

This amendment is self-explanatory. I see no reason why the measure should not apply also to the State of Jammu and Kashmir. Therefore, I have suggested the elimination of the words 'except the state of Jammu and Kashmir'.

Mr. Deputy-Speaker: This amendment is now before the House.

Shri C. R. Pattabhi Raman: As I have already pointed out, the Press council Bill is relatable to entry 39 of the Concurrent List and entry 44 of the Union List. Though entry 39 of the Concurrent List relating to newspapers is applicable to the State of Jammu and Kashmir, entry 44 (incorporation, regulation and winding up of trading corporations, whether trading or not, with objects not confined to one State but not including universities) of the Union List extends to that State only so far as such corporations relate to the legal and medical professions. We have, therefore, no legislative competence at present to extend this Bill to that State. Of course, steps are being taken to have the legislative competence. But as it is, we have no legislative competence. The matter can be taken up when the relevant entry is made applicable to the State of Jammu and Kashmir. Steps are being taken in that direction. Till then we have no legislative competence to extend it.

Shri N. Dandekar: I accept the hon. Minister's explanation. I seek leave of the House to withdraw my amendment.

Amendment No. 1 was, by leave, withdrawn.

Mr. Deputy-Speaker: The question is:

"That clause 1 stands part of the Bill".

The motion was adopted.

Clause 1 was added to the Bill

The Enacting Formula and the Title were added to the Bill.

Shri C. R. Pattabhi Raman: I beg to move:

"That the Bill be passed."

Mr. Deputy-Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

16.56 hrs.

RESOLUTION RE: CONTINUANCE OF PROCLAMATION IN RESPECT OF KERALA

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathl): Sir, on behalf of Shri Nanda, I beg to move the following Resolution:

"That this House approves the continuance in force of the proclamation dated 24th March, 1965 in respect of Kerala issued under article 356 of the Constitution by the Vice-President discharging the functions of the President, for a further period of six months with effect from 11th November, 1965".

As the House is aware, the second proclamation of President's rule in Kerala was issued by the Vice-President discharging the functions of the President on March 24, 1965 and approved by the Lok Sabha on May 8, 1965, and by the Rajya Sabha on May 11, 1965. This is due to expire on 10th November, 1965. The proviso to article 356(4) provides for the continuation in force of such a proclamation for a further period of six months and for a maximum period of three years. So unless the proclamation is revoked, it would cease to operate on the expiry of the period of six months from the date of the passing of the second of the Resolutions approving the proclamation under clause 3. The proviso says:

"Provided that if and so often as a resolution approving the con-

[Shri Hathil]

tinuance in force of such a Proclamation is passed by both Houses of Parliament, the Proclamation shall, unless revoked, continue in force for a further period of six months from the date on which under this clause it would otherwise have ceased to operate, but no such Proclamation shall in any case remain in force for more than three years".

Government have carefully considered the question of further continuance of the Proclamation. It is really with reluctance that I am approaching this House with this Resolution. But having regard to all the conditions and the report received from the Governor, the decision which Government have arrived at is to extend it by a further period of six months. The Home Minister wrote to the Governor on July 13, 1965, requesting him to make a close study of the political situation that had arisen within the State and the existence of conditions in favour of or militating against the formation of a stable government in accordance with the provisions of the Constitution, and the feasibility or otherwise of holding a fresh general election. The report of the Governor dated 17th October, 1965 has since been received. In the light of the findings which are based on detailed study and consultations with the leaders of the political parties in Kerala, it has been decided to continue in force the Proclamation for a further period of six months. After a careful study of the present conditions, this step is being taken, very reluctantly. But there is no other alternative. I wish it had been possible for me not to approach the House with this Resolution, but as the Governor's report indicates that there

is no possibility of forming a stable Government in Kerala, with reluctance I am approaching the House.

17 hrs.

We are all wedded to democracy. We want that the democratic set up should function in Kerala when elected representatives of the people are in a position to run the administration of the State. But conditions as they are and as have been reported by the Governor would not enable us, under present conditions, to have a general election which would have a possibility of having a stable ministry. It may be suggested: why not have a general election and find out whether it will be possible to have a stable ministry or a coalition ministry? The last mid-term election in Kerala, which was held in the hope of providing a stable Government to that State, however did not improve matters in the least. If anything, it added to the confusion in the political life of the State, so much so, that the Proclamation of President's rule actually came as a relief to the people.

Shri Warrior (Trichur): Question.

Shri Hathil: They may not say, but I know.

... who had been through a long period of instability.

Shri Ranga knows the various problems, how we discussed them.

Mr. Deputy-Speaker: The hon. Minister may continue tomorrow.

17.01 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, November 4, 1965/Kartika 13, 1887 (Saka).