

[श्री दिनेश सिंह]

चाहते हैं। अभी हम ने कोई उन से ऐसी इच्छा जाहिर नहीं की है।

श्री मीठा लाल मीना (सवाई माधोपुर) :
उपाध्यक्ष महोदय, मामला बड़ा गंभीर है। पाकिस्तान के पास टैकों के तीन डिवीजन हैं। राजस्थान की सीमा पर एक डिवीजन सेना उन्होंने तैनात कर दी है और उस की वेशभूषा बिल्कुल रेगिस्तानी रंग की बनाई है। वह शायद सरकार को मालूम भी हो।

दूसरे, इस समय परिस्थिति यह है कि पाकिस्तान को चाइना हथियार दे रहा है, रूस हथियार दे रहा है और अमेरिका भी दे रहा है तो सरकार को इस बात को सोचना पड़ेगा कि उस की विदेश नीति गलत है और अगर गलत नहीं है तो सरकार के पास इस का क्या स्पष्टीकरण है ?

तीसरे, अमेरिका जो हथियार दे रहा है उस के बारे में इन के अमेरिका स्थित राजदूत ने क्या रिपोर्ट दी है ? वह किस-किस प्रकार के हथियार दे रहा है ?

चौथे, श्री निक्सन जी अभी-अभी पधारने वाले हैं उन से क्या आप बातें करेंगे ?

श्री दिनेश सिंह : जी हां, जरूर बात करेंगे। कितना हथियार मिला है इस के बारे में मैं पहले ही कह चुका हूं। पहला सवाल जो माननीय सदस्य का था कि चीन भी दे रहा है रूस भी दे रहा है और अमेरिका भी दे रहा है उस की वजह से विदेश नीति हमारी असफल रही है, इस के बारे में तो बहुत बहस इस सदन में हो चुकी है लेकिन हम को खुशी यह है कि यहां पर चाहे बातचीत में जिस तरह माननीय सदस्य रखना चाहें, देश को नहीं समझा पायेंगे।

12.24 hrs.

STATEMENT REGARDING THE REPORTED STATEMENT OF SHRI E.M.S. NAMBOODIRIPAD AND SHRI A.K. GOPALAN

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS

(SHRI VIDYA CHARAN SHUKLA) :
Government have seen press reports regarding a joint statement issued in Trivandrum on 7th July, 1969 by Shri E.M.S. Namboodiripad and Shri A.K. Gopalan. Government have also subsequently seen a copy of the statement laid on the Table of the House on July 23, 1969, by Shri A. K. Gopalan, a member of this House.

There are some textual differences between the brief press reports of the statement and the text of it as laid on the Table of the House by Shri Gopalan. However, between the two versions of the statement, there does not appear to be any difference of real significance as regards the basic theme of utilising the parliamentary institutions for fulfilling what Shri Namboodiripad and Shri Gopalan have stated as "the indispensable task of smashing the bourgeois state".

As the statement reported in the press raised serious issues, the Home Minister has requested Shri E.M.S. Namboodiripad to come over to Delhi so that the matter may be discussed with him. There is no doubt that the statement of Shri Namboodiripad and Shri Gopalan is against the basic principles of the Constitution of India and that it puts forward a theory which is the very negation of parliamentary democracy.

SHRI P. RAMAMURTI (Madurai): We have asked for a debate.

MR. DEPUTY-SPEAKER: It could be taken up separately.

SHRI TENNETI VISWANATHAM (Visakhapatnam) : On a point of order. Yesterday some discussion took place on this subject and it was not clear what procedure would be followed. I thought that as a Member of the House was involved in the whole discussion, the Order Paper would contain a reference to a statement or personal explanation to be made by Mr. Gopalan also. The Order Paper contains nothing and it does not refer to what has happened yesterday. I am not referring to the substance or the politics of it. What happened to Mr. Gopalan may happen to any other Member of any other group in this House. Therefore, we want your guidance

in the matter. When in a call attention motion the name of a Member is referred to and the Minister makes some statement, why is the Member wholly left out? He has no chance to defend himself or talk about it. Yesterday when the matter was referred to, I thought you would give a chance to the concerned Member either to offer a personal explanation or to take up the subject for discussion if he demands or if other Members demand. I request you to consider this point because the Order Paper contains nothing about what happened.

MR. DEPUTY-SPEAKER: I have followed what you have said. The statement had been circulated to all Members and I presume everyone has got a copy. Yesterday when the Defence Minister intervened he also made the point. If a Member is reported to have made a statement and if his name is involved, he will be allowed to come forward with a personal explanation. That is his contention. In my ruling by implication I have upheld this position.

SHRI N. SHIVAPPA (Hassan): I want to point out something pertaining to the original statement laid on the Table of the House. I quote from it:

"...any political party which functions only within the framework of the present Constitution cannot take the struggle against the bourgeois landlord alliance to victory and establish a state of the toiling masses; we believe that the struggle to totally change (in Malayalam: *alakup pidiyum mattuka*) this Constitution is an inseparable part of the struggle for real democracy and socialism..."(Interruptions.)

My hon. friends should have known the dictionary meaning of amending the Constitution and totally changing it. Shri Gopalan and Namboodiripad adorn very responsible positions in our democracy and have taken the oath of allegiance to the Constitution:

"I will bear true faith and allegiance to the Constitution of India as by law established and that I will uphold the the sovereignty and integrity of India."

They have the privilege to move any amendment in this House for the betterment

of the people or according to the ideology of their own party.

So, none of my friends here have taken any step in this matter, nor the other friends have taken any steps to correct the position. They have gone beyond their oath of allegiance that they have taken here. They had the courage to make this kind of statement till this day, till we called the attention of the Government to this matter.

MR. DEPUTY-SPEAKER: Please come to the question.

SHRI N. SHIVAPPA: I am not going beyond the purview of what I have put down as my Calling Attention Notice. So, it is crystal clear. Till now also they have not challenged it. That is the first thing.

The second thing is this. So far as the press is concerned, if there is a little misinterpretation or a different view was expressed, that might have been scrapped and they might have taken action against the press, whoever it may be, including action against any press which may be their own. There was a long lapse of time at their disposal, to their advantage, to sue those people who attempted to tamper with this and play mischief with the sovereignty of this country. If they have got the allegiance to the Constitution, if they had taken the pledge to work within the ambit of the Constitution, with respect towards the Constitution, they could have sued the press people; but they have not done it. They have not contradicted it. So, it is crystal clear. Even today, on the floor of the House, they come and say that "we are going to break the Constitution, wreck the Constitution and change the Constitution." That is a glaring disrespect to the Constitution, and nothing else.

MR. DEPUTY-SPEAKER: Please put your question.

SHRI N. SHIVAPPA: I am coming to the question. Ever since 1962 till this day, there have been innumerable incidents of looting, arson, damage to life and property and so many other things. My friend has referred to his statement in the Rajya Sabha also.

[Shri N. Shivappa]

I want to know whether there is no constitutional provision to ban a party like this or to take action against this. I want to suggest one thing. They are bringing ordinances. They brought an ordinance just to punish those who travel without tickets in the railways. Every time, they are bringing a number of ordinances in respect of hundreds of things. I want to ask, why not bring an ordinance, if they have got the courage, to punish the people who do not have allegiance to the Constitution really.

That is the first point. The second thing is this. So far as Shri E. M. S. Namboodiripad is concerned, I want to know whether the Government is incompetent to call that so-called gentleman for a discussion even after such a long time and what is the action taken by the Government ? (*Interruption*).

SEVERAL HON. MEMBERS *rose*—

MR. DEPUTY-SPEAKER: Order, order. So far as Shri Namboodiripad is concerned, he is the Chief Minister of a State. It is for the Home Minister to deal with that matter. You come to the question.

SHRI N. SHIVAPPA: It is not merely a question of an individual, a Chief Minister of a State. It is a question of the Constitution, and according to the statement of the Minister, he has invited Shri Namboodiripad to come to Delhi for a discussion on the subject—

MR. DEPUTY-SPEAKER: He has given information to the House. Do not exceed the limit. He has given information that the Home Minister would like to discuss this matter with the Chief Minister of Kerala.

SHRI N. SHIVAPPA: At least now, the Home Minister has invited this particular Chief Minister to have a discussion in Delhi and to take action in this matter and in case the Chief Minister Shri Namboodiripad is not willing to come at the invitation of the Central Government, what is the reaction of the Home Minister now ? I want to know.

SHRI VIDYA CHARAN SHUKLA: It is not our policy to deal with political oppo-

nents by banning their association, and it is not our intention to ban a political party which is opposed to us. It is not our purpose. There are other legal and constitutional ways available to the Government of India to deal with such matters.

As far as the question of Shri Namboodiripad is concerned, I have already made a statement that the Home Minister has requested him, has written a letter to him, requesting him to come to Delhi and discuss this matter, and we shall then see what action is to be taken. Shri Namboodiripad has so far not told us that he is not coming to discuss this matter with us.

SHRIMATI SUCHETA KRIPALANI (Gonda): What about the lawlessness and violence preached by political parties ? Does the Government not propose to look into that ?

श्री रामगोपाल शालवाले (चांदनी चौक) :
उपाध्यक्ष महोदय, 8 जुलाई को श्री नम्बूदरीपाद और श्री गोपालन ने जो संयुक्त वक्तव्य दिया था, जिसमें संयुक्त मोर्चा सरकारों का लक्ष्य जनता में असंतोष फैलाना है, ऐसा सिद्ध किया गया था, उसके विपरीत जब कल यहां पर यह सवाल उठाया जाना था, तो श्री गोपालन साहब ने एक वक्तव्य दिया। उस वक्तव्य में श्री गोपालन ने स्पष्ट शब्दों में कहा है कि उन्होंने लेनिन के विचारों के अनुसार लोकतान्त्रिक अथवा पार्लियामेन्ट्री पद्धति अपनाई है। लेनिन का कहना है कि पूंजीपतियों के विधान और व्यवस्था को कभी नहीं तोड़ा जा सकता है। हां, इसे समाप्त करने के लिये इनके अन्दर घुसकर इनको खत्म करने के लिये श्रमजीवी जनता को भड़काने या उसके आन्दोलन को बल देने के लिये पार्लियामेन्ट्री पद्धति स्वीकार कर लेनी चाहिये। इससे साफ़ जाहिर है श्री गोपालन का विश्वास भारत के संविधान में नहीं है और वह इसके अन्दर रहकर, इसको समाप्त करना चाहते हैं। मैं जानना चाहता हूँ कि ऐसा व्यक्ति क्या लोकसभा का सदस्य रह सकता है, जबकि अभी मंत्री जी ने स्वीकार किया कि उनके पहले

वक्तव्य और कल वाले वक्तव्य में कोई ज्यादा अन्तर नहीं है, सिर्फ शब्दों का हेरफेर है।

आप यहां पर कानून बनाते हैं। पिछले दिनों आपने भारत से अलगाव की भावना पैदा करनेवाले लोगों के खिलाफ प्रस्ताव पास किया था, उसके बावजूद भी आज काश्मीर में प्ले-बिसाइट फ्रंट चुनाव लड़ रहा है और हमारी सरकार कुछ न कर सकी है। मैं आपसे पूछना चाहता हूँ कि इस प्रकार के लोग जो भारत के संविधान के प्रति आस्थावान नहीं हैं उनको इस लोकसभा में बैठने का अधिकार है या नहीं है? अगर अधिकार नहीं है तो इनके खिलाफ आप क्या कार्यवाही कर रहे हैं?

श्री विद्याचरण शुक्ल : उपाध्यक्ष महोदय, मैं माननीय सदस्य से सहमत हूँ कि यह बहुत गम्भीर मामला है और इस पर हमें बहुत गम्भीरता से सोच विचार करना पड़ेगा और निर्णय करना पड़ेगा। इसलिये जब हमारी बात केरल के मुख्य मंत्री से होगी, उस समय हम इस बात को उनके सामने उठायेंगे और उसके बाद इस बात का निर्णय करेंगे कि हमें इसके सम्बन्ध में क्या कार्रवाही करनी है।

जहां तक श्री गोपालन के लोक सभा में बैठने का सवाल है, यह विषय हमारे सदन के कानून के द्वारा निर्धारित होना है तथा रिप्रेजेंटेशन आफ् पियुपिल्ज एक्ट में साफ लिखा हुआ है कि कौन व्यक्ति मेम्बर हो सकता है और कौन व्यक्ति किस आधार पर डिस्क्वालिफिकेशन इन्कर करता है... (व्यवधान) ... उसी के अनुसार काम होता है, हम इसमें कुछ नहीं कर सकते हैं।

SHRI BAL RAJ MADHOK (South Delhi). Mr. Deputy-Speaker, Sir, I am thankful to Shri A. K. Gopalan and Shri E. M. S. Namboodiripad for having restated the well known ideology and methodology of the Communist Party. There is nothing new. But, as they say, public memory is proverbially short, people forget, and they have done a service to the House and to the country by placing before the House

what they believe, what their ideology is and what their methodology is. I do hope all nationalist and democratic Members of this House as also the people of this country will mind what they have said and know what their true colour is. So far as the Communist Party is concerned... (Interruptions) I am also thankful to the hon. Minister for he has clearly said that the press report of Shri Gopalan's statement and the actual statement do not differ in substance, only a word may be changed here or there. No press could have published his statement of eleven pages in full. It is but natural. I am happy that our press is very responsible and it has published what he has said. Therefore, Sir, the *halla-gulla* that was made here yesterday that the press has misreported them was wrong.

The press had reported him very correctly and this has been borne out by the hon. Members also. So far as this statement is concerned, it is before the House and I need not quote it. But I want to ask three or four specific questions. We are a democracy. We have a democratic Constitution. The Constitution has given us some fundamental rights. They apply to me as they apply to Shri Gopalan and others. Those rights are there only so long as the Constitution is there. The civil liberties will remain if the Constitution remains. Then we will have those rights. If anyone says that he wants to destroy the Constitution what he means is that he wants to destroy those rights flowing from the Constitution. So, may I ask this question; can anyone be allowed to have those rights to destroy them? No country can allow that. Therefore, I do not agree with the hon. Minister when he says that our Constitution does not permit the banning of any party. Our Constitution does not permit the banning of any party which wants to work within the framework of the Constitution, which wants to uphold the Constitution. Those people who do not want to uphold the Constitution, those who want to destroy the Constitution whether individuals or parties, they have no right to demand the civil liberties and rights granted by the Constitution. Therefore, my first question is this. Will the Government seriously consider the outlawing of all those parties and individuals who do not have any faith in this Constitution, who

[Shri Bal Raj Madhok]

want to subvert democracy, who have extra-territorial loyalties, to whatever parties they may belong? If the present law does not give them that power, since they are bringing in Ordinances for other things, why can't they promulgate an Ordinance or get a law passed to give effect to this suggestion? I would like to have a clear assurance that nobody, however exalted he may be, however big or small he may be, whatever party it may be, will be allowed to subvert the Constitution, destroy the basic liberties, basic fundamental values for which we stand and for which this whole House is pledged to fight.

AN HON. MEMBER: You can do that when Shri Sanjiva Reddy becomes President.

SHRI BAL RAJ MADHOK: Will the government take steps to educate public opinion in the country about the role, ideology and methodology of the Communist Party? It is very strange that the common people are being misled. They call themselves the toilers' party. Actually, they are the party of Russia and China. They want to enslave the people.

SHRI P. RAMAMURTI: Sir, I protest against that. He cannot make any insinuation against the party that we are not toilers. He must withdraw that...*(Interruptions)* Otherwise, I am not going to allow him to proceed. Let him withdraw those words...*(Interruptions)* Otherwise, I can report that he is a member of a party of the Americans...*(Interruptions)*.

MR. DEPUTY-SPEAKER: Let him be allowed to ask his question.

SHRI P. RAMAMURTI: I have been keeping quiet even though he was abusing a party. But when inside Parliament he says that a political party is the agent of some other government, I am not going to tolerate it...*(Interruptions)* He has no right to say that...*(Interruptions)*.

SHRI H. N. MUKERJEE: (Calcutta North East): You are the repository of the rights and privileges of the members...*(Interruptions)* We cannot swallow a state-

ment like that. Why did you not stop him? ...*(Interruptions)* Is it not your duty as Speaker to protect the rights of Members? ...*(Interruptions)*.

SHRI S. A. DANGE (Bombay Central South): He has to withdraw those words ...*(Interruptions)*.

MR. DEPUTY-SPEAKER: Order, order; all of you please resume your seats.

SHRI NAMBIAR (Tiruchirappalli). You can expunge it if he does not withdraw it.

SHRI BAL RAJ MADHOK: The Communist Party of India is a party of international Communism and as such the Indian party is a party with extra-territorial loyalty.....*(Interruption)* It is a party which has extra-territorial orders.....*(Interruption)*.

MR. DEPUTY-SPEAKER: Nothing will go on record unless you resume your seat.

SHRI KANWAR LAL GUPTA: **

SHRI H.N. MUKERJEE: **

MR. DEPUTY-SPEAKER: I have already ruled, when there was an allegation that some people here are agents of America or that it is an American party or an American lobby that such statements should be avoided. We must take it that on the floor of the House every Member belongs to India, whatever may be their ideologies. This is not fair.....*(Interruption)*

SHRI BAL RAJ MADHOK: I have not referred to any Member of Parliament.

MR. DEPUTY-SPEAKER: Even if you refer to a party, once I have ruled that it should not be referred to like that, that rule applies to all the parties. So, to maintain decorum and dignity of this House I would appeal to you to avoid that expression. Whether it is a party or an individual, it makes no difference because parties and individuals are identified more or less.

SHRI P. RAMAMURTI: Let him withdraw that.

MR. DEPUTY-SPEAKER: He has understood it.....*(Interruption)*. Let us all combine and co-operation, whatever our political ideologies may be.....*(Interruption)*.

SHRI VISWANATHA MENON (Ernakulam): Let him withdraw it.....*(Interruption)*. We can face these people.....*(Interruption)*.

MR. DEPUTY-SPEAKER: Please resume your seat. You cannot dictate like this.

SHRI P. RAMAMURTI: Having said that he should avoid it, he does not avoid it. Therefore you ask him to withdraw it.

MR. DEPUTY-SPEAKER: I appeal, particularly to this side of the House, let us observe a certain decorum. There may be sharp ideological differences and everybody will get an opportunity to state them, but on the floor of the House if I permit one Member to question the allegiance of the Member or of his party to this country, there is no end to it. Therefore I will permit everything but not this part of it.

SHRI P. RAMAMURTI: Therefore we are asking him to withdraw that.

SHRI BAL RAJ MADHOK: Communism is an international movement and the Communist parties all over the world owe allegiance to that movement. In that context I said that the Communist Party of India has extra-territorial loyalty, whether it may be towards Moscow or towards Peking.

SHRI P. RAMAMURTI: He is repeating it.

SHRI BAL RAJ MADHOK: I repeat it.....*(Interruption)*.

MR. DEPUTY-SPEAKER: Order, order. On one point I am very firm. No Member should allege that because he belongs to a particular ideology or because that ideology

is dominant in other countries, that party or that individual is not an Indian and belongs to that.....*(Interruption)*. That is not permissible.

SHRI BAL RAJ MADHOK: I have made a statement of fact. Read the statement. They have made reference to Leninism and they say it already. I say that Communism is an international movement. It is not a statement of fact? I say that the Communist parties of India owe allegiance to that movement. Is it not a statement of fact? I say, therefore, that these parties so far as their ideologies are concerned and so far as their methodologies are concerned, draw inspiration from Moscow or Peking. Is it not a statement of fact.....*(Interruption)?*

MR. DEPUTY-SPEAKER: I have disallowed once or twice when they said that the Swatantra Party.....*(Interruption)*.

SHRI BAL RAJ MADHOK: May I know what is unparliamentary and what is not a statement of fact in this? It is a statement of fact and it is not unparliamentary.....*(Interruption)*. I refer to a statement of fact. We are discussing this statement. This statement refers to Lenin and Russia. Then, how can I not refer to that? What can I do when this statement refers to them? I am asking questions regarding this statement.

MR. DEPUTY-SPEAKER: You can refer to Lenin, Marx and their ideology but if I permit it, that party will get.....*(Interruption)*.

SHRI BAL RAJ MADHOK: I respect you. You are a judge here and I beseech you to give your verdict.....*(Interruption)*.

श्री योगेन्द्र शर्मा (बेगूसराय) : हिटलर की सन्तानों की यह पार्टी है ।

श्री कंवर लाल गुप्ता: आप रूस और चीन से इन्सपिरेशन लेते हैं या नहीं, बताइये । पैसा भी लेते हैं या नहीं?

MR. DEPUTY-SPEAKER: Let us lay down some rule here.....*(Interruption)*.

SHRI S. A. DANGE: He does not know the distinction between ideology and territory. He is confusing between the two.....
(*Interruption*).

SHRI BAL RAJ MADHOK: Can the House be held to ransom by their people? I would appeal to the whole House and to the ruling party whether they will tolerate this. This is pure and simple hooliganism and this House should not tolerate this.

My second question is...(*Interruptions*).

SHRI VASUDEVAN NAIR (Peermade): Please give your ruling.

MR. DEPUTY-SPEAKER: I am giving my ruling. (*Interruptions*) I am going to say, once and for all, if your Members do not behave, I will stop it here and close the question. It is in the interest of all concerned that we must lay down some procedure. There is a sharp ideological cleavage. I admit. That is permissible. But because of a sharp ideological conflict if any Member of the House were to insinuate, whether on this side or on that side, about their allegiance or loyalty...(*Interruptions*) Please sit down. Otherwise, I will close it and I will not permit further questions. I again warn you. If there is any interruption now, I will stop it and this question will be closed.

SHRI RANGA: How can you close it ?
(*Interruptions*)

SHRI M. R. MASANI (Rajkot) Sir...

SHRI N. SREEKANTAN NAIR: (Quilon): Is he a super man ? Who is he ? Is he senior to Prof. Ranga ? He is a *chela* of the capitalists...(*Interruptions*).

MR. DEPUTY SPEAKER: Order, order. We must lay down some procedure here. When there is an ideological conflict, I repeat, if you permit any insinuation suggesting or questioning the loyalty of the party or an individual, it has no end to it. To carry the House and keep the dignity of the House, I will not permit it. Ideological references, certainly, are permissible. To that extent, it is all right. But territorial references to their allegiance must be avoided.

SHRI M. R. MASANI: A distinction should be made between the hon. Members of the House and political parties outside.

SHRI BAL RAJ MADHOK: Sir, I fully respect your ruling. What I said and I repeat, communism is an international movement; it is an international ideology. The Communist Party of India also stands on that ideology. It has been made very clear in this statement also. Therefore, this party also draws inspiration from there. That way, their ideological loyalty is outside. This much only I have said. (*Interruptions*)

SHRI YOGENDRA SHARMA: An ideology has nothing to do with the territorial reference that he has made.

MR. DEPUTY SPEAKER: No territorial reference is made. Only ideological allegiance is referred to.

SHRI BAL RAJ MADHOK: According to that ideology and, according to that methodology, this Parliament is a bourgeois institution, that this Parliament cannot deliver the goods and that they must establish people's democracy by destroying this Parliament...(*Interruptions*)

SOME HON. MEMBERS: Shame, Shame !

SHRI BAL RAJ MADHOK: When this is the ideology and when they say that they stand by this ideology—it is very clearly stated in this statement—I want to know from the Government whether they will use the mass media at their disposal for educating the people of this country about the real ideology of this party so that people may not be misled and Parliamentary democracy that we have adopted will be safe.

My third question is this. Mr. Namboodiripad is the Chief Minister of a State...
(*Interruptions*).

13 hours

MR. DEPUTY-SPEAKER: Order, Order.

SHRI SURENDRANATH DWIVEDY (Kendrapara): May I rise on a point of order ? It is 1 O'Clock now. He can resume his question after lunch.

MR. DEPUTY-SPEAKER: No, no. We shall finish this.

SHRI BAL RAJ MADHOK: Mr. Namboodiripad has been invited for talks, but he has refused to come. He is the Chief Minister of a State. We can see the way the State Government is working—they withdrew the cases against the Naxalites, who had attacked the police station and also the police officers and according to them, they cannot be called criminals. Therefore, may I know whether, in order to safeguard the Constitution, the Kerala Government will be dismissed summarily and President's rule declared there?

SHRI VIDYA CHARAN SHUKLA: I have already said that such political matters and ideologies cannot be met or cannot be combated by banning this party or that party; they have to be combated on the political field and in the nation itself by educating the minds of the people. Therefore, the question of banning the party does not arise at present.

As far as the question of educating the minds of the people is concerned, when such matters are raised in this House, they, more than anything else, effectively show what is correct in our national attitude, what is correct in our national policy, what is incorrect, what is healthy and what is unhealthy. Therefore, for the Government to take upon itself the task of educating the minds of the people about the ideology of a particular political party which happens to be in the Opposition does not seem to me to be the correct procedure.

As far as the question of Mr. Namboodiripad's coming to Delhi is concerned, he has not yet communicated to us that he is unable to come for a discussion. We expect that he will come and discuss this matter with us as soon as it is convenient for him. He has been ill and we expect that, as soon as he recovers from his illness, he will be able to come and discuss the matter with us.

श्री हरबयाल देवगुण (पूर्व दिल्ली) : उपाध्यक्ष महोदय, मैंम्बर पार्लियामेंट भारतीय संविधान के प्रति निष्ठा की शपथ लेता है। हर व्यक्ति पार्लियामेंट का सदस्य चुने जाने पर यह ओथ या एफरमेशन लेता है:

"I will bear true faith and allegiance to the Constitution of India....."

अब केरल के मुख्य मंत्री श्री नम्बूदिरि पाद और श्री ए० के० गोपालन संसद सदस्य के वक्तव्य से जाहिर हो गया है कि उन का कांस्टीट्यूशन में फेथ नहीं है। केरल के मुख्य मंत्री ने भी इसी प्रकार की एलिजेंस की शपथ ली थी। अब हकीकत यह है कि वह लोग इस पार्लियामेंट को पुर्जआ पार्लियामेंट कहते हैं जोकि इस पार्लियामेंट का अपमान और ब्रीच आफ प्रीविलेज है। दरअसल वह जनता की सेवा करने की बजाय जनता में एक असन्तोष की भावना पैदा करना चाहते हैं। मैं मंत्री महोदय से पूछना चाहता हूँ कि इस प्रकार की स्थिति में वह उन के खिलाफ क्या कार्यवाही करने जा रहे हैं और क्या इस प्रकार की वहां की सरकार को वह डिस्मिस करेंगे क्योंकि वह कांस्टीट्यूशन के प्रति वफादार नहीं है?

श्री विद्या चरण शुक्ल : जैसा मैं पहले कह चुका हूँ इस में कोई शक नहीं है कि श्री नम्बूदिरिपाद और श्री गोपालन का स्टेटमेंट संविधान के बेसिक सिद्धान्तों के विपरीत है और वह एक ऐसी थियोरी को सामने रखता है जोकि पार्लियामेंटरी डेमोक्रेसी के एकदम विपरीत जाती है। सवाल अब वह देखने का है कि जो उन्होंने कहा है उसे वह कार्य रूप में परिणित करते हैं या नहीं और इस का पता हम तभी लगा सकते हैं जब हमारी उन के साथ बातचीत हो जाय। उन से हमारी बातचीत हो जाने के बाद ही हम किसी नतीजे पर पहुंचेंगे कि उस के बारे में हमें क्या करना चाहिए। अभी केवल उनका एक स्टेटमेंट पढ़ कर इस तरह का नतीजा निकाल लेना कि वह ऐसा करना चाहते हैं और वह उसे वाकई करेंगे ठीक नहीं होगा और न ऐसा करना जिम्मेदारी की बात हो सकती है।

SHRI S. K. TAPURIAH (Pali): I charge this Government for handling the growing communist threat to democracy and Constitution with kidgloves—it is a same that instead of possessing hind-sight and political

[Shri S. K. Tapuriah]

courage to meet the growing communist threat to our democracy, Constitution and national integrity, as the Minister himself, by this statement, has agreed, some of the leading members of this Government have been playing *foostie* with these subversive elements of society. It is no wonder, therefore, that the Minister says that it is not proper to ban the party, that it is not the right time to dismiss the Government, He says that, that is not their idea because he and some of the leading members of his Party have truck with them. I base my question on some of the answers he has given just now, where he has very conveniently tried to evade the issue. When the question was raised whether Shri A. K. Gopalan and Shri Namboodiripad ceased to be Members of the Parliament and the Assembly respectively or not, he tried to make a very clever reply that the qualifications had been mentioned in the Constitution...

SHRI VIDYA CHARAN SHUKLA :
In the Representation of the People Act.

SHRI S. K. TAPURIAH: .. or in the Representation of the People Act. May I know whether it is not a fact that a person before seeking election has to take an oath before an officer? Is it not a fact that after getting elected, he has to take another oath? Is it also not a fact that after the person has been appointed Minister, he has to take another oath of office? These three oaths had to be taken in this connection. From the Minister's own statement we find that he has stated :

"There is no doubt that the statement of Shri Namboodiripad and Shri Gopalan is against the basic principles of the Constitution of India and that it put forward a theory which is the very negation of parliamentary democracy."

Taking his own words, I would ask whether these statements are an abrogation and revocation of the oath taken by these two persons, the three oaths taken by Shri Namboodiripad and two oaths taken by Shri A. K. Gopalan and if these are revocation...

SHRI A. K. GOPALAN (Kasergod):

I have taken five oaths in this Parliament.
(Interruptions)

SHRI S. M. BANERJEE (Kanpur) : On a point of order...

MR. DEPUTY-SPEAKER : I am not permitting any point of order now.

SHRI S. M. BANERJEE : Shri M. R. Masani is tutoring the hon. Member.....

SHRI S. K. TAPURIAH : I am not listening to people from China. I listen to my own Indian people and not to people from outside. I have got my brains and I listen to my own Indian people and not to outsiders; I shall not listen to them. If I have become a red rag to some of these Soviet stooges, I am happy.....

SHRI S. M. BANERJEE : He is a stooge of America. He is Mr. Nixon's adopted boy.

SHRI S. K. TAPURIAH : What is this kind of missile? He is a misguided missile from Russia.

May I know from the hon. Minister whether, as I was saying, these statements are a revocation and abrogation of the oaths taken by these two gentlemen.....

SHRI NAMBIAR : It is his opinion.

SHRI S. K. TAPURIAH : I am asking a question. Would you allow me to continue?

MR. DEPUTY-SPEAKER : The hon. Member may directly address the Chair.

SHRI S. K. TAPURIAH : I am addressing you, and through you, I am asking the question of the hon. Minister. And I would ask you also the same thing; namely whether it is not a revocation and abrogation of the oaths taken, and if so, what action this impotent government is going to take. Are they going to advise the Speaker of the Lok Sabha to declare the seat of Shri A. K. Gopalan vacant and advise the Governor of Kerala to declare the seat of Shri Namboodiripad vacant?

SHRI P. RAMAMURTI : How can impotent government take action ?

SHRI S. M. BANERJEE : This question should be referred to Mr Nixon.

SHRI VIDYA CHARAN SHUKLA: The Representation of the People Act as well as the Constitution of India lay down the procedure in this respect. It is not as if Government lay down anything. If there is any violation of the oath by any Member of this House or of the State Legislature, this matter can be agitated not only by Government but by any citizen in any court of the country, and this can be taken up with the Chief Election Commissioner, and then a decision can be obtained from them. There is no question of Government being impotent about these matters.

SHRI S K. TAPURIAH : What is the legal advice? Is it an abrogation or not ?

SHRI VIDYA CHARAN SHUKLA : So, the allegation is absolutely wrong. We are taking action whenever it has been found necessary and we shall take action whenever it is necessary to take such action.

MR DEPUTY-SPEAKER : Now, Papers to be Laid on the Table.

SHRI NAMBIAR : What about a discussion on this?

14.10 hours.

14.10 hrs.

PAPERS LAID ON THE TABLE

(Notifications re : Industrial Disputes Act.)
etc.)

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (SHRI BHAGWAT JHA AZAD) : I beg to lay on the Table :

- (1) A copy each of the following Notifications under sub-section (5) of section 38 of the Industrial Disputes Act, 1947 :

- (i) The Industrial Disputes (Central) Amendment Rules, 1969 published

in Notification No. G. S. R. 1283 (English version) and G. S. R. 1285 (Hindi version) in Gazette of India dated the 7th June, 1969.

- (ii) The Industrial Disputes (Central) Second Amendment Rules, 1969 published in Notification No. G.S.R. 1284 (English version) and G. S. R. 1286 (Hindi version) in Gazette of India dated the 7th June, 1969.
[Placed in Library. See No. LT—1316/69.]

- (2) A copy of the Dock Workers (Regulation of Employment) Amendment Rules, 1969, published in notification No. S.O. 1675 in Gazette of India dated the 3rd May, 1969 (English version) and S. O. 1892 in Gazette of India dated the 17th May, 1969 (Hindi version) under sub-section (3) of section 8 of the Dock Workers (Regulation of Employment) Act, 1948.
[Placed in Library. See. No. LT—1317/69.]

Certified Accounts and Audit Report re: National Cooperative Development Corporation Act.

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI M.S. GURUPADASWAMY) : I beg to lay on the Table a copy of the Certified Accounts of the National Cooperative Development Corporation, New Delhi, for the year 1967-68 along with the Audit Report thereon, under sub-section (4) of section 17 of the National Cooperative Development Corporation Act, 1962. [Placed in Library. See No. LT—1318/69.]

Notifications under Essential Commodities Act etc.

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR AND EMPLOYMENT AND REHABILITATION (SHRI S. C. JAMIR) : On behalf of Shri Annasahib Shinde, I beg to lay on the Table:

- (1) A copy each of the following Notifications under sub-section (6) of section 3 of the Essential Commodities Act, 1955: