that in spite of so many differences, our party is fighting for the unity of the Assamese people there? They have no security. I would ask them to ponder over this question and do what they can do. I would say, whatever consensus we have arrived at should be adhered to. The Central Government should handle the situation firmly and also a political settlement should be there.

I would next come to the Budget. You know the problems of the eastern region. I have no time, but I can quote statistics to prove that the whole of north-eastern region is neglected. I want that all parts of India should flourish; all the States should come up; all my brothers and sisters should share whatever progress is

there. But there is a palpable discrimination in the case of north-eastern region in the shape of finance from the Centre, financial assistance by the banks and other financial institutions. They have problems of infrastructural development. Assam is rich in forest resources; it is also rich in minerals. So, there can be some agro-based industries set up there. They have petroleum. A polyester industry can come up there. The railways should be expanded. It is now the duty of the Central Government. Then Assam has a reserve of coal, roughly, of 260 million tonnes. There can be some coal-based industries also. The problem in Assam is that the educated youth, finding no avenue of employment, join any movement and then they can be easily led astray. It is also a question of unemployment; it is also a question of economic development.

In this Budget, I do not find an adequate reflection of the problems of Assam. I request the Finance Minister to go in them. Since there is so much discontent amongst the people, you sincerely try to see that their grievances are redressed so that, the secessionist people who masquerade as genuine patriots but who are actually trying to divide our country, are isolated, the genuine grievances of the people are addressed to and the process of economic development is pushed up.

I would also like, in this respect, to point out that I have nothing against religion. Christians have their right to propagate to preach their own religion. But, why is it that foreign money is coming to the Church? Have you enquired? We have said many times here that money is coming from outside and the Chief Minister of Tripura produced documents to show from where the money had been coming. I have nothing against the Church but I have definitely something against a section of the Church. They are utilising the religion and the Church for a purpose which is neither holy nor moral. I do not want to go into history, how during the British days this Church divided the areas amongst themselves, how this Church operated but, I would ask what type of education they are imparting. If you leave education to the Church people, and those Church people, taking advantage of

the poverty of Indian people, say to the Indians that India is not good and our people will start assimilating those views. How long are you going to tolerate this? If you want to have secular and strong India, then, these tendencies are to be fought and it is high time that we take some measures, at least to enquire into it.

Lastly, I would like to invite the attention of the Home Minister that already uprooting of families has started. I have here with me a petition and this was sent to our Home Minister Shri Zail Singh also. This is the petition of 63 families belonging to Scheduled Castes. They are refugees. They were settled but, they have been totally uprooted and in their petition to the President and to the Home Minister, they have said "Where do we go? We have only the sky over our head. We have no shelter and we are Indians. We have been uprooted" and I would say, that they have already started this process of uprooting the people. "Get out of Assam," they say to the people who are Indian, who are very much Indian. I request the Government to take note of it and the Home Minister who has already got a copy of the petition of the 63 families, to go today and instruct the Administration for immediate settlement of these families.

I would conclude with this that the problem of Assam is a serious problem. Never in India after independence, have we been challenged with such woes and with such a complex problem. There should be no vacillation when the question of the integrity of the country is concerned. There should be no vacillation when the question of International Treaty is concerned. There should be no vacillation when the question of the citizenship is concerned. There should be no vacillation as the national leaders gave assurance to the people that "India, you can count on it whenever there is danger, wherever you are living, in East Pakistan, you can come, it is our moral responsibility to re-settle you." Under no circumstances should there be vacillation on these things. After all, a nation becomes great if it can firmly adhere to certain basic principles. When these principles, which are the cementing factor, are thrown to the winds,

the destiny of that nation is in jeopardy. I would make this request to all, belonging to all political opinions: we have differences; there will be differences in a democracy; we may have some aggressive postures on certain issues, but on the question of national unity, on the question of democracy, on the question of ensuring and guaranteeing the rights of our people let us unite. I would request, I would urge upon, the Congress-I that this is not an issue where narrow partisan interests should prevail; this is an issue where the national interests, the unity of India, should prevail.

MR. CHAIRMAN: Mr. Ram Jethmalani has made a request to be called earlier. He has to catch his flight at 6.20 p.m. I am, therefore, calling him now. After that, I would call a few Members from this side.

SHRI RAM JETHMALANI (Bombay North West): I am grateful to you, Sir, as well as to my colleagues for having permitted me these few minutes out of turn.

As usual, this debate, like many others, proceeds in an atmosphere of futility and some ineffectiveness on this side; but over and above that general handicap from which we always suffer on this side of the House, I have two or three other handicaps which are special to today's debate which I wish to mention.

First of all, Gyani Zail Singh, who unfortunately is not present in the House, seems to have a very abnormal and a totally misconceived notion of what private and public characters of a politician are. The other day I said that the Government was insensitive to law enforcement and I gave evidence of that charge; and after having presented that charge, I said that Gyani Zail Singh ought to have resigned. I found that Gyani Zail Singh protested that I had made a personal attack upon him.

This morning I said that the Governor of Kerala, however distinguished a lady she might be and whether or not she was inducted in office by the Janata Government, her public record of performance



[Shri Ram Jethmalani]

in the matter of sustaining Ministries, keeping a Legislature in the state of suspended animation and eventually dissolving it, disclosed political double standards. Obviously I was talking of political character and I was not talking of anybody's private character. I wish to make it clear here and now that I regard myself as a sinner and I do not feel qualified or competent to comment, much less adversely comment upon, the private character of any politician, high or low. Forget politicians, I will not comment on the private character of a non-politician, even the smallest of citizens of this country. In our private life, we are ultimately responsible to God and we are open to the judgement of that Great One and not of our contemporaries.

Another handicap which I face is presented by the curious nature of the Opposition. Gyani Zail Singh and his Party have very effectively succeeded in planting people on our side who in fact support the policies, wholeheartedly, of the ruling Party. They are only technically in the Opposition but substantially their place is on that side. That is why, when sometimes our 'reds' go on, you find a lot of greens also on this side and *vice versa*; it keeps happening all the time. My good friend, Mr. Banatwalla, though he is always welcome to sit on this side, is only technically on this side because I have not found one single measure of the Government on which he has opposed the Government. Particularly on Assam and Kerala, my appeal to the ruling Party is that, if they want to solve the problems of the country, they must get rid of their immoral associations; they must understand each political party and its real character, and only when they understand the real character of the Opposition Parties, will they be able to evolve some kind of solution to the grave problems that face us. When my distinguished friend, Prof. Chakraborty has some differences of opinion with the ruling party on the manner in which the domestic policies of the Government are being conducted. But he is a great supporter of the ruling party on the question of foreign affairs and so on

and when it comes to the support of foreign affairs, equally he regards Assam almost as an issue of foreign affairs and, therefore, consistently with his general line, he supports the ruling Party . . . .

SHRI ATAL BIHARI VAJPAYEE  
(New Delhi): Foreigners issue of Assam.

SHRI RAM JETHMALANI: I would appeal to him and I would appeal to the ruling party that both of you must give up this attitude of calling these Assamese youngmen, these young patriots by the name of agitators and cessionists. That is not the way of solving the problem. The basic fact of history is that for the last 30 years contrary to the law and the constitution of this country, you have kept your borders open. Nobody can deny that it was the elementary duty of this Government to seal the borders and prevent any unlawful immigrants getting into our country. The constitution and the law were violated. The borders were left unprotected. Therefore, the Government failed in its elementary duty for the last 30 years and today the Government's attitude must not be one of arrogance. The Government's attitude to these youngmen must be one of humility because it is they who have made you aware of your folly—I will call it—a criminal folly of the last 30 years. You must approach them with a sense of humility and fairness, 'We are sorry this has happened. Now let us put our heads together and meet the consequences' of the crimes which we have been committing for the last 30 years. But to call them names is to misunderstand the nature of the problem, is to misunderstand the nature of the source of the problem, is to misunderstand the real incidence of responsibility for this problem and unless these things are put in the proper perspective, I am afraid these problems will never be solved. They have not been solved for the last 30 years and they are not going to be solved during the short tenure of the mortals that compose the Government on that side.

Sometimes, emotional appeals are made—Prof. Chakraborty again said, 'Oh! It involves uprooting of people.' Sir, this is an argument which I, as a lawyer, am



familiar with in the courts. When a man is convicted of a grave crime and is sent to jail for the crime, there is always an appeal, 'You are uprooting the family. He is the bread-winner of the family.', so on and so forth. But in enforcing the law and the constitution of the country and in safeguarding the borders of this country, these emotional arguments have no place at all. The law and the constitution must be vigorously enforced. Such humaneness as has to be shown when you are faced with a breach of the constitution and the law is the humaneness which is already written into the text of the laws themselves. Our law is humane enough. Our law is modified by our international obligations. We are a civilised country. We have recently become parties to international covenants and under those covenants anybody who comes to this country as a genuine refugee, seeking refuge from persecution and terror in his home place, that person is entitled to our shelter, to our support and to our sustenance. But this is a part of our law and such humaneness as you want to show must be shown within the parameters of that law, but not contrary to the law of the land. If in enforcing the law and the constitution, some hardship falls upon some innocent individuals, that will have to be taken in our stride because we cannot on the soft sentimentality give up the interests of our country and sacrifice the long-range and short-range interests of those people for whom Assam is their real home and those people whose real home it is, cannot be sacrificed because some persons out of base motives often of political mischief just got in to enhance the electoral prospects of some politicians and political parties and just get into our territory and made it their own. Our laws are so humane that our citizenship Act provides that children born even of criminals who have entered by committing crimes and born on Indian soil are citizens of India and therefore, if these persons after having entered our territory have bred like rats and rabbits, their children are protected by the humane and civilised law of India. They are not going to be thrown out. There are other principles of humanitarian behaviour which can be invoked. But, when they are to be invoked, you shall invoke them after you have dealt

with those persons who have made you aware of your crimes in a spirit of humility by telling them that 'you are patriots.' 'Let us solve our common problems which have arisen out of our folly. That alone is the manner in which the problem of this country is going to be solved, particularly, the Assam Problem.'

Coming specifically to the latest situation in Assam, the Governor's recommendation on which the President's Proclamation is eventually founded is a most powerful indictment of the lack of political character in the ruling party, as indeed, to some extent, in the Governor himself. Once again, Sir, I wish everybody to take note that I am talking of political character and am not talking of anybody's private character. I do not know Shri Prakash Mehrotra, the Governor of Assam. I do not even pronounce his name properly. His recommendation says that during the last four years, a large number of M.L.As have changed the party affiliations quite a few times. Sir, I want to ask a question. This is a very ignoble and immoral phenomenon. Who has taken advantage of the ignoble and immoral defections and all that; who is the beneficiary? As the recommendation says, 'the present strength of the Treasury Benches and the Opposition is more or less evenly balanced. Since the party loyalty of a certain number of Members is extremely flexible', if you find that to be the situation, then, you must dissolve the Legislature that minute. You do not have to wait till you take the fullest possible advantage of that flexibility of character. So long as this import business continues and so long as you import them into your own ranks—these defectors—you say that the Government of the State is being carried on in accordance with the Constitution. Once your import business stops and there is some chance or some risk of export business starting, you say now there is a breakdown of the constitutional machinery, the Government cannot be carried on in accordance with the provisions of the Constitution. Sir, the truth is that procuring of defectors has become a part of the lifeblood of the ruling party. It has got into the marrow of their bones; Kerala, Haryana, H.P., Assam are all symptoms

[Shri Ram Jethmalani]

of that disease which has gone into your innermost constitution. When the Governor says that the Constitutional machinery has broken down, what you mean by that is not that great, noble, document the Constitution of India but you are referring to the constitution of your party and the constitution of your politicians in whom this tendency to procure defections has taken deep roots.

Sir, I wanted Sardar Zail Singh to be here. While charging me with my having made a personal attack the other day, he made a personal attack which I considered almost a personal attack upon some of the leaders of my party. It was said that in 1977 when the Janata party came into power, certain communalists and communal forces acquired respectability in this country. I want to nail this lie once and for all. I hope that no responsible person shall ever raise this hogie again in this House. After all, the Bharatiya Janata Party to which I have the honour to belong came into existence for the first time in April, 1980. Sir, I would have expected that somebody would talk about the manifesto of that party or what that party had done after April, 1980 or somebody would judge that party on its performance during its lifetime or its tenure which started in April, 1980. Is it wisdom to say "In your party, there are some people who, some 25 or 30 years ago were members of another party and, in that party, there were one, two, three or four individuals who had committed certain acts" and to go back into the history of forty or fifty years? We believe that we should look forward to the future. It is unfair to judge the political parties and their performance by going long back into history. Sir, do we judge the great Christian community to which my friend, Mr. Stephen belongs by the Inquisition of the Middle Ages? (Interruptions). Do we judge our Muslim Brethren in this country by the acts of Mohammad Ghazani, Mohammad Ghorri and Aurangzeb? We do not go into past history. We want to judge everybody upon their current character and current actions. After all, even those to whom some of us are supposed to be

historically aligned were people who like Gandhiji, believed in the solidarity, and oneness of India. They opposed the partition of India. The politics and the shameful tragedy of the thinking of the ruling party is that those who divided Mother India into two, who continued thereafter their nefarious activities in Assam and other places, are now in alliance with the ruling party. They have acquired respectability and they have become in its eyes non-communal and secular parties. And those who thought the way Gandhiji did who thought that India must remain one and fought against the division of India, those persons, are painted black with brush of communalism. It is fake, counterfeit, bogus secularism of which they are talking about all the time and unless the fake secularism of the ruling party goes, you can't change the situation. Prof. Tiwary went into the historical, social and political functioning of all political parties the other day. The historical truth is that all nationalist Muslims were jettisoned by the ruling party and the Muslim League was divided into two; one remained outside and another went into the Congress, and Sir, there they have remained; these communal forces masquerading as secular forces now continue to sing the same old tune because India has still further to be divided by some people. So, this is what is going on. Sir, I know my party is hateful to you, because, you are unable to secure even one single defection from our ranks. My party is hateful to you and you abuse it because my party is a party which wholly disagrees with your policies and your actions. Some are with you upto 50 per cent or 75 per cent or 80 per cent; some even 100 per cent; they are with you and therefore you have some kind of affection for them. Ultimately you oppose our party tooth and nail and with all the strength at your command and give us bad names because you know that in the inexorable march of history our party is assuredly will take over.

MR. CHAIRMAN: I thought that in the few minutes left you would speak about Assam.

SHRI RAM JETHMALANI: I have said about Assam. The only manner in

which you can solve the problem of Assam is to enforce law and the constitution. I want the Home Minister to tell me what he has done? Has he sealed the borders? My information (which is credible information) is that even today the rate of infiltration continues. There are border areas where the flag of Pakistan is flying; it continues to fly. And, Sir, these are investigations made by responsible, disinterested, non-political bodies. Now, this goes on. My friends will deny it but who is prepared to give personal evidence, and direct, credible evidence, that this is not so? Go there; go and really sit down with these young patriots. It is not a question of uprooting anybody. It is not a question of Hindu-Muslim problem; it is communalism of some sections of minorities which have converted the Assam question into a Hindu-Muslim problem which it never is. It is a problem of law on the one side and lawlessness on the other. But, Sir, consistently with Mr. Zail Singh's other policies and actions, lawlessness in Assam continues to be there at the moment, and unless you decide to stamp out lawlessness, the Assam problem will continue to fester like a great cancer on our body politic.

**SHRI SONTOSH MOHAN DEV (Silchar):** One question. I just want to ask for one clarification from him.

**MR. CHAIRMAN:** You have to catch his eye... He is going... Mr. Parashar.

**SHRI SONTOSH MOHAN DEV:** Before he goes, one question I want to ask him... I want to understand one thing from him. Sir, he is dropping me out; one question I want to ask..

**SHRI RAM JETHMALANI:** I am prepared to give answer for one question.

**MR. CHAIRMAN:** I have called Mr. Parashar. Mr. Jethmalani, I have called Mr. Parashar.

**SHRI SONTOSH MOHAN DEV:** Why you are protecting him like that? He is a touchable man. He is a capable man, Sir.

**MR. CHAIRMAN:** Shri Parashar.

**PROF. NARAIN CHAND PARASHAR (Hamirpur):** Sir, I thought the Debate was on Assam, the Budget for Assam and for the people of Assam. But, unfortunately, it has degenerated into political polemics and I want to save it from this.

First of all, look at the divergence of opinion about the motion moved by the hon. Home Minister. Of course, on every issue, the two friends who spoke earlier disagree, but they agreed that this motion should not have been brought up here. Why? If the Governor is convinced that the Government cannot be carried on, and no combination of any political parties is able to ensure a stable majority, for a durable period, then he is bound under the Constitution to recommend to the Central Government imposition of the President's rule, which may not be a pleasant duty, but which is a necessary remedy to be administered in such cases under Article 356 of the Constitution. Therefore, no other alternative was left for him.

My friends talk of political morality, but who brought the Hazarika Government to power? The Janafa Party Government lost, and the Lok Dal Government came to power. Shri Hazarika took over as Chief Minister. Was not that the first blow to democracy? How do you talk of this and that? In fact, you should welcome this that at long last, Shri Parakash Mehrotra, the Governor of Assam, has recommended the dissolution of the Assembly. Let the people elect the Assembly.

There is a fear that the elections may not be held. But let us cross the bridge when it comes. You are showing a prominent lack of confidence in the people and in the wisdom of the people of Assam. I have no doubt that within the promised period, the elections would be held and democracy would be restored and the State Assembly will be elected.

So far as the agitation in Assam is concerned, I do not want to talk about it at length, because our Government which is accused of leniency by BJP and stiffness by CPM is not acting whimsically. Our Government is carrying on the path



[Prof. Narain Chand Parashar]

of negotiation. So far 18 such meetings have been held with the Assam leaders, and to my mind, if the agitation in Assam is of a prolonged nature, there is also no parallel of the manner in which the Government of India under the leadership of Shrimati Indira Gandhi and our Home Minister has carried out the task of negotiating with the peoples' side across the table. The Government knows full well that some of the demands which are conceded by the Government are made more stiff by the time the next round of talks takes place. We know full well that 239 people have lost their life during the agitation and more than 200 cases of bomb explosions have taken place. One of the senior officers, Shri Parthasarthy, Commissioner for Upper Assam has been killed. All these things are there on record. The harassment is known to us, but in spite of that, the Government of India is giving an opportunity for sane public opinion, for sanity to prevail. Let the people of Assam understand, as to who is their friend and who is their enemy. On the one hand, you are raising the bogey of Immigration and infiltrators, and on the other hand, some friends are pleading for leniency. The Government of India has to provide for all the safeguards which are there under the Immigration Act of 1950 under which the people who come from across the border for fear of disturbances or due to actual disturbances have to be accommodated. There is the talk of national register of citizens, NRC. There was an agreement for regarding 1971 as the reference year. But who went back from that agreement? It is not the Government of India that went back from this agreement, but it is the people, who are carrying on the agitation, that they wanted this to be taken back to 1961 and then to 1951 to be the reference date. But what happens when the electoral rolls for 18 out of the 22 parliamentary constituencies in that area are not available for 1951-52? What is the method, what is the record from which we have to check? There are incalculable difficulties and I wonder at the patience, at the humility and the spirit of accommodation with which the negotiated settlement for Assam is being car-

ried on. Since it is in the process and the opposition parties have already approached to associate them for arriving at a negotiated settlement, I do not want to add more poison to it. Sir, I want to add a healing touch. Let friends from both the sides of this House sit together and see how Assam can be brought into a state of democratic functioning and ultimately the election to the Assembly are held and Parliament is not called upon for this unpleasant duty of passing the Budget.

Now, Sir, I want to refute one charge that the Central Government is neglecting the North Eastern sector. I put forward my figures to disprove the charge. But on the other hand no figures have been put forward from the other side to prove anything. Only a sentiment has been put out in the House for the sake of a discussion. Sir, the Sixth Five-Year Plan outlay has been fixed at Rs. 1,115/- crores and it is for the first time that under the Prime Ministership of Shrimati Indira Gandhi a committee of Ministers of the Union Government has been set up to look into the vital needs of Assam and other issues of the State. Also a Committee of Officers with the Cabinet Secretary as Chairman has been set up to identify special areas where immediate help is needed. I am just reminded that this Plan size has also a special plan component for the hill areas, tribal areas, Scheduled Castes and some such things.

Sir, there is a complaint that there has been lack of infrastructure. But our Government is doing the best possible in this direction. At present 157 kilometres of railway track between Gauhati and Bongaigaon is under the process of conversion into broad gauge so that Gauhati is connected to Delhi by a single train. This would be completed by 1982. Similarly there are six new railway lines sanctioned and approved by the Planning Commission on which the work is already stated, for connecting the various areas of Assam, and most important work of connecting Dibrugarh to Gauhati at an estimated cost of Rs. 100/- crores to the Ministry of Railways has also been approved. Similarly, south of the River of Brahmaputra, another Railway project has been approved. These are some of the important infrastructural items that should



be looked into before a charge is hurled at our Government. You can well imagine that the total outlay for the new lines is Rs. 747|- crores, whereas for one project Rs. 100|- crore is being provided in the State of Assam only, not to speak of other projects for this region and the project for connecting the State with New Delhi.

Similarly, Sir, there is a complaint about the lack of special assistance to Assam. I don't know what the complaint is about. Assam is one of the eight Special category States. In fact, other Seven States are hilly States. Assam is the one State in which, out of its area of 78,000 square kilometres, the larger area is that of plains. Yet, Assam has been included as a special category State and special assistance has been given to it. Look at the figures. The Annual Plan for 1982-83 is having an annual outlay of Rs. 238 crores as against Rs. 210|- crores of the last year. So, there is an increase of Rs. 28|- crores for this year. Central assistance for the Annual Plan has been stepped up from Rs. 150.10 crores in 1981-82 to Rs. 225.83 crores in 1982-83. Is it not a happy treatment for Assam? Is it not going out of the way to help Assam even at the cost of the rest of the country? It is a positive step and it is a step for keeping Assam on the path of development.

Similarly there is allegation that raw material in Assam is rotting. The Hindustan Paper Corporation has approved two major paper mills which are to be located in Assam. One is at Jogi Road and the other is at Panch Gram. Then the investment of Rs. 300|- crores would take care of the Bamboo wood and of the pulp available in the area.

Now, let us come down to the problem of drinking water. 4,500 villages identified as problem villages of Assam have been supplied water this year i.e. in 1981-82 as against 3,200 last year. Similarly, 5,900 villages have been electrified this year as against 4,500 last year. I can quote figures to prove that Assam has been given the utmost consideration by the Union Government, by the North Eastern Council, which has been set up there by the Planning Commission, by the Minis-

try of Home Affairs and by the Ministry of Finance.

It is not something that we are going out of the way. It is our duty to help the North-Eastern region; and I hail this budget for Assam. I would suggest that only provisions of figures should not be our aim; our aim should be to have the actual implementation so that the physical targets are achieved.

The late Shri L. N. Mishra used to say that he would dream for a day when a person sitting in a train at Kohima reaches Delhi without breaking his journey on the way; that there would be a direct BG train from Kohima upto Delhi. We look forward to those happy days when the entire nation would be integrated with Delhi; and there would be no physical dislocation of any kind and the fruits of development, the fruits of the fiscal policies and the progressive measures taken by our Government will reach not only to Assam but to the farthest village of the North-Eastern States, North-Western States and Southern States.

In an emerging pattern of socio-economic transformation of a society, no border State can be neglected; and therefore, I am happy that this budget provides adequate finance not only for the development but also for the speedy development of Assam. I wish that all the Ministries of the Centre and the State and all the agencies concerned, speed up the process of development so that Assam is in a position to say, well, though the State Assembly was not there, the Members of Parliament, who did not belong to Assam, Members of the Lok Sabha, coming from different parts of the country, looked forward to the help of Assam and raised their voice in favour of the people of Assam.

With these words, I support the motion moved by Shri Zail Singh and support this budget.

**SHRI RAJESH PILOT (Bharatpur):** Mr. Chairman, I have been listening to the speeches from this side, particularly of some of the hon. members who refused to go for a court case to Assam, even though they are very highly paid. But when they come to Parliament, they talk

[Shri Rajesh Pilot]

more about Assam. When you give to these advocates higher income, they refuse to go to a place or a small court like that in Assam. They say, it is too far. But when the question of Assam comes up in Parliament, he is one of the sympathisers for Assam.

I take this opportunity as a rare privilege to speak of those brave people of Assam who stood with this country at the time of need and when the integrity of the nation was challenged. Assam always stood with us and sacrificed everything, whatever that State could do. But I also feel, as I had spent 10 years in that State, from 1965 to the middle of 1975, that the North-Eastern region has been neglected to some extent, specially in the last 4 1/2 years because of political instability. This is one of the factors. There are several other factors also, but this is one of the main factors that there is no political stability.

SHRI ATAL BIHARI VAJPAYEE: What happened before that?

SHRI RAJESH PILOT: Before that, I personally feel that, when I reached there in 1965, the conditions were very bad. But it improved slowly and slowly. Where we used to go by air, we started going by road. There are examples where people could not have access to those regions in ten years, there was progress. It was not matching with other parts of the country, but there was some progress; and I fully agree with you that it has not been matching with other States which other States have done. So, I will not go into the political affairs of it because much has been said about it. I can only assure the opposition people here that if Mr. Gogoi wanted to have defection with him he could have survived with the Government and could have gone along for a year or so. But we never wanted any defection and the list of 57 is not defection; it is those people who believed in our policy. What is defection? Mr. Jethmalani has said that we are original. I want to know what was their original name when they formed their party? What was their name a few years ago and what

is their name today? These people who even defected from the name itself leave aside the party, said, we do not believe in defection. If they want to know the reality, they must listen to Mr. Balraj Madhok what he talks about it. These people in the rural areas refused to call themselves Jan Sanghis; they say, no no, do not call us Jan Sanghis; this is not our party. They talk of Mahatma Gandhi. But I must tell you that some of these parties do not have the portrait of Mahatma Gandhi in their offices. I have gone there and I have seen that the photograph of Mahatma Gandhi is not there. Today, they claim: Mahatma Gandhi, Mahatma Gandhi. (*Interruptions*)

SHRI ATAL BIHARI VAJPAYEE: We take note that he has been visiting our offices. (*Interruptions*)

SHRI RAJESH PILOT: There is nothing wrong in it. You can come to our office. That is the real democracy. Maybe that you have taken me there for a cup of tea.

I have a few points which are very important for this backward region. One is about major industries. In Assam, I think, after the refineries only one industry has been given. Recently, they have started an Industrial Estate in Gauhati town. But it has not made sufficient progress. That is the point we must bear in mind. We must give them more heavy industries so that employment is generated and those people can prosper.

The second point is development of roads and electrification of villages. This is also a very important point and I must tell the hon. Home Minister that in these two respects Assam is lagging behind. Mr. Laskar is himself from Assam. He knows it better. Roads are rarely seen in Assam, and particularly in the villages. Electrification is on the progress but it requires a bit of hasty steps.

The third point is the Brahmaputra bridge. As on today that is the only connection of Assam with the rest of the country. That is the only bridge, militarywise and even otherwise. If there is a flood, the whole of India gets

cut off from Assam. In 30 years we could not construct another bridge! Can we not have an alternative? It is a very important point. We must see in that direction that we should have a second bridge over the Brahmaputra so that we keep links with the other parts of the country, because there may be a day when we can be cut off from the rest of the country.

Then the floods are there. Floods have always created a havoc in the State, and it has been happening for the last so many years. When there is a flood for Brahmaputra, Dibrugarh, Goelpara and Gauhati, these three districts are affected. We must pay some attention for this and find a solution. Every alternate year Assam gets disturbed by floods and after that we spend a lot of money to recoup them. But we cannot think of a solid measure which can save the State of Assam for this plight!

Then agriculture. If you had been to other parts of the country at least at this time, after so many years of Independence, you will find some tractors in every village and every district, and that most of the agriculturists and farmers are progressing. But in Assam it is not so. You will still find, after 30 years, that still two bullocks ploughing the field in water and the farmer is following them. Can we not pay more attention to them? We should encourage them to go in for modernisation of agriculture. This point must be looked into. Land is very fertile. It is giving a good crop. But we are not putting in best efforts and those farmers have to be educated, as we have done in other States.

And the fifth point is education. Mr. K. C. Gogoi's Government has done a lot in a very short time for education. They have opened primary schools and secondary schools. But in Assam, education has always been neglected. I do not know how many degree colleges are there in the State, but as far as Medical Colleges are concerned, there are only two, if I am not mistaken.

SHRI RAJESH PILOT: Which is the third one? Anyway, in the reply you can tell me.

AN HON. MEMBER: Dibrugarh, Gauhati and Silchar.

SHRI RAJESH PILOT: Silchar has come up? Verywell. Anyway, engineering colleges, medical colleges, IITs, these are the things which we must give them, so that those people can make use of them and come up in the respective professions.

Next is tourist development. Assam is a place for tourism. There is lot of scope for it. We can develop tourism, and we can help the tourists and it will help the national cause and also the State Government. People will also be benefited, people will get employment and the national interests will also be looked after. So, let us develop tourism.

The last point is about the role of the political Parties in Assam. There will be no Assam problem in Assam, if all political Parties decide that they must support the real cause. But the only problem is that, as I was joking with Shri Atal Bihari Vajpayee, I have heard his speech. (*Interruptions*)

SHRI ATAL BIHARI VAJPAYEE: You are wrong.

SHRI RAJESH PILOT: I have heard his speech in Gauhati. He was saying, 'I may be in London, I may be in Chandigarh, I may be in Rajasthan, but my heart is in Gauhati?' (*Interruptions*)

MR. CHAIRMAN: Why do you object to that? (*Interruptions*)

SHRI RAJESH PILOT: I tell you, Sir. His heart can be there. If he goes to Khalistan and if he goes to Chandigarh and if he says (*Interruptions*)

Being a bachelor, he can have so many hearts, I cannot deny. (*Interruptions*)

AN HON. MEMBER: Three.

MR. CHAIRMAN: Be careful!



**SHRI RAJESH PILOT:** My point is that he can have so many hearts. When I was a bachelor I was also like that. *(Interruptions)*

But in the national interest, you should have only one heart.

Now, Sir, if you see this side or that side, we should have the national interest in mind. All these political parties were in power from 1977 to 1979 or so. Please take the records. Please see their tour programmes. How many times have they gone to Assam?

18 hrs.

Just check their programmes. I am not blaming them. But see how many times many of those people have gone to Assam when those people were in power. Since this thing has come up, every party has made it a rule that they must go to Assam and attend public meetings. They must go to the villages of Assam and must talk to them. I fully agree that Assam is also a part of the country and they are most welcome there. But let us keep the national interest in front of us. Let us not derive any political advantage out of it. This is my request through you to the House and through the House to all the political parties that let us take the Assam problem as a national problem; let us take it as a national cause. Only then we will be able to solve this problem.

I have spent some time in Assam recently. I have found that there is no problem with the people. Prof. Chakraborty has said that it is the Government servants who are doing this. I do not know from where he has discovered this. I find that it is neither the officers nor the people who are causing any trouble. It is only we who are causing the trouble. They came here. We reach some conclusion. Next day, they get into different terms. We are human beings. Sometimes, one can make mistakes; one can divert his attention. So, I request that all political parties must certainly play an important role taking notional interest in front of us.

Today, I learnt the missing thing which I could never learn in the last two years

of my being in Parliament. Mr. Jethmalani has said that in private character, we are responsible to God but in political character, he did not mention anything. Till such time we do not realise that in political character also we are responsible to God, this country will never go up and march forward. The political character of the people will never improve if you start believing that in private character we are responsible to God but in political character we are not. We have got to keep God in front in politics also. We have got to see whether we are doing right things for the nation and for the human cause or not. This is one thing which has been very clearly mentioned by him.

**SHRI SATYASADHAN CHAKRABORTY:** For all characters we are responsible to the people.

**SHRI RAJESH PILOT:** I keep God above all.

At last I support the Motion. I am sorry to feel that it has been very unfortunate for the Assam people that Shri K. C. Gogoi's Government was de-stabilised. They were doing something good for the people in the last few months *(Interruptions)*

At this moment, I will only say that whatever Budget they approve, they must keep these points in mind and must pay extra attention to Assam. We must bring them into the mainstream so that the people there feel that they are marching with us, they are with us, they are among us and they are one of us.

**MR. CHAIRMAN:** The time allotted is three hours. I am seeing that Members are taking very reasonable time. So, we can finish it earlier.

**SHRI SATYASADHAN CHAKRABORTY:** If you want to pass it hurriedly, keep the Members hungry.

**SHRI RAVINDRA VARMA (Bombay North):** This is not the first time my hon. friend, the Home Minister, is coming before this House with a proposal relating to the Assam Assembly. If I remember



aright, it is the fifth time that he is doing so. On the previous occasions, he asked this House to approve the President's action in taking over the administration of the State while keeping the Assembly in suspended animation. Today Sir, he wants us to approve his Motion that the President should take over the administration of the State, and the Assembly should be dissolved. The change is obviously the result of the sad experience that he has had in the State of Assam. Successive experiments have convinced him that there is no hope whatsoever of his Party being able to secure a majority in the Assembly as long as it is alive.

Sir, I cannot accuse my hon. friend, the Home Minister, of having harboured a benevolent attitude to the Assam Assembly at any time. He could never forgive the electorate for electing an Assembly in which his party did not have majority. He could never forgive them for this cardinal sin, and perhaps if he had way, he would have said that the Assembly was born in sin and therefore, it deserved capital punishment. However, left to himself, in many respects, he wants to follow a reformatory attitude rather than to dismiss a person; and therefore, in this case too he began successively by recommending that the Assembly be kept on probation. But now he has prescribed the capital punishment for the Assembly for two sins—one, the sin of having been born as a *kafir* and the other the sin of not learning the *kalma* in time, to save the soul from perdition,—the *kalma* that can save the soul from perdition. Therefore, on two counts the sin has to be punished with capital punishment.

In the days of the East India Company, Lord Dalhousie propounded an ingenuous theory which is known to historians as the Doctrine of Lapse. The new claimants to paramount power in India have invented a new version of this doctrine, have forged new instruments to achieve this objective—the instrument of mass defections and the instrument of the threat of dissolution of the Assembly. These are not mutually exclusive, they are complementary. A threat of dissolution can be used to induce defections, and defec-

tions can be used to induce destabilisation, so that the Assembly may then be dissolved. Now, the sad story of the Ruling Party's philosophy that not only sanctions defections, but depends on defections is known to this country. Hon. friends who spoke from here referred to Haryana where there were mass defections, Karnataka where by defections the Ruling Party's strength went up from 45 to 146, and Assam where the electorate returned 7 in a House of 126, but defections took the strength up from 7 to 45.

Sir, the manoeuvres that the Ruling Party has employed to prevent the majority from forming a Ministry and to foist a minority government on the State of Assam, will remain one of the ugliest chapters in the annals of this Government's assault on the Constitution. They were in a minority, they wanted to rule, they did not have the majority, but they did not want the majority to rule. To achieve this objective, Article 356 has been abused *ad infinitum*, the sanctity and the authority of the Governor's office has been undermined and sullied. There has been no worse example of the adoption of double standards, outrageously contradictory standards, than in the case of Assam. I know that there are many honourable gentlemen here who are students of Constitutional History both in this country and outside this country. I think any one who is able to cite another example which can outshine, if you want to use that phrase, the example that one has seen in Assam would deserve a Nobel Prize. The Governor adopted double standards. In fact, perhaps the Ruling Party chose a Governor who would adopt double standards. The Governor laid down unprecedented, shifting conditions when it came to the Opposition Parties. And when these conditions were fulfilled, he tried to quibble, to intrigue, to indulge in petty little sleights of hand, even become unavailable to the Opposition. In November when the Opposition claimed that they had the support of an absolute majority in the House, he laid down specific conditions. I do not know whether to compliment him or to condemn him. He put down in a letter which he addressed to the leader of the opposition parties on 30th November certain conditions which

[Shri Ravindra Verma]

he thought should be fulfilled before they were allowed, to form the Government. He wanted them to have a common leader. He wanted them to have a common programme. To some extent, it is understandable—there must be a leader. So, when these parties got together and formed a Left and Democratic alliance and elected a common leader, adopted a common twelve point programme and wrote to the Governor that now we have fulfilled the stipulations that you made, we have a common leader, we have a common programme, we have the requisite number, allow us to form the Government, he said letters signed by the representatives of all the constituents of the alliance to say that Mr. Sinka has been elected leader were necessary. Secondly, he said signed statements by the leaders of the major political parties indicating whether they would participate in the Ministry or would support it from outside were necessary. Thirdly, he said individual letters from the independent M. L. As and those belonging to the regional parties pledging support to the Alliance were necessary. He demanded three kinds of evidence—one, a signed statement avering that the leader was accepted. Another, statement by the leaders of the major parties that they would participate in the Ministry; and the third—individual letters from independent M.L. As and those belonging to regional parties. When the Left and Democratic Alliance fulfilled these conditions, he had to take recourse to tortuous tactics totally unbecoming of the high office which he held. To deny the opposition the right to form a Ministry many tactics were employed. All those remind one of the simple slights of hand used by counter clerk, who while counting notes, manages to see that a few notes are missing artfully slipping them into an open drawer under the counter; counting and re-counting, attempting to verify, claiming to verify but suggesting and soliciting support for Congress (I). He alleged that some of those who had signed the joint letter of the Left and Democratic Alliance had sent him individual letters withdrawing their support. Three hon. Members of the Assembly then had to write to him. For lack of time I do

not want to read the letters of each one of them. One says:

"I have not written any letter to you indicating withdrawal of my support for the alliance."

Another Member wrote on 4th January:

"I am a Member of the Janata Party. I have not written any letter withdrawing my support from the alliance."

A third man Shri Boro wrote on 4th January:

"I firmly extend my support to the alliance."

If the Governor alleges that somebody has withdrawn his support in a personal letter, and the Member promptly writes to him, "I never told you so", it is a very polite way of saying that he was lying. But nevertheless it is an inexact statement, outrageously inexact statement which in this case leaves one with the impression that it is related to the interests that the Governor was pursuing. Secondly, the Governor refused to count the name—it almost sounds flippant of Shri Prema Dhar Bora, leader of the PDF. On what ground? That he had signed the letter to the Governor as the leader of the Progressive Democratic Front. His signature was there accepting the leader, accepting the programme, but he had signed as the leader. He had not included a separate individual statement as a Member. Therefore, his name was not included. The Governor not only verified but was sounding people on their attitude to the Congress (I) soliciting support to the Congress (I).

One Member of the Assembly Shri Kagyung wrote to the Governor on the 4th of January:

"I further confirm my reply in the negative to your query if I would support Shri K. C. Gogoi."

This is a letter written by the hon. member to the Governor. (*Interruptions*). But why don't you contradict it? The Governor had the gumption to ask the Member of the Assembly, whether you

will support the Congress (I) if Mr. Gogoi is elected leader. My friend, you know, Mr. Gogoi was elected on the 11th of January, a full week later. On the 4th of January, the Governor asked the Member of the Assembly, who still belonged to the Janata Party, will you support the Congress (I), if Mr. Gogoi is elected leader? I would like the hon. Home Minister to contradict it. If the Governor indulges in this, is there any necessity for further proof about the role that the Governor is playing. He not only wanted a Party to be put in power, he not only wanted to deny the Opposition their legitimate right to form a Ministry when they were in majority, he not only wanted to canvass support for a particular Party, but he also wanted to canvass support for a particular group in that Party. If the Governor descends to such a depth, and if he can forget the obligations imposed on him by the high office he holds, (*Interruptions*) I do not know whether perhaps that is a higher responsibility than the responsibility imposed by the Constitution.

Now, Sir, another thing that the Governor did was this. The Governor was informed by the SUCI that they would take a formal decision only on the 1st of December about their support to the alliance. But on the 30th of November, without waiting for this letter, he writes to the Left Democratic Alliance, I have given you enough time. He never gave any time or any ultimatum. Yet he was saying that enough time was given and your members were less than the requisite number. And on the 1st of December, as the SUCI had promised it sent a letter supporting the claim of the left and democratic Alliance. When all demands had been met and the Governor had been given evidence to show that 65 out of 119 supported the Alliance, a strange thing happened. He left Gauhati after telling the leaders of the Democratic Alliance that they could meet him on the 10th of January. He was incommunicado. He could not be contacted. He disappeared. I did not want to use the word, he performed the vanishing trick. He went underground. He could not be traced. The Raj Bhavan said, no one knew where he was.

**SHRI RAJESH PILOT:** I think, he might have gone to receive the President. It was in the newspaper.

**SHRI RAVINDRA VARMA:** If that is so, I do not know. If that is so, it would have been reported. The President did not go on a secret visit to Assam. If he had gone there, then the Raj Bhavan should have had the courtesy to tell the leaders of the Democratic Alliance that the Governor had gone to receive the President. And not for a midnight rendezvous because it is not the President who is well-known for florescence at midnight, but some others. (*Interruptions.*) And he met the leaders on the 13th of January at the Circuit House while preparations were being made in the Raj Bhavan for the swearing in ceremony of Keshav Chandra Gogoi. I have nothing against Keshav Chandra Gogoi or any one for that matter. But, Sir, the rejection of the claim of 62 or 65 on that day, when Mr. Gogoi was inducted into office, is something which cannot be ignored. When Smt. Syeda Anwara Taimur resigned, on the 11th of January, Mr. Gogoi was elected leader. When, Mr. Gogoi was elected leader, four members from the Congress (I) Party resigned from the Party further reducing the strength of that Party.

Now, I want to ask this question: Where were all those conditions that were stipulated by the Governor? Did he ask Mr. Gogoi to convince him that he had the support of the majority in the Assembly? He knew that at the best of times, the Congress-I had claimed 44 or 45 and when four had already left, it was reduced to 40 or 41 containing 34 defectors. Did he ask Mr. Gogoi to produce statements of support from others? Did he ask Mr. Gogoi, after all, when Mr. Gogoi had only 40 or 41, where were the other 24 to come from? They were to come from Independents or other parties. Did he ask Mr. Gogoi to produce letters of support from other parties, individual statements by members accepting Mr. Gogoi as the leader? Did he ask what the common programme of that conglomeration would be? No. He did not. Why? If he had only one



[Shri Raviadra Verma]

uniform standard, would he not have asked all that?

When we talk of double standards from this side, some hon. gentlemen there and, perhaps, the Home Minister himself,—at that time he might have been suffering from double vision—said they could not understand what double standards were. If this is not double standards. I want to know what merits to be called double standards? Nor is this the first time? This thing has happened earlier too. The Governor of Assam has been a habitual offender against the Constitution. When Mrs. Taimur was inducted into office, what happened? Did she have a majority? Was her majority at any time proved? Was she asked to produce letters from other parties? Was she asked at any time to produce individual letters of support from others? Was she asked to show a common programme? No, whenever the Congress-I stakes a claim, though they are in a minority, though there is no ostensible, *prima facie* evidence to give the slightest impression that they can command a majority, they will be asked to form the Ministry. Why? Because they belong to the Congress-I; because they can recite the *kalma*. Therefore, they are entitled to form a Ministry,—not because of the Constitution, not because the people elected them, not because they have got a majority in the Assembly, but they have somebody up here in Delhi who can bolster them, who can put them in power, who can prevent others from coming to power.

What happened? The Governor wrote on the 30th November, a letter that I have already referred to, to the Democratic Alliance:

“During our talks on 25th November, I had made it amply clear that I would not permit a minority Ministry.”

This is what he writes to the Democratic Alliance. “On the basis of the letters submitted so far, the majority claim of the Alliance had not been substantiated. How

then by what quirk of logic, by what absence of lucidity, by what streak of insincerity to the Constitution, did the honble gentleman allow Mr. Gogoi to form a Ministry? Is it not on the basis of double standards?

The office of the Governor has been consistently abused to promote defections, to deny the majority its constitutional right to form a Ministry, to manipulate a majority for the Congress-I and to canvass support for a particular section in the Congress-I. I cannot call this an error of judgment. An error of judgment happens in the face of evidence. When the evidence is that there is no, *prima facie* case, to believe that there is a majority, if you repeatedly commit the same kind of error of judgment, it ceases to be an error of judgment. That is why I called him a habitual offender against the Constitution.

I know that the Congress Party is not a novice in the art of abusing the office of the Governor. I do not want to go back into history. What happened in Rajasthan? My hon. friends there will remember that—I too was in that party at that time. But it seems as though shamelessness has reached its zenith. There is no semblance of circumspection, no semblance of compunction, no semblance of qualms of conscience, the conscience which was the basis of a new Party and new light. The result was that the Governor managed to fix the mantle, and put the apparel on Mr. Gogoi in the green room and push him on to the middle of the stage where his hands could not go to support the mantle. And lo and behold, the mantle fell, tumbled down, in a crumpled heap at Mr. Gogoi's feet. That is what happened. A Memorandum signed by 63 MLAs demanding the dismissal of the Governor under such circumstances was submitted to the President.

Well, the Governor acted on the advice of the Cabinet that resigned before the Assembly voted on the question of confidence. When the question of the admission of the motion of no confidence



arose, 61 Members out of 119 stood up for the admission of the motion. If 61 out of 119 is not a majority, some mathematical genius should explain what would be the majority in that House. This again is not the first time.

Now I come to my friend's question, my dear friend, Shri Sontosh Mohan Dev's question. The Assam Assembly in the days of Anwar Taimur, of revered memory, did not pass the Vote on Accounts. The Ministry that could not get the Vote on Accounts adopted by the House, the motion of thanks to the Governor adopted by the House, advised the Governor to prorogue the Assembly so that an Ordinance could be issued to authorise expenditure from the Exchequer.

And the Governor accepted the advice of the Ministry that did not enjoy the confidence of the House, and issued the ordinance. I want to know who would say that this is not shameful and unprecedented.

For the second time now, Shri Gogoi's Ministry has shown that it does not enjoy the confidence of the House, and for the second time, on the recommendation of a Cabinet, which did not enjoy the confidence of the Assembly, the Governor has recommended the dissolution of the Assembly. It is clear. Unless you belong to Congress-I, you cannot form a Ministry. If you are a majority, that is of no use. What matters is not majority.

SHRI RAJESH PILOT: Mr. Charan Singh was in a minority when he recommended to the President for dissolution and your Party was one of the Parties of the Government.

AN HON. MEMBER: No, no. We had opposed it.

SHRI RAVINDRA VARMA: You are a well-informed gentleman and, therefore, I am very sorry that you said this. We opposed the President's dis-

solution of the House on the advice of a Ministry which did not face this House.

MR. CHAIRMAN: Your Party was not a party.

SHRI RAJESH PILOT: You cannot change your Party.

SHRI RAVINDRA VARMA: I never changed my Party. Janata Party was never a Party to that.

MR. CHAIRMAN: Was it not a party?

SHRI RAVINDRA VARMA: No.

MR. CHAIRMAN: It is all right.

SHRI RAVINDRA VARMA: You put Mr. Charan Singh in power and when you withdrew your support, Shri Charan Singh packed up and went home!

SHRI RAJESH PILOT: It is an education for me.

SHRI RAVINDRA VARMA: Therefore, the action of the Governor has not only been contrary to all the canons of democracy but a direct challenge to the autonomy of the State and the right of the people of the State to elect an Assembly of their choice, to have a Government of their choice.

I will now turn to the Budget and say a few words. I know that this is not a regular Budget of the State. It is unfortunate that for the last two years, the legislature of the State has not been in a position to debate a regular Budget. I was somewhat surprised by the encomiums heaped on this Budget by my learned friend Prof. Narain Chand Parashar. My good friend, the Hon. Finance Minister, Shri Pranab Mukherjee was not here. Otherwise, I am sure he would have felt considerably embarrassed because he knows the difference between a Vote on Account and a regular Budget. But my friend, Prof. Narain Chand Parashar thought that he should heap encomiums on the Vote on Accounts thinking that it is a regular Budget.

[Shri Ravindra Varma]

8.30 hrs.

[SHRI CHINTAMANI PANIGRAHI in the Chair]

I shall not deny him the pleasure that he had while paying his tributes to the Vote on Account which he considered was a regular Budget.

Sir, as every other Member who spoke has said, the State of Assam is one of the backward States in this country. I was very happy to listen to my young hon. friend, Mr. Rajesh Pilot, when he talked about the problems of the State. He pointed out some of the major problems with which the State is afflicted—the frequency of floods, the magnitude of the problem posed by erosion, the nature of the turbulent Brahmaputra which makes it very difficult to tame the river, the presence of enormous natural resources, hydro-electric potential, coal, oil and many other forms of natural resources, but the absence of the infrastructure necessary for the development of agriculture and industry, paucity of a communication network, the frailty of the connection with the rest of India as far as transportation goes; all these problems have been hinted at by many of my hon. friends, including Mr. Pilot, who made a special reference to these problems. This is not the occasion to deal with them in detail because the Budget does not deal with them in detail. As a matter of fact, this is not a Budget, this is only a Vote on Account. But there are a few things that I would like to point out; and I shall be very brief.

I would say that I will be very happy if my friend, Mr. Pranab Mukherjee, with his vision and knowledge of the problems of the State and with, I believe, his dynamism would come before this House again with a proper budget for the State of Assam if elections are not going to be held in the course of a year. I do not see that possibility; I cannot say that the elections are round the corner. Therefore, I think, it would be his responsibility to come before this House with a proper and well-conceived

budget aimed at the promotion of the development of the State. I will be very happy if he does so.

There are a few things I have to refer to....

MR. CHAIRMAN: I hope you will try to conclude.

SHRI RAVINDRA VARMA: I will conclude in two or three minutes.

A reference was made to the agitation. I do not want to talk about the agitation at all for the simple reason that, at the moment, everybody is engaged in negotiations. The negotiations have not failed, they have not been called off, they have been recognised as the only way of finding a solution for the problem. I would not, therefore, like to say anything which would complicate the negotiations. I wish success for these negotiations. That is very essential for our country. It is very essential for our country that this problem is solved through the method of negotiation and solved expeditiously.

As far as the action taken by the Government on government employees is concerned, I would suggest that the time has come for them to consider ways and means of correcting the situation.

Here I would like the Finance Minister particularly to pay his attention to a specific problem.

Government has not released grants-in-aid to the Universities and the aided colleges. This has resulted in considerable hardship for the professors; for three months, the college teachers have not been paid their salary. I will be very happy if he looks into this.

Then, as my friend, Mr. Unnikrishnan, pointed out about the Kerala Budget, I find that, in the Supplementary Demands, there is a provision of Rs. 8 crores for police, and there is a foot-note saying that this is meant also to pay for the police that was inducted from outside for duty in the State during the agitation.

In the Vote on Account, again, the provision on police account is approximately Rs. 20 crores out of Rs. 479 crores—if you put together Homeguards and Police. There are eight IGP's in Assam which is much more than in any other State.

There are other problems too, but I do not want to take time in view of your hint. I would only say that I hope that the Home Ministry and the Finance Ministry will consider it their special responsibility to think of the development of the State and bring before us proposals, economic and otherwise, for the development of industry, for employment, and for dealing with the almost perennial problems of floods, erosion and the like that I have referred to.

**SHRI SONTOSH MOHAN DEV** (Silchar): As an elected representative of Assam, I do feel sorry to stand here to support the proclamation as well as the Budget. The circumstances are so that we cannot help it.

Before I come to the proclamation and the Budget, Mr. Jethmalani who has since left the House on the plea that his aircraft is leaving, has made certain serious allegations about the ruling Party and mentioned about Prof. Tewary's allegation about his party and questioned as to why he (Prof. Tewary) wanted to go into the past history of parties. I feel sorry for him. Naturally, the party which was responsible for the death of the greatest leader ever born in the last century, the Father of the Nation, Mahatma Gandhi would not certainly like anybody to dilute into the past history of that party. Naturally you will feel shy if any Member from our party tries to talk about his party's history.

Mr. Varma has narrated the situation which led to the President's proclamation and the circumstances. But after 1977, if you go back to the history of Assam, an Assembly came into being and Mr. Varma has conveniently forgotten that the Ministry was formed during the Janata time and without absolute majority. They were single majority in Assam. The then Governor, Mr. L. P. Singh allowed the Ministry with the help

of the Leftist parties like CPI, CPI(M), SUCI and RCPI in Assam. Subsequently, when this Party fell apart and there was defection from his party, a new Party was formed, called Assam Janata Party and then again the Governor allowed the formation of another Ministry and Mr. J. N. Hazarika became Chief Minister helped by the CPI and CPI(M). When Mrs. Taimur came to power, CPI and CPI(M) again extended their help. But, unfortunately, on all the three occasions the CPI and CPI(M) on some plea or the other, at the critical moment withdrew their support. That is the history of Assam politics *vis-a-vis* the role of the leftist parties because they wanted to get some political advantage out of the political turmoil in Assam. As a result, this time the Governor has seen very clearly that the leader who has been elected by the United Left Democratic Party has got only 3 MLAs, Mr. Sarat Chandra Sinha, Mr. Gajan Tati and Mr. Kalita. All the other members belong to CPI, CPI(M), Janata and SUCI. As was correctly pointed out, there are as many as 9 MLAs who have signed blank letters to different aspirants of Chief Ministership and the Chief Minister aspirants confidently submitted these letters to the Governor. When they are submitting one letter favouring Mr. X, another letter signed by the same MLAs comes next day favouring Mr. Y. I do not want to name them. Prime Minister also said that once someone in our party who is charged with corruption, leaves our party and joins the Opposition, then he becomes honest. When Shri Kesab Gogoi was elected as the Leader, suddenly four M.L.As. defected from our party and joined the United Left Front Party one of whom was Supply Minister in Taimur Government against whom, there was an allegation of corruption in the Assam Assembly and the Speaker had formed a Committee to enquire into the allegation. That was formed by the Speaker at the demand of all the political parties. I would like to know from the Home Minister as well as the Finance Minister what is the fate of that particular enquiry. Sir, allegation is that the Congress encouraged the defection. Those four members who had resigned.

[Shri Sontosh Mohan Dev]

Next day, they wrote a letter to the Governor by giving support to the Government which Mr. Varma wanted to support. But, Mr. Varma forgot very conveniently one, point here. During the present session, what led to the dissolution of the Assembly? Some 18 members of the party gave a written letter to their leader that they do not accept Shri Sarat Chandra Sinha but they would accept Mr. Golab Borbora as the leader. A copy of that letter was also sent to the Speaker.

Under the circumstances, what can the Governor do? He cannot create another turmoil in Assam. Naturally, everyone including myself is worried as to what will be the fate of Assam. As per the Constitution, the President's Rule can continue for one year. I do not want to go into the agitational programme and all these things. I do not agree with the contention of some Members that there cannot be any election in Assam. Never our party in that State said that AASU and AAGSA were responsible for the secessionist movement. Shri Jethmalani and Shri Varma tried to instigate these boys to create a deadlock. We never say that. In Assam, some sections there are trying to create some kind of disturbance there like burning of trains, killing of people including a Government official—Shri Parthasarathy; some medical engineering students, scientists in Oil India. Sir, how could the problem be solved when all Members here say that there cannot be any election in Assam? I beg to differ with them there. When they say this they only incite the boys there.

I have my own personal proposal. I have not consulted my party leaders about that. I am giving my proposal in my personal capacity. When this agitation continued and had continued for so long, we had 15 rounds of talks and we are going to have a talk again on the 7th of next month. By that time, the people of Assam would have known the viewpoints of AASU and AAGSA as also the viewpoints of all the political

parties and national parties. Based on these, our Prime Minister has agreed that the starting point for detection, deletion should be 1971. Gogoi's ministry had already started some work. This work should go on and should be completed within six months. If AASU and AAGSA support their favourite political parties BJP and Janata, let there be election in Assam taking 1971 as the base. Let us go to the people and let the people of Assam give their verdict whether we are right or they are right or AGSA/AASU was right Sir, when the President of India could be elected on the basis of the voters' list of 1971 from which these M.L.A.s were elected, why cannot they be elected on that basis?

I shall give this proposal to the AASU and AAGSA as well as other parties. Mr. Varma is a very good counsel for the AASU. In the last meeting, he gave them some proposal. I would request him to float this proposal and let them have a round table conference on that and let us go to the election and let the people decide whether your views or the views of the Congress Party are correct.

Coming to my friend, Shri Satyasadhan Chakraborty, he said that our party did not go to any meeting. But, he is very much wrong there. The District Congress Party and Mandal Congress are working there. They are having different public meetings. I have myself attended various meetings and various conferences in Assam. Youth Congress was also having its conference. So, I say that this is not the monopoly of the CPM people. Sir, we are not the only party which is having meetings in Assam. Even Mr. Vajpayee has gone and has had several meetings at Gauhati. Mr. Varma has also gone there and addressed the meetings there. But what they are saying in these meetings,—I do not want to bring that here, because it will be very difficult and embarrassing to them.

**SHRI SATYASADHAN CHAKRABORTY:** Your party people are in the movement.



SHRI SONTOSH MOHAN DEV:

Our party people are against the movement, not for the movement. I can say this much. Many of your Members are very much involved in the movement. When the Governor came for a speech, your MLAs in the House shouted and went to the extent of supporting AASU's and other's stand. You can go through the proceedings of the Assam Assembly; from that you will know. I don't want to go into it. You want to take the greatest political advantage out of it. Naturally you will try. You try because you are in Tripura, you are in West Bengal. You want to come in Assam. You try. You are only trying to create trouble there and gain some advantage out of it. We shall see it in future.

As regards Gogoi Ministry, I would say that they started well. They were taking a very right attitude towards the agitation leaders and others. They have reinstated many employees. But they have done one thing. They started detection from 1971, but the form which has been given for 1971,—I would like to request the Home Minister to verify whether that form was properly done with the consent of the Central Government. I have already said that I will not go into the details of the agitation because there is a talk on 7th April. I would like to go into certain important aspects of Budget. In the last four occasions I have spoken on the Budget. But of course, there was other Finance Minister. Now we have a new Finance Minister who knows Assam. I have seen this very painfully that whatever we have suggested are not being implemented. Whenever we say, these are the things which are necessary, the Central Government here says, you meet the officials and the advisers there. But at least I am not bringing any regional problem. Even then, I would like to know one thing from the Finance Minister. He was kind enough to declare certain things for the Kerala Members when they so many members had shouted at length, but I am a single member; I cannot shout to that limit. I would like to know from him what is the fate of our royalty on petrol?

Times without number it has been told in this House that for Gujarat and Assam, petrol royalty rate will be increased. I would like to know what the present position is. Regarding the Brahmaputra Flood Control Board, may I know whether it has started functioning? If it has not started functioning, when and how it is going to function? Sir, I would like to know this from the present Finance Minister, who, in his capacity as Commerce Minister, convened a meeting in Delhi of the persons from the Tea Industry and their interests; and there they have recommended to the State Government to take action so that certain problems of the Tea industry is solved. Now it is under President's rule. I don't know when there will be election I would like to know what are the actions bring taken by the Assam Government? Also I would like to know this from the hon. Minister. In the last Budget, 1400 K.Ms. length has been declared as National Highway in Assam. But, unfortunately, the present National Highway from Shillong to Silchar (which is under Border Roads) is in a very very bad shap. I would like to know what is the present position and how long it will take to make it into order. I would like to know one more thing from the Finance Minister. According to the 20 point programme, it has been stated that the problem villages should be covered with water supply. In one of my Unstarred Questions only three days back which was replied by the Minister of Works and Housing, I asked about certain information and the Minister said that out of 2900 villages in Assam, 2300 villages are without water supply. If this is a fact, I would like to know what action the Government is taking to provide water supply to these villages? My friend Mr. Rajesh Pilot said very rightly that there are only few politechnic engineering, medical and other educational institutions in Assam which have been converted into agitational institutions. The main reason is that the allocation of funds in the Budget for education in Assam is so very poor. It is therefore very difficult for any institution to grow up properly. The Gauhati University and the Dibrugarh University are in a bad shape; the primary schools, and the high schools are in a bad shape. There are no proper facilities for the higher secondary educa-

[Shri Santosh Mohan Dev]

tion. When the Gogoi Ministry came to power, they assured that hundred schools will be upgraded to the higher secondary level, but unfortunately, I have come to know that recently it has been decided not to upgrade them and take them over. If this is a fact, it will be a very sad thing. This needs to be looked into.

Lastly, as this is only a Vote on Account budget, I would not like to go into various other things. In Assam, five towns have been included in the Integrated Development Programme under the Central Scheme of assistance of one crore. Though two years have elapsed, till today, not a single paise has been released by the State Government to Municipal Boards. The Central Government has given them the money. I would like to know from the Finance Minister, whether provision of that has been made in this budget. All these towns will not be developed for lack of funds. I would request that this may be looked into.

In the end, I would like to say that the Governor and the advisers have done a very good work in the past for the welfare of people. Though we have got a new adviser now, I hope, they will look to the interest of the Assam people and do their work efficiently. I would like to convey my thanks to the present Governor, Shri Prakash Mehrotra, who has done very wonderful work in Assam, and I hope that under his leadership, Assam will go further in all aspects, and the people will not very much miss the absence of the elected Government, till it comes to power.

श्री बी. डी. सिंह (फूलपुर): सभापति महोदय, आज असम में राष्ट्रपति शासन लागू है और वहां की विधान सभा को भंग कर दिया गया है। पिछले दिसम्बर में जब असम की अनुपूरक सांगों का सवाल आया था उस समय भी हम लोगों ने कहा था कि असम विधान सभा को भंग कर दिया जाना चाहिये, लेकिन उस समय शासक पार्टी जोड़-तोड़ के द्वारा किसी तरह से अपना शासन वहां स्थापित करना चाहती थी और इन्होंने जिस प्रकार से असम के राज्यपाल की गरिमा को गिराया है--ऐसा शायद ही कहीं हुआ

हो। राज्यपाल को क्या कहा जाय--शायद राज्य सभा की सदस्यता से इस्तीफा दिला कर वहां भेजने का यही अभिप्राय रहा हो क्योंकि जिस प्रकार से गोगोई सरकार गई है उस को जाना भी इसी तरह से चाहिये था क्योंकि वह सरकार गलत तरीके से बनी थी।

सभापति महोदय, असम के राज्यपाल से जब विरोध के लोगों ने मुलाकात की थी, तो वे करीब-करीब इस बात पर सहमत थे कि श्री सरतचन्द्र सिन्हा को सभी लोग अपना नेता स्वीकार करते हैं और वह इस स्थिति में थे कि वहां सरकार बना सकते थे और यह भी रिपोर्ट मिली है कि एक तरह से उन्होंने बहुमत के लिये उन को बधाई तक भी दी। लेकिन जैसा अभी मान्यवर वर्मा जी ने बतलाया उन्होंने ता. 10 को मिलने का आश्वासन दिया, लेकिन उस के बाद वह उन लोगों को उपलब्ध नहीं हुए। 118 विधान सभा सदस्यों में से 63 श्री सरतचन्द्र सिन्हा के साथ थे, लेकिन उन्होंने अवसर न दे कर जो लेफ्ट डेमोक्रेटिक फ्रन्ट के नेता थे उन को इधर-उधर भुलावे में डालते हुए इस बात को अवसर देते गये कि किसी तरह से लीडरशिप का जो भगड़ा रूलिंग पार्टी का था वह तय हो जाय और जब वह जगह तय हो गई और गोगोई उस के नेता निर्वाचित हो गये, तो उन्होंने उन को सरकार बनाने का मौका दे दिया।

मान्यवर, राज्यपाल जी ने यह सार्वजनिक रूप से धोषणा की थी, आश्वासन दिया था कि माइनोरिटी की सरकार वहां नहीं बनेगी लेकिन माइनोरिटी सरकार वहां पर स्थापित की गई और दूसरा आश्वासन उन्होंने सार्वजनिक रूप से यह दिया था कि जो भी सरकार असम में बनेगी, उस को तुरन्त विधान सभा की बैठक बुला कर अपना बहुमत सिद्ध करना होगा लेकिन वह नहीं किया गया। दो महीने का समय गोगोई सरकार को दिया गया और मैं समझता हूँ कि शायद यह बजट पास करने की आवश्यकता न होती तो विधान सभा की बैठक ही न बुलाई जाती और यह सरकार न बनाई जाती।

एक बात मैं और कहना चाहूंगा कि चाहे कोरल हो या आसाम हो या चाहे और कोई राज्य हो, हमारे देश की राजनीति

पर दल-बदल छाया हुआ है। मैं उस तरफ के लोगों की या इस तरफ के लोगों की आलोचना की दृष्टि से यह बात नहीं कहता लेकिन मैं यह जरूर कहना चाहता हूँ कि यह हमारी लोकतांत्रिक पद्धति पर एक बहुत बड़ा कलंक है और इस से लोकतंत्र को बड़ा नुकसान हो रहा है। इस को किसी न किसी तरह से समाप्त किया जाना चाहिए। मैं चाहूँगा कि जब माननीय गृह मंत्री जी उत्तर दें, तो यह बताएं कि निकट भविष्य में वे इस बुराई को दूर करने के लिए क्या उपाय करने जा रहे हैं। इस पर भी वे थोड़ा प्रकाश डालें।

अब क्योंकि वहाँ पर विधान सभा भंग है, इसलिए मैं चाहूँगा कि वहाँ पर चुनाव जल्दी से जल्दी कराए जायें क्योंकि पिछले दो वर्ष से अधिक समय हो गया है और वहाँ से हमारे इस सदन में 12 सदस्य चुन कर नहीं आए हैं। वहाँ पर 1981 की जनगणना भी नहीं हो पाई है और विधान सभा भी भंग हो गई है। तो वहाँ पर चुनाव जल्दी कराए जाएँ, यह मैं फिर निवेदन करना चाहता हूँ। सरकार की तरफ से यह कहा जा सकता है कि जब तक आन्दोलन चल रहा है, चुनाव कैसे हो सकते हैं। इसलिए मैं यह कहूँगा कि इस आन्दोलन को समाप्त करने के लिए कोई प्रभावकारी ढंग से कार्य किया जाए और ऐसी नीयत होनी चाहिए कि यह आन्दोलन जल्दी समाप्त हो और इस दिशा में प्रयास होने चाहिए। पिछले ढाई साल से अधिक समय से यह आन्दोलन चल रहा है, इतनी लम्बी अवधि से यह आन्दोलन चल रहा है और मैं कहना चाहता हूँ कि प्रारम्भ में सरकार ने उन नौजवानों की, जो इस आन्दोलन में लगे हुए हैं, भावनाओं को समझने की कोशिश नहीं की। हमारे साथी श्री संतोष मोहन देव कह रहे थे कि कुछ लोग ही हैं, जो आन्दोलन में लगे हुए हैं और इस आन्दोलन को जन-समर्थन प्राप्त नहीं है। मैं इस बात को मानने के लिए तैयार नहीं हूँ। इतना बड़ा आन्दोलन बगैरे जन-समर्थन के नहीं चल रहा है। उन नौजवानों को इस बात की आशंका है कि भाषा के तौर पर यह जो हमारी संस्कृति है, यह समाप्त हो रही है और आर्थिक तौर पर हमारा शोषण हो रहा है। उन का कहना है कि भाषाई तौर पर वे माइनोरिटी में आ रहे हैं। ऐसी उन को

आशंका है और इसलिए यह आन्दोलन छिड़ा हुआ है। असम में मेरे ख्याल से इस वक्त 2 करोड़ से अधिक जन-संख्या होगी। मैं यह भी बताना चाहूँगा कि 1971 की जनगणना में जहाँ पूरे देश की जनसंख्या में 24.64 प्रतिशत वृद्धि हुई है, वहाँ असम में लगभग 35 प्रतिशत जनसंख्या में वृद्धि हुई है और उस के पहले 1961 में जहाँ असम में 35 प्रतिशत की वृद्धि हुई थी, वहाँ पूरे देश में 21.64 प्रतिशत की दर से जनसंख्या में वृद्धि हुई। इस से इन्कार नहीं किया जा सकता कि बाहर से, बंगला देश से भारी संख्या में लोग असम में आए हैं।

एक बात और कहना चाहूँगा कि 1961 की जनगणना में असमिया भाषा बोलने वाले जहाँ 62 प्रतिशत लोग थे, वहाँ 1971 में वह संख्या घट कर 60 प्रतिशत हो गई। इसलिए उन के मन में यह आशंका होना स्वाभाविक ही है। इस के अतिरिक्त 1971 से 1979 के बीच के आठ वर्षों में मतदाताओं की संख्या बीस लाख बढ़ी है। इसलिए यह कह देना कि उसके पीछे कोई आधार नहीं है, जन समर्थन नहीं है, यह सही नहीं होगा। मैं इस सम्बन्ध में दो सुझाव देना चाहता हूँ।

19 hrs.

चूंकि जो आन्दोलनकारी हैं वे भी मानते हैं कि 1961 तक जो वहाँ आ गये हैं उन्हें कुछ नहीं कहना है। लेकिन 1961 के बाद जो आये हैं उनको डिटेक्ट कर के हटाना है। 1971 के बाद आये लोगों को सरकार स्वयं पहचान कर हटाने पर सहमत है। लड़ाई जो है वह 1961 और 1971 के बीच की है। पिछले राज्यपाल श्री एल. पी. सिंह जी ने सुझाव दिया था कि 1965 को आधार वर्ष मान लिया जाना चाहिए। इसको आधार वर्ष मानने में क्या कीठनाई है, इस पर गृहमंत्री जी प्रकाश डालने की कृपा करें।

देव साहब ने कहा कि 1971 के आधार पर चुनाव करवा लिये जाएँ। मेरी राय यह है कि चूंकि 1961 और 1971 के बीच का झगड़ा है, जिस अवधि के बारे में यह माना जाता है कि बाहर से लोग आये हैं तो उस अवधि में आये लोगों को



[श्री बी. डी. सिंह]

माइनस कर के उस आधार पर इलेक्शन करवा लिये जायें। उस से पता चल जाएगा कि वहाँ का जनमानस उनको निकालने के पक्ष में है या रखने के पक्ष में है। सरकार यह मानती है कि असम में आये लोग एक राष्ट्रीय समस्या है तो फिर उनका भार असम के लोग ही क्यों वहन करें, पूरे राष्ट्र को वह भार वहन करना चाहिए।

मान्यवर, जहाँ तक आर्थिक समस्याओं का सवाल है, मैं यह मानता हूँ कि वहाँ लोगों के आर्थिक विकास का औसत पिछले तीस सालों में अन्य क्षेत्रों से कम रहा है। हमारे पास इसके फिगर्स भी हैं। छठी पंचवर्षीय योजना की बात कही गयी है, जिसको मैं मानता हूँ लेकिन पिछले तीस सालों में तमाम वस्तुओं के उपभोग में उनका औसत राष्ट्रीय औसत से बहुत कम है। इसलिए उनके आर्थिक विकास की तरफ, कृषि के विकास, उद्योगों के विकास और बेरोजगारी को दूर करने की तरफ ध्यान दिया जाना चाहिए।

श्री राधे सिंह यादव (अलवर): माननीय सभापति जी, जो माननीय गृह मंत्री जी ने उद्घोषणा पत्र सदन में प्रस्तुत किया है, मैं उसका समर्थन करता हूँ। इसके साथ ही मैं केवल उन संवैधानिक प्रश्नों पर आपका ध्यान आकर्षित करना चाहूँगा जिनके बारे में चर्चा चल रही है।

संविधान का जो मुख्य प्रश्न यहां उठाया गया, विरोध पक्ष के माननीय सदस्यों ने जिसे विशेष रूप से उठाया वह यह है कि उनके कथन के अनुसार असम के राज्यपाल ने वहाँ की विधान सभा को भंग करने में भूल की है। इसके साथ साथ उनका यह भी कथन है कि जो सरकार अल्पमत में थी, गोगाई सरकार, उसकी रिक्मंडेशन पर, उसकी अभिशंसा पर, उसकी सिफारिश पर विधान सभा को भंग करना न्यायोचित नहीं था, संवैधानिक नहीं था।

मान्यवर, तीसरा उनका यह भी प्रश्न रहा है कि जब लेफ्ट एलाएंस पार्टी के पास बहुमत था तो वहाँ पर उसको सरकार

बनाने का विकल्प देना चाहिए था। मान्यवर, मैं इस सम्बन्ध में संविधान का अनुच्छेद 356 उद्धृत करना चाहूँगा, उसमें यह साफ लिखा हुआ है—

“If the President on receipt of a report from the Governor of a State or otherwise, is satisfied that situation has arisen in which the government of the State cannot be carried on in accordance with provisions of this Constitution, the President may by Proclamation—”

तो ऐसी स्थिति में राष्ट्रपति का और केन्द्रीय सरकार का दायित्व है कि वहाँ के बारे में इस तरह का संकल्प दे सकते हैं, आदेश दे सकते हैं और इस प्रकार का धोषणा-पत्र जारी कर सकते हैं।

दूसरा प्रश्न यह आता है कि क्या असेंबली को भंग करना न्यायोचित था, संवैधानिक था? इस संबंध में मैं निवेदन करना चाहूँगा कि इस तरह के बहुत से दृष्टांत हैं। संविधान में कहीं भी यह नहीं है कि मोजोरिटी की गवर्नमेंट की सिफारिश पर ही विधानसभा भंग हो सकती है और माइनारिटी की गवर्नमेंट की सिफारिश पर नहीं। संविधान में केवल गवर्नमेंट लिखा है, चाहे वह मोजोरिटी की हो या माइनारिटी की। इसलिए हमको संवैधानिक परंपराओं के अनुरूप चलते हुए देखना है कि 34 साल में कौन सी संवैधानिक परंपराएं कायम हुई हैं। इससे पूर्व कई राज्यों में और केन्द्र में भी माइनारिटी गवर्नमेंट की सिफारिश पर सभाओं को भंग किया गया है। इसलिए इसमें किसी तरह से भी संवैधानिक भूल नहीं की गई है।

तीसरी बात, जैसा कि कहा गया है कि बहुमत होते हुए भी उनको सरकार बनाने के लिए अनुमति नहीं दी गई, इसमें मेरा निवेदन है कि जहाँ इस तरह की स्थितियाँ हैं, इंटरनल डिस्टर्बेंस है, ला-एण्ड-आर्डर की सिचुएशन इस तरह की है कि किसी भी पार्टी की सरकार नहीं चल सकती, तो ऐसी स्थिति में गवर्नर का उत्तरदायित्व है कि सही बात से राष्ट्रपति को अवगत कराएँ।



1978 में इलैक्शन हुए, उस समय केन्द्र में जनता पार्टी की सरकार थी। जनता पार्टी की सरकार समाप्त होने के बाद यह आवश्यक था वहाँ के चुने हुए नुमाइंदों के लिए कि वे इलेक्टरेट के पास फिर से जाते और पता लगाते कि उनका बहुमत है या नहीं। ऐसी स्थिति में वहाँ की असंबली को भंग किया जाना चाहिए था।

असम की इंटरनल सिचुएशन अब वहीं तक सीमित नहीं है, बल्कि एक राष्ट्रीय प्रश्न है। जहाँ ला एण्ड आर्डर की सिचुएशन ऐसी है कि कांग्रेस-आई की सरकार ही नहीं, बल्कि इनकी सरकार भी फेल हुई। जहाँ ऐसी स्थिति है, जहाँ आपकी सरकार के सामने और हमारी सरकार के सामने ला एण्ड आर्डर की समस्या हो ऐसे समय में अगर गवर्नर ने यह रिपोर्ट की है कि वहाँ पर प्रजातांत्रिक तरीके से सरकार नहीं चल सकती तो भूल क्या की है? मैं समझता हूँ कि गवर्नर ने अपना उत्तरदायित्व वहन किया है।

19.08 hrs.

[MR. DEPUTY SPEAKER in the Chair]

माननीय उपाध्यक्ष महोदय पिछले चार सालों में, 1978 से 1982 तक वहाँ पर चार सरकारें बदली हैं और उन चारों सरकारों के सामने ला एण्ड आर्डर की समस्या रही है। बहुत से पूर्व-वक्ताओं ने इसके बारे में कहा है और आप पिछला इतिहास देखें वहाँ एक साल के अंदर 180 बम विस्फोट के केसेस हुए, जिनमें कुछ विस्फोट हुए और कुछ जीवित बम पकड़े गए। इसके अलावा एक दर्जन से अधिक आदमी बम विस्फोटों में मारे गए हैं। कितने ही पी. ए. सी. के जवान आहत हुए हैं—तीरों से, बमों से। यही नहीं पर इस तरह की भयानक स्थिति हो और राष्ट्रीय स्तर पर हल करने के प्रयत्नों के बावजूद उसमें सुधार न आया हो, ऐसी परिस्थिति में केन्द्र सरकार के सामने दूसरा विकल्प नहीं हो सकता था।

यह भी कहा गया कि असंबली के एक सदस्य से पूछा कि आप लिख कर दें कि आप किस पार्टी को चाहते हैं और यदि इस

पार्टी की सरकार बनी तो आप इसके साथ रहेंगे या नहीं? राज्यपाल महोदय ने स्वयं चिट्ठी लिखकर भेजी है कि आपने जो मुँहसे कहा था, उस पर आरुढ़ हैं या नहीं? तो जहाँ वहाँ के विधान सभा के सदस्यों की यह स्थिति हो कि गवर्नर से बात कुछ करें और फिर उससे बदल जाते हैं तो गवर्नर के पास और कोई विकल्प नहीं रह जाता है सिवाय इसके कि वह सदस्यों से लिखावे कि आप कौन सी पार्टी से अलायंस रखते हैं और सपोर्ट करना चाहते हैं। इसलिए उन्होंने कोई संवैधानिक गलती नहीं की।

इसी प्रकार मेरा निवेदन है कि वहाँ की आर्थिक समस्याओं के बारे में विशेष रूप से सारे सदन को गम्भीरतापूर्वक विवेचन करना चाहिये। असम में चूँकि राजस्थान के तथा देश के अन्य हिस्सों के काफी लोग रहते हैं, मैं गोहाटी तथा अन्य स्थानों पर गया हूँ, और मैंने देखा है कि जो वहाँ के मूल निवासी हैं उनकी सम्पत्ति पर दूसरे प्रांतों के रहने वाले लोगों ने कब्जा किया है। इसलिए ऐसा कोई कानून होना चाहिए यदि दूसरे लोगों ने उनकी सम्पत्ति ले ली है तो वह सम्पत्ति उनको वापस की जाये। जब तक ऐसा कानून नहीं होगा और आर्थिक दृष्टि से वहाँ की समस्या का हल नहीं किया जायेगा तब तक यह समस्या हल नहीं होगी।

इन शब्दों के साथ मैं गृह मंत्री के प्रस्ताव का समर्थन करता हूँ।

SHRI HARIKESH BAHADUR (Gorakhpur): It is most unfortunate that in this House we are hardly having one or two Members from Assam. We have been sitting here for the last two years and this House has enacted several laws, but there is no adequate representation from Assam. Therefore, we can say that the people of Assam are today deprived of their proper representation in this House of the People, like the people of Garhwal.

MR. DEPUTY-SPEAKER: How can you forget Garhwal? That is what I was wondering.

**SHRI HARIKESH BAHADUR:** The present Government is entirely responsible for the entire crisis in Assam. The foreign national problem remains still unsolved. This is a very big problem. If this problem is not properly solved as soon as possible, I think, it will create a lot of difficulty for the entire country. I do not know how much time this Government is going to take in solving this problem.

So far as this Proclamation of President's rule in various States including Assam is concerned, this clearly demonstrates the tendency of this Government that it is not going to follow the democratic processes properly. In fact, the process of annihilation of democracy has been started. The Government does not want that democracy should exist in this country. Even if the opposition is in majority in some State, this Government will first try to see that the opposition must not get an opportunity to form the Government. What has been done in Kerala is a clear example of this. In Assam what is being done, has already been spoken by several hon. Members of this House. It indicates that this Government does not have faith in the democracy. This Government is very much afraid of the people. If this Government feels that people will not vote for them in a particular constituency or a particular State, then the Government will definitely try to see that there should not be any elections there. We are seeing it. This Government is afraid of voters in Garhwal. So, there will be no elections. This Government is afraid of the voters in Delhi. So, there will be no elections here also. Same is the situation in West Bengal. I do not know what is going to happen in Kerala and Assam. The President's rule which has been imposed in Assam, will continue for one year. This Government will definitely try to have the President's rule for one year. After that, what will they do? If they are convinced that people are not going to vote for them, they will try to amend the Constitution, so that this President's Rule may be continued for some more years because unless they are convinced that people will definitely vote for them or they can manipulate the whole situation in such a way that people will vote for them and they can form the Gov-

ernment, they will amend the Constitution. I am coming to this conclusion because of the past activities and the things which they are doing at various places in this country. Therefore, I oppose this Resolution which was brought by the Home Minister regarding the Proclamation on President's Rule. But I know that my voice has no meaning for them. Whatever they want to do, they will do scuttling the democratic process. (*Interruptions*)

Now, I must come to this Vote on Account, I mean, this budget part of the thing. Several hon. Members have already spoken regarding devastation on account of floods and this flood devastation has caused enormous harm to the people of Assam. Therefore, suitable steps must be taken to control the flood waters so that it can be properly channelised for irrigation facilities, for power generation and other things. The development of the entire North-Eastern region is most essential.

So far as this agitation is concerned, we feel that unemployment and little economic development which has taken place in that part has given strength to this agitation. Unless we develop that area economically, unless industrial development takes place, unless adequate employment opportunities are generated there, it will be difficult to control the situation. (*Interruptions*)

Sir, in Assam forest resources are in plenty, we are already having crude petroleum and there, some industrial development has already taken place, but still we require to develop that area to a larger extent so that that area must be equally developed as the other parts of the country.

Sir, my friend, Mr. Rajesh Pilot has very rightly said about the bridges which have been constructed on the Brahmaputra river. On the Brahmaputra river only one or two bridges were constructed. If these bridges are destroyed, we will have no other link. Therefore, the Government must think of constructing more

bridges over this Brahmaputra river so that our country may have proper link with that part. Otherwise, if any occasion comes when there is difficulty because of war or anything else, it will be very difficult for us to supply even the essential commodities to that particular part. Therefore, the Government must try to think over this issue also. But I find in this particular Budget there is no proper provision for all these things. Therefore, I oppose this also.

With these words, I oppose both, the Resolution and the Budget.

**गृह मंत्री (श्री जल सिंह) :** डिप्टी स्पीकर साहब, केरल के बाद असम में प्रेजीडेंट रूल के प्रोक्लमेशन का प्रस्ताव मैंने रखा। मुझे आशा थी कि कोई नई बात भी हमारे दोस्त कहेंगे, लेकिन उन्होंने कोई नई बात नहीं कही, पुरानी बातों में नई शराब भर कर पेश करने की कोशिश की है।

लेकिन मैं मेम्बर साहेबान का मशकूर हूँ, यह बात ठीक भी है कि असम के मामले में बहुत ज्यादा व्याख्या करना दुरुस्त नहीं है। 7 तारीख को हमारी फिर बातचात हो रही है, उसमें अपोजीशन पार्टी के नेता-गण शामिल हो रहे हैं और हमारी सब की, सरकार की भी और अपोजीशन के नेताओं की भी यह कोशिश है कि हम इस मामले को जल्द से जल्द सुलझा कर आगे कदम बढ़ाएं। अब तो यह और भी जरूरी हो गया है क्योंकि एक साल का समय ही है, यह बात ध्यान में रखने वाली है। अगर प्रेजीडेंट रूल न भी होता तब भी 20 मार्च, 1983 तक इस असेम्बली की मियाद खत्म हो जाती थी। इस तरह भी एक साल का समय ज्यादा से ज्यादा मिल सकता था, उससे पहले-पहले वहां पर मुकम्मिल डेमोक्रेटिक सेंटअप रखने के लिए कोशिश करनी है।

सरकार का यह पूरा यत्न है कि जो कुछ विदेशी है, हम उन्हें ढूँढ कर निकाल दें। जो हमारी बातचीत हुई, अपोजीशन के नेताओं से पहले भी बातचीत हुई, उसके कानसेन्सस के मुताबिक ही हम काम करना चाहते हैं। लेकिन इस बात के लिए हम कोई गुंजाइश नहीं रहने देना चाहते कि थोड़ा बहुत कनसेशन दे कर भी इस बात को निपटारा जाए। हमने असम के लोगों की

भावनाओं को, जो रेफ्रेंस की आए थे, उनकी भावनाओं को और जिनसे हमने वादा किया था कि हम आपको भारत में रखेंगे, उनकी भावनाओं को सामने रखना है।

प्रो. चक्रवर्ती ने जो सवाल किए, वे महत्वपूर्ण सवाल हैं। मैं उनका उत्तर तो देना चाहता था, लेकिन अगर मैं खुलासा न करूँ, तो ठीक नहीं रहेगा और अगर खुलासा करूँ, तो फिर बात जरा लम्बी हो जाएगी, और हो सकता है कि दूरस्त बात कहने का असर हमारी नेगोशिएशन पर कुछ इस तरह से पड़े कि उसमें कुछ बिटरनेस आ जाए। वह भी जानते हैं और मैं भी जानता हूँ। बात तो हमारी आपस में हुई है, और वह तो ऐसी है कि :

नजर ही नजर में मुलाकात हो गई,  
रहे दोनों खामोश और बात हो गई।

अगर वह इस बात पर रहें, तो अच्छा है।

उनकी बहुत सी बातें रीजनेबल हैं। जो सिमिलेरीटी है विचारों और स्थलों की, सैकुलरिज्म की, सोशलिज्म की और डेमोक्रेसी की, उसमें हमारा काफी मेल-जोल चलता है। मैं प्रो. चक्रवर्ती से इतनी ही बात कहूँगा कि वह तो प्रोफेसर हैं, सब थ्यूरियां उन्होंने पढ़ी होंगी और थ्यूरोटिकली जो कम्युनिस्ट पार्टी की बुनियाद है, कम्युनिस्ट पार्टी का मैनफेस्टो है, जिसका दुनिया भर की कम्युनिस्ट पार्टियां मानती हैं उस पर भी वह विचार करें और भारत में भी उसी तरह से सोचें और उसी तरह सोच कर अपने सुझाव दिया करें। यह और किसी के लिए डेमोक्रेसी हो, हमारे लिए नहीं, यह अच्छा नहीं लगता है। संसार का यह ढंग है कि जब कहीं आग लगी हो, तो कहते हैं कि वह वैश्वानर देवता है, लेकिन जब अपने घर में आग लगती है, तो वह वैश्वानर देवता नहीं रहता, तब वह आग बन जाती है। मैं उसका खुलासा नहीं करूँगा। मुझे आशा है कि प्रोफेसर साहेब इसके लिए जोर भी नहीं देंगे।

यह बिल्कुल उनका भ्रम है कि हम कहीं डेमोक्रेटिक सेंट-अप को अपनी इस गर्ज के लिए खत्म करते हैं कि दूसरे लोग वहां

[श्री जैल सिंह]

अपनी सरकार न बना लें। जब इलैक्शन हुआ, तब हम बहुत ही मिनारिटी में थे। उसके बाद सरकार बनी, वह टूट गई। फिर हजारीका की सरकार बनी, वह टूट गई। बाद में हजारीका यहां आए और उन्होंने कहा कि जब सब कुछ बहाल हो रहा है, तो मेरी सरकार को भी बहाल कर दो। मैंने कहा कि इस तरह बहाल करना मुश्किल है, आप जोर लगाओ, आप अपनी मंजूरिटी बनाओ। वह मंजूरिटी नहीं बना सके। वह चाहते थे कि हमारी तो मंजूरिटी नहीं बनती है, लेकिन किसी और की भी न बनाने दें। वह हमेशा इस बात पर जोर देते थे।

जब अनवरा बेगम की रहनुमाई में सरकार बनी, तो अपोजीशन की तरफ से यह आवाज आई थी कि यह सरकार क्यों बनी है, असेम्बली को भंग क्यों नहीं कर दिया गया है। अब जब उसको भंग कर दिया गया है, तो कहते हैं कि असेम्बली को भंग क्यों कर दिया गया है। वे बदलते रहते हैं। आज इस बारे में बहुत तकरीरें करने से नुकसान भी हो सकता है।

हमारे दोस्त, श्री देव, ने कहा कि स्पीकर साहब ने एक कमिटी बनाई थी, वह एम. एलेज. की कमिटी थी एकवायरी करने के लिए एक मिनिस्टर और एक आपो-जीवन के नेता के खिलाफ। यह बिल्कुल नहीं बात हुई है। कभी ऐसा नहीं हुआ कि कमिटी बनी हो, असेम्बली भंग हो जाए। उनकी जगह किसकी लाएं, क्या करें, उस पर हम जरूर गौर करेंगे। ऐसा नहीं होगा कि उनको बिल्कुल छोड़ दिया जाए।

हमारी पूरी कॉन्सिडर है कि हम सब सेक्शन 3 को रीजनेबली सैटिसफाई करने के बाद वहां इलैक्शन करवाएं। इसमें सी. पी. आई. (एम), सी. पी. आई. और जनता पार्टी की कोऑपरेशन चाहिए, जिनके वहां मेम्बर हैं। लेकिन जिनका कोई भी मेम्बर नहीं है वैसे ही चौधरी बनते हैं, उनको भी मैं बेलकम करता हूँ। वह भारतीय जनता पार्टी है। आजकल पता नहीं उनकी क्या नीति है। जेठमलानी जी

बहुत अच्छे वकील हैं। जो झूठे आदमी को छुड़ा सकता हो, उसको वकील बनाना चाहिए। वह तो बहुत लायक वकील हैं। लेकिन मेरे पीछे वे यह भी कह गए कि होम मिनिस्टर ने हम पर पहले हमला किया। मैंने तो कुछ भी नहीं कहा। मैंने तो सिर्फ यह कहा था कि जनता सरकार बनी तो कास्टीज्म और कम्युनीलज्म पर विश्वास रखने वालों को रेस्पेक्टिबिलिटी मिल गई। वे समझते हैं कि उनके नेताओं को कहा लेकिन मैंने यह सोच कर नहीं कहा था। मैंने तो सिर्फ यही कहा कि जो कास्टीज्म पर बुनियाद रखते हैं, जो फिरकंदारी पर बुनियाद रखते हैं उनको भी सम्मान मिला। हर जगह यह माना जाता है कि उनको सम्मान मिला और जोरावरों को बहुत ताकत मिली और गरीब, हरिजन, मजदूर या जो माइनारिटी में थे वह दबाए गए और दबाने की वजह से वह कमजोर हुए। इसी तरह से जो शस्त्र देना शुरू किया इन्डिसेक्रिमिनेटली एक-एक जिले में 80-80 लाइसेन्स दिए गए। ऐसे लोगों को दिए गए जो कि डिजर्व नहीं करते थे, पहले से ही ताकत वाले थे। खैर, मेरा ख्याल है आइन्दा के लिए जेठमलानी जी दीर्घ-दृष्टि से काम लिया करेंगे।

अब मैं इस हाउस का और ज्यादा समय नहीं लेना चाहता। मैं प्रार्थना करूंगा कि यह जो मेरा प्रस्ताव है इसको पास किया जाए।

THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE): Sir, while making the observations, the hon. Members, by and large, concentrated on the political developments in the State. The circumstances under which this House is to pass the Budget—it is not the Budget, it is the Vote on Account. I am using the technical word—are really most unfortunate. Practically, in the last three years, 1980, 1981 and 1982, though there was in-between some Government having representatives of Assam Assembly, the burden of discussing various fiscal measures for the development of the State has come on this House. Some of the general points have been mentioned and some queries have been mentioned in regard to the particular problems.



Coming to the first general point which Prof. Chakraborty also mentioned and he correctly pointed out that economic development in this region was more important so that they could join the mainstream of the national activities and development. It will have its effect on the separatist tendency also. In fact, in agreement with that objective and view, the Government of India, from the very beginning, are laying emphasis on it. Perhaps, Prof. Chakraborty and other hon. Members are aware of it. So far as other States are concerned, the Gadgil formula is applicable in regard to allocation of Plan assistance. But Assam and other Northeastern States enjoy a special privilege. Therefore, per capita Plan allocation is always high. It is not merely now. From the Third Plan, it is always higher as compared to the average of the other States which are governed by the Gadgil formula.

For instance, during the Third Plan, Assam's *per capita* allocation was 78 and in respect of other States, the average was 55. In the Sixth Plan, the *per capita* of 78 has been increased to 565 while in respect of the other States, it has been increased from 55 to 258. I am not giving the break-up of all other points. So, this has been taken care of even in the current year's Plan. Perhaps, the hon. Members might have appreciated from the documents which we have submitted, the Central assistance next year has increased by nearly 40 per cent, so far as Assam is concerned. Out of the total Plan outlay of Rs. 238 crores, practically Rs. 225 crores are coming out of the various types of Central assistance. We have taken care of that problem. But that does not mean that everything has been done there and there is no area of improvement, because the requirement is much more. This figure itself may be impressive but when we keep in view the backlog which exists in that area, much more is to be done and we are fully aware of that.

While making the observations, my hon. friend, Shri Ravindra Varma suggested why should not I come forward with a full-fledged budget. I do still hope that let this job be done by the Assam Finance Minister and at the earliest the elections in

Assam will be held and we pass on the responsibility to the chosen elected representatives in the Assembly. That is better. We are trying to do that. I am glad that Opposition parties are also involved in that process. The negotiations are going on and I do hope, through our collective efforts, it will be possible to reach to some sort of an agreement. I do not know what will happen in the future. But let us hope that this House does not undertake this job and let it be done by the Assembly itself.

Two points were referred to by Shri Sontosh Mohan Dev particularly in regard to royalty on oil. I am afraid, I shall have to make him a little disappointed in the sense that we have increased it, in April, 1981, from Rs. 42 to Rs. 61 tonne. It would just not be possible to agree to increase it further. As per the laws, at an interval of every four years, a review takes place and, after that we determine the royalty. So, the next time when the review will be done—it will be effective from 1985—it will be sometime at the end of 1984 or beginning of 1985. It will have to be undertaken at that time.

Another point was in regard to the problem of tea. Perhaps, you will notice that the agricultural tax on tea that has been realised has been less and that has been reflected in the State's own revenues. When I had a national level meeting with the representatives of various tea producing States, I suggested to them that in order to make our tea competitive in the international market, we must reduce the cost as far as possible. One suggestion was to reduce the sales-tax. Some State Governments have agreed to it. Assam is also one. But unfortunately, it could not be implemented. We thought that the Assembly which has been dissolved now might have passed that legislation. But they have not been able to do so. I think, we may have to do that job a little later. But it is not possible just at this stage.

The concessions which I have extended in regard to the excise duty in respect of tea, some of them will be made available to the tea industry. Some of the other provisions which I have made in the budget in regard to concessions for exporters,

[Shri Pranab Mukherjee]

a part of it will be applicable to the tea exporters also. These are general concessions. I am not going into the details. I would not like to mention in detail the various proposals.

Only one point I would like to make. I can assure the hon. Members that we do feel that it is necessary to improve the economic situation. Various projects which are under active consideration should be expedited as far as possible. But everything would depend to what extent we can match the resources. This point should also go some particularly to the agitators that if a State is under constant agitation over a longer period of time, even the present level of development cannot take place. If the entire energy is exhausted only to meet the daily routine law and order problems, serious developmental efforts cannot be undertaken. If there has been any slackening in that area, it is one of the reasons. I will not say, it is wholly due to that. But one of the major reasons is the continued agitation. If the goods cannot be taken out of the State, if there is constant trouble in railways or transportation movement, if there is constant trouble in the oilfields, naturally, all this will have its effect not only Assam's economy but on the overall national economy and there is no denial of the fact that one of the major reasons of high import Bill particularly in the year, 1980-81, was the continued agitation in Assam Oilfield.

I do hope that ultimately through our collective efforts it would be possible to find a way out to settle the issues so that the political matters are settled and economic development of that region can take place and at least we are free from taking the responsibility of piloting the Assam Budget or the Home Minister coming forward with the proposal for President's proclamation.

MR. DEPUTY-SPEAKER: I shall now put the statutory resolution approving the Proclamation in relation to the State of Assam, moved by Giani Zail Singh to the vote of the House.

The question is: "That this House approves the Proclamation issued by the President on the 19th March, 1982, under Article 356 of the Constitution in relation to the State of Assam."

*The motion was adopted.*

MR. DEPUTY-SPEAKER: I shall now put the Demands for Grants on Account (Assam) 1982-83 to vote.

The question is:

"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, out of the Consolidated Fund of the State of Assam, on account, for or towards defraying the charges during the year ending on the 31st day of March, 1983, in respect of the Heads of Demands entered in the second column thereof against Demand Nos. 1 to 72."

*The motion was adopted.*

MR. DEPUTY-SPEAKER: I shall now put the Supplementary Demands for Grants (Assam) 1981-82 to vote.

The question is:

"That the respective Supplementary 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 out of the Consolidated Fund of the States of Assam to defray the charges that will come in course of payment during the year ending on the 31st day of March, 1982, in respect of heads of demands entered in the second column thereof against:—

Demand Nos. 10, 11, 15, 16, 18, 21, 22, 24, 25, 27, 31, 32, 33, 36, 37, 38, 40, 43, 44, 47, 54, 55, 57, 58, 59, 61, 63, 64, 67, 68, 71 and 72."

*The motion was adopted.*

19.37 hrs.

**ASSAM APPROPRIATION (VOTE ON ACCOUNT) BILL\* 1982**

**THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE):** 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 the State of Assam for the services of a part of the financial year, 1982-83.

**MR. DEPUTY-SPEAKER:** The question is:

"That leave be granted to introduce a Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Assam for the services of a part of the financial year, 1982-83."

*The motion was adopted.*

**SHRI PRANAB MUKHERJEE:** Sir, I introduce† the Bill.

I beg to move†:

"That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Assam for the services of a part of the financial year, 1982-83, be taken into consideration."

*The motion was adopted.*

**MR. DEPUTY-SPEAKER:** The question is:

"That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Assam for the services of a part of the financial year, 1982-83, be taken into consideration."

*The motion was adopted.*

**MR. DEPUTY-SPEAKER:** Now we shall take up Clause by Clause consideration of the Bill.

The question is:

"That Clauses 2 and 3 and the Schedule stand part of the Bill."

*The motion was adopted.*

*Clauses 2 and 3 and the Scheduled were added to the Bill.*

*Clause 1, the Enacting Formula and the Title were added to the Bill.*

**SHRI PRANAB MUKHERJEE:** Sir, I beg to move:

"That the Bill be passed."

**MR. DEPUTY-SPEAKER:** The question is:

"That the Bill be passed."

*The motion was adopted*

19.40 hrs.

**ASSAM APPROPRIATION BILL,\* 1982**

**THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE):** 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 the State of Assam for the services of the financial year 1981-82.

**MR. DEPUTY-SPEAKER:** 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 the State of Assam for the services of the financial year 1981-82."

*The motion was adopted.*

\* Published in Gazette of India, Part II, section 2, dated 27-3-82

† Introduced/moved with the recommendation of the President.

**SHRI PRANAB MUKHERJEE:** Sir, I introduce† the Bill.

I beg to move†:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Assam for the services of the financial year 1981-82, be taken into consideration."

**MR. DEPUTY-SPEAKER:** The question is:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Assam for the services of the financial year 1981-82, be taken into consideration."

*The motion was adopted.*

**MR. DEPUTY-SPEAKER:** Now we shall take up clause-by-clause consideration of the Bill.

The question is:

"That Clauses 2 and 3 and the Schedule stand part of the Bill."

*The motion was adopted.*

*Clauses 2 and 3 and the Schedule were added to the Bill.*

*Clause 1, the Enacting Formula and the Title were added to the Bill.*

**SHRI PRANAB MUKHERJEE:** Sir, I beg to move:

"That the Bill be passed."

**MR. DEPUTY-SPEAKER:** The question is:

"That the Bill be passed."

*The motion was adopted.*

**MR. DEPUTY-SPEAKER:** The House stands adjourned to reassemble at 11.00 a.m. on Monday, the 29th instant.

19.41 hrs.

*The Lok Sabha then adjourned till Eleven of the Clock on Monday, March 29, 1982/Chaitra 8, 1904 (Saka)*