

13.19 hrs.

**RESOLUTION RE: CONTINUANCE
OF PRESIDENT'S RULE IN KERALA**

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

"That this House approves the continuance in force of the Proclamation dated 24th March, 1965, in relation to the State of Kerala, issued under article 356 of the Constitution by the Vice-President of India, discharging the functions of the President, for a further period of six months with effect from May 11, 1966."

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[MR. DEPUTY-SPEAKER in the Chair]

I need not recapitulate the history leading to the issue of the Proclamation on the 24th March by the Vice-President, as the House had approved of this Resolution on the 7th May, 1965. This Proclamation was extended by resolution of this House on 8th November, 1965 for a period of six months from 11th November, 1965, and this period expires on the 10th May. The grounds for which the Proclamation had to be continued in force are well known to the House and the continuance in force of that Proclamation has been approved by this House.

Members would, naturally, be anxious to see that a popular government is set up in Kerala as quickly as possible. I may say that the Government also shares the same view because however benevolent and democratic a manner in which the President's rule may be carried on by the Governor and his officers, it cannot substitute a democratic responsible Government and the people of Kerala would always feel that they are deprived of a popular responsible Government. I appreciate these feelings and share the view. It is, there-

fore, that the Government is also keen to see that the President's rule is not continued any longer than is necessary.

The Government has examined all the possibilities. Having considered this question whether the present Proclamation should be extended for a further period of six months or not and after considering all the relevant factors, the Government have come to the conclusion that further continuance of the President's rule has to be extended for another period of six months.

Shri Vasudevan Nair (Ambalappuzha): Where is the Governor's Report this time?

Shri Hathi: The circumstances which led the Government to this conclusion are that, if the elections are immediately held after the expiry of the present Proclamation, in the Government's opinion and judgment, no political party has any clear chance of winning elections. Even if the judgment of the Government may not be right and even if it is decided that the Proclamation should cease, it will not be possible to hold fresh elections just now, at least till the monsoon is over, that is, before October-November, 1966.

In view of the General Elections to be held in February, 1967, holding elections in Kerala earlier will not be worthwhile. Under these circumstances, it is rather reluctantly that I come forward before the House with this Resolution.

I would like to mention that, as I have said already, the President's rule however benevolent it may be cannot substitute a democratic responsible Government.

Shri Vasudevan Nair: Who said it is a benevolent Government? It is such a useless Government.

Shri Hathi: I have already said it. With that end in view, if something could be done, we have been trying to meet the Members of Kerala. We have met during this year and we

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have met for about five times out of which twice we held a meeting of the Consultative Committee in Trivandrum itself so that the Members of the Committee also could know the local problems and also discuss them with the local people there. More than a dozen Bills were discussed and issues relating to the economic development of Kerala in the field of food, irrigation and power were also discussed. The Committee had also the opportunity of having the Food Minister, the Railway Minister, the Deputy Chairman of the Planning Commission and the Minister of State for Planning for discussing various questions of importance.

Shri Hari Vishnu Kamath (Hoshangabad): On a point of order, Sir. When the affairs of Kerala which have been wrongly deprived of its Legislature are being discussed and the Minister is reading out an interesting speech, I think, there should be a quorum in the House.

Mr. Deputy Speaker: The bell is being rung... now there is quorum.

Shri Hathi: The most important question which had been baffling the Government of Kerala for all these years is the problem of encroachment on Government forest lands. A sub-committee, as the Members know, has been appointed to look into the question. Its report has been received and is under the consideration of the Government and the decision which will emerge out of this will be a policy decision and a State policy will be evolved about this problem which has remained unsolved all these years. It is also decided that pending consideration of the report, the *status quo* will be maintained. There seems to be some misapprehension amongst some Members that evictions will continue pending this. I may assure, the *status quo* will be maintained and no evictions will be had.

Shri Vasudevan Nair: May I know whether the hon. Minister is correct-

ing the answer that he gave to the question sometime back?

Shri Hathi: In case any land is acquired for the purpose of a project, then, naturally, eviction will have to be done—that is a different matter—but not on the ground of encroachment. If some land is acquired for the purpose of a project, then eviction will be had.

Shri Vasudevan Nair: The Parliamentary Sub-Committee took into consideration all these factors and they submitted a report. You have promised that report will be considered first and then only a decision about the evictions will be taken. Are you going back upon that assurance?

Shri Hathi: I am not going back. That is why I am again mentioning very clearly that pending the decision which the Committee will take on the report, there will be no eviction. This is what I say. There is a slight misapprehension or misunderstanding that supposing some land is acquired for a project, what will happen? I am sure it cannot be acquired in so short a time. Therefore, that question also should not arise. I want to make this clear that no eviction will be had and that the *status quo* will be maintained till the Committee takes a decision.

There were a number of other questions which were raised. I would not like to go at length into all these questions now because we will have an opportunity of discussing these questions within the next two days when the Kerala Budget will be before the House. My Resolution is for the continuance of the President's rule for a further period of six months.

I move.

Mr. Deputy-Speaker: Resolution moved:

"That this House approves the continuance in force of the Pro-

clamation dated 24th March, 1965, in relation to the State of Kerala issued under article 356 of the Constitution by the Vice-President of India, discharging the functions of the President, for a further period of six months with effect from May 11, 1966."

Shri Ranga (Chittoor): Mr. Deputy Speaker, Sir, I rise to oppose this Motion.

I am extremely sorry that the Union Government should have reduced itself to this position that instead of becoming the author of democracy, it becomes the author of dictatorship and tyranny. They say that they themselves do not want dictatorship or tyranny, that they are very much in love with popular responsible Government, but what actually they are doing is just what any dictator would do. It would only mean this that if the present ruling Party were to succeed in any general elections, and even in States, in getting a workable majority or emerging as the single largest Party with only a few votes more needed to gain a majority, they would like to allow popular institutions to function there but not otherwise. Even when they do not have a majority, they wish to exercise the privilege of distributing power or selling power, as it were, among other Members of the Legislature belonging to the other parties in order to manufacture a workable majority and run the whole show. When they fail to achieve these two objectives, when these two means are denied to them, that is of getting a clear majority by themselves and manufacturing a majority somehow or other by political prostitution, they have no interest in democracy and democratic institutions, and they would like to take advantage of this constitutional provision in order to bid good-bye to popular institutions and responsible government.

This Government stand self-condemned in the methods that they have

adopted, in their vain efforts to gain a majority in Kerala. They have gone out of their way to put in jail a large number of the political leaders of Kerala belong to one political party, namely the Left Communists.

Shri Bibhuti Mishra (Motihari): All the political parties combined together also could not form a government.

Shri Ranga: They imprisoned them under the DIR.

Shri Hathi: Now, they are not in jail.

Shri Ranga: At that time they were imprisoned. Government had put them in jail and hoped for a majority for themselves. But as ill-luck would have it for them, the people in Kerala refused to accept the decision made by the Government against those leaders and elected those very same leaders to the Assembly. And why did Government put them in jail? They wanted the country as a whole to accept those people as traitors. They looked upon them as traitors, and then appealed to the people to accept their judgment that those people were traitors, but the people of the State refused to accept that judgment. Today, Government themselves have accepted the decision of the people that those people are not, after all, traitors but they are also citizens, and they are also patriotic people and they are entitled to exercise all the civil liberties and fundamental rights that all the rest of us are entitled to exercise and enjoy, and that is why Government have released them all unconditionally. What does this show? This shows that the Government stand self-condemned. That is, the step taken by the Government at that time which was not approved of by the people at that time is not approved of by the very same Government now. The only difference is that two years have elapsed since then. In these two years Government might say that things have

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changed. But have they changed to such an extent that the DIR should go? Government themselves say that they have not changed much, and they have not changed to such an extent that the DIR should go, and that the Left Communists should be branded as traitors or as enemies of the country but the Left Communists are entitled to function as a political party just as well as any other political party. Therefore, what other judgment can any reasonable man come to except this that this Government had made a wrong judgment on that occasion and they have continued to make that wrong judgment till today, and, therefore, they stand self-condemned?

Then, where is the guarantee, now that this Government have got used to this method of making short shrift of our democratic institutions, that they are not going to set aside democratic institutions in other States also at the end of the general elections if they were to find themselves in a minority, that is, if they were to find the ruling party to be in a minority in a number of States? And where is the guarantee that in a number of States the ruling party is not going to be in a minority? And if they are going to be in a minority and if they are going to pursue the same undemocratic methods that they have pursued in Kerala, how can this House in all conscience give this power repeatedly to Government to continue to set aside these democratic institutions?

Thirdly, why do they not want elections now? Did they not have elections in similar circumstances once before in Orissa, just a few months only before the general elections were going to take place in the whole of India? But why is it that in this State they do not wish to do it? For, for the last two years, they find that they have not done enough and they want another six or ten months to carry on their political log-rolling and a regular political process of prostituting our

political leadership in the different political parties to such an extent that it would be possible for them to manufacture a workable majority, and for this, they want to have some more time. They do not want this additional time in order to improve the State by having some developmental plans; they do not want to implement the developmental plans to improve the economy of that area and then present an improved State of Kerala on a silver platter to the democratic leaders who would be expected to come into power at the end of the next general elections. They do not want to do any such thing. All that they want to do is somehow or other to go on managing or mismanaging their politics in that State and use the funds that are placed so arbitrarily at the disposal of the Governor and the Administration in an irresponsible manner. I am saying that with all due sense of responsibility, because this Advisory Body has no real power at all and has no power to control the administration there. So, they use these funds, powers and privileges of Government in an irresponsible manner in order somehow to gain more and more support for their own party and help it to install itself in a majority at the end of the next general elections. Anyhow, this part of the House cannot be a party to allowing the Government to use this—it is not a privilege but—this nefarious opportunity to destroy democracy and democratic freedoms and democratic decencies.

In the meanwhile, even the development of Kerala is being dwarfed. If only there had been a responsible Government there it would have been possible for them to negotiate with the Union Government in making their so-called one year's plan for the first year of the Five Year Plan period and get many of their developmental plans accepted and get them introduced and also dovetailed into the national plan so that the people of Kerala could be assured that all that would be

possible and that could be possible would be done such as in regard to the development of their forests, their fisheries, their industries, and even in regard to the total amount of food that could be placed at the disposal of the people there and also the power that is so badly needed by the industries there. It is a notorious fact that unlike in the other States, the industries in Kerala are suffering from a power cut, a more serious degree of power cut so much so that most of their industrial plants are obliged to function only at 50 per cent of their total capacity, if not less than that, with the result that thousands and thousands of workers are forced to be unemployed...

Shri Vasudevan Nair: About 50,000 of them.

Shri Ranga: About 50,000 of them are forced to be unemployed and the industries themselves are obliged to pay lay-off compensation to the workers and thereby also they are running into losses. All this is happening there. Much of this could have been avoided if there had been a popular Government.

The only point that my hon. friend and the Government could raise in their favour is that not one single political party could be expected to achieve a majority. I have already said so, and I repeat it now, that there is no need for them to go on waiting for some one political party to achieve a majority. They can have an all-parties' Government there. I make that offer to our friends and ask them to investigate into this matter. My hon. friend said in the first instance that he did not know much about it and he did not know whether that would be consistent with our Constitution. On the second occasion he said that he was going to study it. On the third occasion now, God alone knows what he is going to say. Let me give this warning to my hon. friend as well as this Government. There is no guarantee that

at the end of the next general elections, in all the States of this country, the ruling party is going to get a majority. I should be very much surprised indeed, and I should be very much disappointed with the people, knowing as I do the sense of discontent and dissatisfaction and disaffection that is prevailing in their heart of hearts all over India, if in not less than three States the ruling party were not to find itself in a minority. It would not be possible for them to form the Ministry in those cases. Then, what are Government going to do? Would they like it? It can easily be seen from their past behaviour that they would not like the communists alone to come into power in any of these three or four States. They would not like it. You can see it. They would play all sorts of tricks, as they have been playing here in the case of Kerala; whether they are scrupulous or unscrupulous, honest or dishonest, constitutional or unconstitutional, they would certainly leave no stone unturned in order to prevent the communists from coming into power.

Under those circumstances, what is the best thing for them to do? Would it not be better from their own point of view to take the opportunity under these circumstances to have an important say in the governance of those States where the communists are likely to come into power? If they do not do that now, how would it be possible for them to do that? If they were to hang on to the present idea that a majority party alone can come into power and the rest of them go beyond the pale of political partnership in the governance of any one of the States, how can they do that? If they are generous, if they are really democratic-minded they should make up their mind here and now when in power to do this so that later on when the communists happen to come into power as the ruling party, it would be made possible for them to become part and parcel of the governance of

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that State by having a coalition government. Let them start it now. Let there be an all-party government today having the communists also, right and left, everybody, as partners in the government. If they do that today, later on when the communists achieve a majority it would be possible for them to demand and indeed to expect the Governor as well as the President to constitute a government in which both the communists as well as the Congress and other political parties would be partners in a coalition, which will be a politically responsible democratic governance and partnership, a composite all party ministry which we would be able to have. That is the only way we can safeguard democracy in this country.

I have already indicated that there is a precedent existing in Switzerland. They may say that it would not be possible for an all-parties government to take quick decisions. What are the decisions they are taking in Kerala now? For the past two years, they have not been able to take any decision at all. Surely an all-party government cannot be as deadened and cannot behave as wooden as is the case in Governor's rule. It would not be impossible for them to make those decisions but they should make those decisions by consensus. The communists cannot have it their own way, nor can the Congress have it its own way. Both of them have got to negotiate and work, try to reach agreement by mutual discussion and understanding. It would be possible to reach agreement that way and proceed; but if they are unable to reach an agreement on any one matter, if there is something which would not be agreeable to almost all of them, the *status quo* would continue, whatever might be that position.

In regard to forest, it has happened; in regard to fisheries it has happened; in regard to this power cut, it is happening. In regard to industrial development of Kerala, it is happening. There is no development today, what

to talk of quick development, either in the right or in the wrong direction. If one party alone is there in power, it has all the monopoly which it exercises, as this government has been exercising in an arbitrary manner. Nevertheless, under the other arrangement I propose, the government would move, it would be dynamic and progressive. Let them take courage in both hands and become generous and be willing to have an all-party government in as many States as possible, certainly in all those States where this ruling party may find itself later on, after the next election, in a hopeless minority, so that they can also share in that government later. But they cannot very well expect that to happen unless they are agreeable to that now.

Now, all these people have been released, almost all of them. Shri Gopalan and the other left communist leaders have been released; the Right communist leaders are also all now outside jail. Let them invite them instead of extending Governor's rule. Let them agree to form a coalition government in Kerala. If they are not willing to form a coalition government, do they expect us to believe that they, the Congress people, are not the enemies of democracy and the enemy of people's raj? Let them take the courage and agree to form a coalition government of all parties. Let that government run the show till the next general elections in 1967. The elections have already been held there in Kerala, and those elected members are there all alive; only this Government has perpetrated a constitutional impropriety in not inviting the elected members to take their oath of allegiance so that they become politically regular members. Let them invite all those people now. They are the real representatives of the people and not the Governor or the advisers nor this Union Government. They are the real leaders of the people, they are the real spokesmen

of the people there. Let them be called in all sworn in and asked to form an all-party government in Kerala. In that way alone, the safety and progress of democracy, not only in Kerala but in all other states, can be safeguarded now as well as in the future.

Shri H. N. Mukerjee (Calcutta Central): Mr. Deputy-Speaker. I join my friend, Prof. Ranga, in our opposition to the noxious Resolution which our friend, the Minister of State, has placed before the House. I do not have to flatter our esteemed colleague, Prof. Ranga. But he has made a fist-class parliamentary speech, and yet we see in this House a listless atmosphere, and if a technical objection is raised, we will have to adjourn.

This happens because there seems to be an almost fatalistic conception in some parts of the country that this Government being what it is, you cannot expect anything better, that in relation to Kerala, this Government has made up its mind with the accomplished fact, a very noseating fact, namely the continuation of an utterly undemocratic state of things, not because of any fault on the part of the people of Kerala, but because of the addiction to power which is the only recognisable passion which characterises the ruling party in the country today.

So we had the delectable spectacle of a reluctant Mr. Hathi moving this Resolution. He is a good friend of ours; none of us ever wishes to say a harsh word about him and he deserves that kind of feeling so far as we are concerned. But it really made us laugh—at least it made me laugh—when he said he was very reluctantly moving this Resolution because, like the rest of his colleagues, he is wedded to democracy and parliamentary system of government and all that kind of thing. As I said once in this House, like many wedded couples, our friends of the Congress leadership live apart from what they are supposed to be wedded to, namely democracy and the parliamentary system.

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Mr. Hathi said that he was very unhappy about having to move this Resolution. Why bring all this unhappiness over your devoted head? Why not do the decent thing about Kerala? Why pursue these policies which are the very negation not only of democracy but also of decency? Why go on paying for the original sin which the Congress party committed when in 1959, they pushed out of the picture the Communist Government of Kerala? And since that time, they have never been able to have a moment's peace with their own conscience; since that time, they have never been able to satisfy either the country or themselves that what is being done in Kerala is the right thing.

He is asking us now to extend for another six months the position when the President's rule continues in Kerala and he is invoking article 356 of the Constitution. How long are we going to rely upon these emergency provisions of the Constitution? How long are we going to rely on a continuation of such ugly hangovers of the pro-independence past, namely section 45 and section 93 of the Government of India Act of 1935 which were incorporated bodily into our Constitution, and for which the makers of our Constitution gave an apology that these are transitory, temporary, emergency provisions which would be removed as soon as possible out of the picture and which would be taken resort to in the most special circumstances?

In America we find that after all the Union Government can intervene when there is resistance to federal law to the authority of the Federal Government, in order to maintain what is called the indissoluble union of the United States of America, but there is no provision for suspension of the State Constitution by the Union Government on the ground of failure of the constitutional machine. And in Kerala, what actually has happened that it requires this kind of thing, and how long are you going to do it? Even the transitory provisions of

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the Constitution allow for a maximum period of three years. This Government is continuing with an emergency proclamation for more than three years now. They never bring the spirit of emergency to tasks which need doing, to problems of food, to problems of economic reorganisation in their battle for economic advance, they do not think of an emergency spirit, but only in order to put down the opposition to itself, only in order to keep this monopoly of power all over India intact, only in order to prevent any other political party, whether communist or any other, to break the Congress monopoly of power at the weak links which are coming up emerging in province after province, only because of that they persist in the policies which they are pursuing.

Mr. Ranga was absolutely correct when he prognosticated that if present indications are any criteria, then in the elections to come in 1967 there would be a number of States where the Congress Party would never conceivably, if elections have any sense about them, be able to come back in a majority. What does the Government propose to do about it? Doing what it has done in regard to Kerala, imposing President's rule? If it cannot win by the power of money which alone it controls, if it cannot win the votes of people because it has got all the moneybags on its side, does it propose to pursue these methods?

Mr. Ranga referred very rightly to the case of Orissa. How was it that in late 1961 elections were held in Orissa in spite of the objection which I myself, along with some of our colleagues in this House like Mr. Dwivedy, had gone to the then Prime Minister to place before him? Our objections were overruled. We had put forward arguments which were much more valid and reasonable. I can claim to say, than the arguments

now being put forward, for not having elections in Orissa.

And the reasons are absolutely patent for anybody who has eyes to see. They are not able, in the conditions prevailing either in Orissa or in Kerala, to have a majority, and that is the long and short of it, they are not going to have elections.

Mr. Hathi says "Oh, the weather is unpropitious, we cannot have elections." In which country do we live? Do we come from Switzerland? Switzerland may have some political models which might be pursued, but do we live in Switzerland or Greenland or what? This is a tropical country where there is rain and sun, and summer and winter of whatever sort we have got, and we have to make do with our own country.

Who tells Government that there cannot be elections for six long months? Is it democracy? In England, in three weeks' time they can hold elections. We are a bigger country, we are a more complicated country, a more difficult country, but for that reason, I am not letting anybody get away with the statement that for six months you cannot possibly have an election, and in November naturally you can wait till February, 1967. All this is procrastination, which is being practised with the most mischievous purpose, and that purpose is something which shows up the utter lack of scruple, the complete lack of principle which pervades the activities of the Congress Party.

The way the Congress is going ahead can be seen from what Mr. Hathi has said. He referred again to another astrological performance of his own and of the then Governor, Mr. Jain, the prediction that no party can have a majority. On the last occasion there was a party with a majority, there was a majority in spite of the Government claiming, on the basis of the Governor's report, which

was unauthenticated as the House knew to its distress. We never like the idea of a Governor being shown up as having said something which is not true, but this House did discover that. We told Government on that occasion, and we had the facts at our disposal, that there was a majority on behalf of my party which may have had a small representation in the actual elected House in Kerala. I had said in this House, and I repeat what I had said was true, that we were ready to join hands with the left Communists to form a Government, and there were other people who would have joined hands in forming a Government. The Left Communists, with the support of others, could muster a majority to form a Government. They say no party can have a majority to form a Government. Who has put that idea into Government's head? Why should Government collect an idea which is very favourable to the continuation of its own grip on power, and thereby deny the people of the opportunity of electing their own representatives? But that is exactly what they are doing.

In Kerala, therefore, it is something which stinks, something which is nauseating, which is noxious—the principle or lack of principle which the Government has been pursuing for so long. This is a matter which has been said in this House over and over again. I do not want to labour the point.

But when I see this kind of listlessness, this propensity towards fatalistic acceptance. I would warn the Government: Do not judge by the tempo of this House. Things are seething outside, and if you do not see the handwriting on the wall, you would know it to your cost, and your cost, unfortunately, may also be the cost of the country, and that is why I am concerned that you should drop those democratic proprieties which you have no business to discard, and that is why there is no reason for us to continue to give sanction for the continuation of

President's rule over Kerala, no reason for continuation in Kerala of a state of things where the people of that region are treated *de facto* as third class citizens who are deprived of the opportunities of access to fundamental rights in our country.

In the very satisfactory administration which the Government claims to have set up under the President's dispensation in Kerala, what exactly is happening? At this very present moment, the non-gazetted officers, NGOs as they are commonly known, are on the war path in Kerala. They have been agitating for many months. On the 24th May, I understand, they are going on a strike. They waited for a long time, and then when the Pay Commission was appointed, its recommendations were disappointing, and until now the only idea which Government has in its head is that the movement of the NGOs has to be suppressed. That is the only thing that the Government knows, it never applies its mind to the solution of problems in a human and decent way, it wants to depress popular desires and popular feelings, and that is the idea which it has got already in regard to the NGOs, and there again I warn the Government that any attitude which smacks of that kind of authoritarian tyranny in regard to the legitimate claims of the NGOs would defeat itself.

In relation to the teachers I discover that they are also going on a strike. They have given notice of their intention to strike on the 22nd June. I have got here a representation from the All Kerala Private College Teachers' Association. We discover that for a long time the college teachers in that part of our country were paid scandalously low wages, that they had been assured that the all-India UGC scales would be adopted from 1st October, 1964, and private college teachers in a majority would be brought on a par with those of lecturers in Government colleges, but these assurances were never

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fulfilled. Now, they are pinning their hopes on the Government declaration recently that the Union Government is ready to bear 80 per cent of the financial burden involved in the University Grants Commission's scheme regarding the latest pay-scales for college teachers, and they are claiming that since Kerala is under President's rule this pay revision should be given effect to at once without any delay. This is the kind of feeling which is germinating in Kerala, this is the kind of grievance which has overtaken the most sedate sections of the population, which are threatening to take resort to strike if their demands are not accepted.

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I know that for a time there was in Kerala so much despair and depression that some people had come to think that perhaps political stability was a kind of goods which were beyond the reach of the people of Kerala, and some people might even have welcomed President's rule. I have even heard of talks, which were not really representative of the feelings of the people, that if this instability continues, a part of Kerala can go to Mysore and a part to Madras, as it used to be before, and we can at least be restored our constitutional rights of citizenship of this country, whether in one State or the other. That of course is an idea which can no longer pass muster because the people of Kerala have got their own province, where they have their own language which they love dearly and which they cherish for very right reasons. But on account of the continuously manipulated political instability there was a feeling growing amongst sections of the people that possibly one might never get any results by having these elections held from time to time. But nearly a year's experience of President's rule, the entire people today are feeling that they should have and must have a democratic set-up as soon as ever that is possible.

Then, as Shri Ranga has already suggested, the advisers at the top bureaucratic hats are having a heyday. Basic policy questions are being decided by the people who should merely be the implementing agency and no more than that. All parties including the Congress party in Kerala, I understand, have recently criticised the Government for making changes in the system of reservations for backward classes in technical and educational institutions. I understand also— I am speaking subject to correction—that the Governor made a statement that he had every right to take policy decisions. I am amazed to hear of this kind of thing. We are told what is being done or is sought to be done by the Parliamentary Committee on which some of our colleagues here in the House are members, along with the Ministers concerned. What about this Parliamentary Committee? Who makes the policy decisions? Why is it that the Governor claims that he has the right, as a nominee of the President, to make policy decisions? As a Member of Parliament who does not belong to this Parliamentary Committee, I have been saying in this House repeatedly, what about the work of this Parliamentary Committee; why don't we get reports of this Parliamentary Committee? It is a Committee just as we have the Estimates Committee, the Public Accounts Committee and the Committee on Public Undertakings, and the Punjabi Suba Committee. All these are organisations which report to Parliament. Where are the reports of the Kerala Committee? How is Parliament looking after Kerala? How is a modicum of democratic representation being offered to the people of Kerala? How is it that a Parliamentary Committee functions in such a way that from time to time we read reports in the papers, saying that the Opposition Members, perhaps with some Congress Members also, are walking out of the meetings of the Parliamentary Committee because of the attitude of the Home Minister, which was by no

means satisfactory to the interests of the people of Kerala? But this kind of thing goes on, and the Parliamentary Committee is perhaps functioning in a situation where it is bound hand and foot and does not function in an atmosphere where the wind blows freely and where the cobwebs of prejudice could be removed because of the wind blowing freely, and this is not the way in which we can have anything like a decent democratic set up in our country.

Therefore, I feel that this repeated continuation of an emergency situation cannot be tolerated. We feel that this continuation of President's rule over Kerala which amounts to the people of Kerala being deprived of their citizenship rights altogether, is not a matter which could be compromised. We say, if in regard to Orissa in 1961 that kind of decision would have been taken—Orissa is possibly more subject to rainfall than Kerala, with heavier rainfall—if that can be done in Orissa, I do not see why an election cannot be held in Kerala. In Kerala, if elections are held, there is no doubt as to the result. Shri Ranga had already referred to our hon. friend and colleague, Shri Gopalan having returned to this House. He has referred very rightly to the idea which Government were trying sedulously to propagate the other day, that these left Communists whom they have put behind the bars—though having not one of them tried for one single instance of dereliction of duty—were traitors to the country, and that the Government are now bound to eat their own words and let them off unconditionally because their argument about the left Communist being traitors to the country has not got anything like a foot to stand upon. It is a completely fabricated statement of which Shri Nanda, as the Home Minister, ought to have been thoroughly ashamed; but it is a good thing that at long last, they have been constrained and compelled by the force of popular pressure to release the left Communists. If the elections were held, naturally, they would

have come back with a very large proportion of membership, and there is no doubt about that. I want to repeat the same thing that Shri Ranga has said—about the utterly scandalous phenomenon of the last Legislative Assembly, which was dissolved even before it had the opportunity of coming together, of making the oath or the affirmation, of meeting each other and of really and truly forming themselves into a body corporate. Even before they could become a body corporate, they were dissolved. That kind of thing has been practised for far too long. It is utterly undignified, utterly unjustified and utterly undemocratic; and this practise is going on for such a length of time that the country cannot possibly tolerate it, but like the Government of the present day, possibly we have to tolerate so many noxious things.

Since the elections are not too far away, Government should find out how the temper of the people is being formulated, how the grievances of the people are today coming up in such large numbers. This Government, the way it is functioning, will never be able to continue in the manner in which it has done so far. That is the only streak of hope and light that I see in an atmosphere of gloom and listlessness. This Government is happy to capitalise that listlessness and darkness which pervade the country's political atmosphere from time to time. It does not see the rainbow in the rain; and that is the hope that people have of driving this Government out of power in many States in the next elections and this action of the Government is only an indication of its complete inability to confront the people and approach them in any kind of human, decent, democratic manner.

Shri Ravindra Varma (Thiruvella): Sir, I rise to support the motion that has been moved by the Minister of State in the Ministry of Home Affairs.

An hon. Member: Is he supporting it?

Shri Ravindra Varma: I support it, and I hope that that word has the same meaning for him and myself. I support the motion not because I believe that the President's rule is a substitute for popular rule in Kerala or in any other State. I share the feeling of my hon. friend opposite, Shri Ranga, as far as the need for ensuring a popular government is concerned. We are all devoted to democracy and it is not necessary for the hon. Member opposite to remind us that our Constitution is based on democracy and the rights of the people to administer themselves which are enshrined in the articles of the Constitution. The history of the Indian National Congress, the history of the elections that have been held in this country, the exemplary manner in which our government has given evidence of its devotion to the fundamental rights of the people, would convince any dispassionate student of the deep devotion that Members on this side of the House have to the canons and the practices of democracy.

My hon. friends opposite, Professor Ranga and Professor Mukerjee—two professors—treated the House to very erudite discourses on the demands of democracy on the people who are in authority. I shall not question their devotion to the cause of democracy. But I am afraid that in their anxiety to criticise the Government, in their anxiety to use the Government as a peg to hang all their aspirations and their aspersions on, they did not try to do justice to truth in every thing they said.

Sir, Prof. Ranga castigated the government and said that the Government had shown that they were willing to conduct elections only if they were confident that the Congress would come to power. This is an old burden that he has been singing in this House, for which there is no evidence or proof. My hon. friend from Khargone knows that in Kerala elections have been held and parties other than the Congress have secured majorities. At that time, those

parties were not prevented from forming governments there. My hon. friend is very much interested in Kerala today. He certainly knows that in the past there have been non-congress governments in Kerala not once, but more than once. There have been other States too in which parties other than the Congress have come to power. How then can it be said on the floor of this House, how then can the hon. member opposite expect the House to believe him when he says that the congress will order elections only if it is sure that it will come to power?

I wish to remind Prof. Ranga and critics on the other side that, actually, the elections in Kerala took place when the emergency was on. It was open to this government and this party to say: "There is a grave emergency in this country. We are facing the threat of aggression. Let us not therefore have elections; let the President's rule continue". But that was not the attitude which this government and this party took. On the other hand, the government said, we should have elections. There was election. What was the result? Unfortunately for us, and for the opposition parties, no party secured a majority. My hon. friend opposite who spoke before me said that he believed that one of the parties did secure a majority. I am afraid there is a lapse of memory that is afflicting him. Otherwise, he would not have said that any single party secured a majority. It was found that not only did no single party secure a majority but no combination of parties could command a majority. It was in those circumstances that the Governor found that he had no option but to recommend to the President that the Assembly should be dissolved and the President should take over the administration of the State, as provided for in article 356 of the Constitution.

Sir, Prof. Ranga was very vehement in his criticism of the government for their attitude to the left communists. In fact, Sir, I found today that two poles were gravitating to each

other. The House was treated to an unusual, abnormal spectacle of Prof. Ranga and Prof. Mukerjee speaking almost with the same voice. I do not know; I have heard it said that adversity makes strange bed fellows. I am not suggesting that they have jumped into the same bed, but they are suffering from the adversity of being out of power and this is what is prompting them to fling such allegations at the government, though both of them in their own hearts would not believe what they are actually telling the House.

Sir, It was said that the government tried to secure a majority by putting the left communists in prison. There can be no greater travesty of truth than this. I am surprised that a distinguished member of this House like Prof. Ranga could have indulged in this casuistry. He said the left communists were put in prison, elections were held and they were returned by the people. Was this an action which the government took only in Kerala? When the government had evidence to conclude that there was going to be an attempt made to disrupt the economic and industrial life of this country, which would adversely affect the defence efforts of this country, government had to act to protect law and order. The White Paper which was placed before the House by the government was discussed by the House at that time. When the government, therefore, came to the conclusion that there was enough evidence to believe that there was a move to start subversive activities, the government took action. It was not confined to Kerala alone. The left communists were arrested all over the country. How then can it be said that they were arrested and put in prison only because the government wanted to secure a majority?

It was said that the people returned them to power, thereby showing that they did not approve of the Government's description of the activities of left communists as traitorous. I wish to remind the hon. member

that we did not fight the election on this issue. The election in Kerala, as he should know as a student of democracy, was conducted to enable an Assembly to be elected, an Assembly that would constitute a government. A government which is to be in power for five years does not depend purely on the question whether the left communists' activities were to be condoned or condemned. For him, therefore, to turn up in the House and say that the fact that a few left communists were elected by the people meant that the people repudiated the allegations that the government had to make about their suspected activities is something that does not hold water, and certainly does not do credit to a distinguished member like Prof. Ranga.

Sir, he said things have changed today and the government has had to eat its words. I do not know where Prof. Ranga saw the government eating its words. Government has not said that what was suspected at that time was based on false information. On the other hand, what has been said is that conditions have changed and that danger of immediate aggression on this country has receded. Therefore, a situation has been created in which it is possible for us to take more risks than we could take in the year when action was taken on the left communists. All that has been said, therefore, is that the situation has improved to the extent that more risks can be taken today. Nothing has been said from this side for him to say that the apprehensions about the intentions of the left communists have changed.

Prof. Ranga made almost a pathetic reference to what might happen in the next elections. I can understand that the next elections are an obsession with him. He and Prof. Mukerjee said, what is the guarantee that the government will not perpetrate the same sin if the ruling party does not secure a majority in other States as well in the next elections? In fact, Prof. Ranga indulged in a little bit of

[Shri Ravindra Varma]

astrological exercise, which is not unheard of in Delhi and said he believed that in many States the Congress might not secure a majority. I do not want to cross swords with him on his astrological proclivities. Maybe the ruling party does not secure a majority in one, two or more States. This is not the first time that hon. members opposite have expressed this hope and this may not be the first or last time that this pious hope of theirs is belied by the electorate of our country. He said, in many States the Congress may not get an absolute majority or working majority, therefore, we should think in terms of a coalition government. This is not the first time that Prof. Ranga is making this suggestion. He is consistent in making this suggestion. He has, therefore, recommended that we should adopt the Swiss model. It is very clear that the Swiss model cannot apply to one State only. If, in the future, it is found that there is a multiplicity of political parties, that no party can secure a majority and no combination of parties can assure a majority for a stable government, then certainly it is a new situation, which will have to be analysed by the whole country, not in reference to Kerala alone. It cannot be that there is a Swiss type of Constitution which applies to Kerala and a British type of Constitution which applies to States in which the Swatantra Party or the Communist Party hopes to come to power. Professor Ranga gave us a warning. He said that because you may have to come on your knees and secure the support of the other parties since you may not get a majority, and because you may have to share power to be in power, why not hand over some of the power that you have today. When the argument is put in the crucible and melted it means this: we ourselves are not sure that we will secure a majority anywhere, but we are sick of being in the wilderness for 15 or 18 years; please, therefore, agree, because you are in adversity in one part of the country, that all over

the country you will allow us a finger in the pie.

He referred to many other questions. It is a fact that Kerala is suffering because there is no popular government, especially when the Plans are being formulated. I began by saying that I do not believe for one moment that the President's Rule will be a substitute for popular democratic rule. But a situation has arisen in the State where it is found that there is no reasonable chance of any party securing a majority if the elections are held tomorrow.

I would like you to consider the ring in the voice in which the hon. Members opposite spoke about the need for an immediate election; I found that the usual timbre was missing in their voice when they demanded an immediate election.

It is true that the State of Kerala has been suffering in many ways because of the fact that we have not had the benefit of a stable government; that many other States have had.

My hon. friend, Professor Mukerjee, referred to the dismissal of the Communist Ministry as the original sin. I do not know which pontiff described it as the original sin. He said that these are the wages of sin which are being paid out to the Congress, that it is the ghost of the infanticide that is haunting the Congress. Now I would like to remind Professor Mukerjee that after the Communist Government was dismissed for gross violation of democratic norms of behaviour, there was a Government in the State and the Assembly went through almost its whole term. There was a Government which was in power for more than four and a half years, and it was only a few months before its term expired that, because of some unfortunate developments the Assembly had to be dissolved. Therefore, to say that the wages of sin are being paid out to the

(Res.)

Congress is to say something which is not borne out by the facts of history.

Sir, I shall not refer in detail to the other matters that Professor Mukerjee referred to, about the NGO strike, the Pay Commission's recommendations, the plight of the poor college teachers and so on, not necessarily because I do not agree with him but because I believe very soon this House is going to discuss the budget for Kerala, and at that time I will have an opportunity to deal with these questions.

This reminds me of what Professor Ranga pointed out about the way public money is being squandered in Kerala. All of us are very much concerned about the manner in which the funds of the exchequer are spent. But was he right when he said that there is no control at all, that it was a purely bureaucratic exercise? The budget for the State of Kerala is adopted by this House, and he cannot ignore this fact. Not only the budget of Kerala is adopted by this House, but the Public Accounts Committee of this House has on more than one occasion scrutinised the way expenditure is incurred by the Government of Kerala, even when there is no popular Ministry in Power.

Shri Sham Lal Saraf (Jammu and Kashmir): Legislature also.

Shri Ravindra Varma: Yes, Legislature too. I am thankful to my hon. friend for adding to what I have said. Therefore, it is clear that one cannot say that there is no parliamentary control over expenditure in Kerala.

Sir, Prof. Mukerjee referred to the role of the Parliamentary Consultative Committee. I think I would agree with him, not necessarily for a change that the reports of the Parliamentary Consultative Committee should be placed before the House, but in view of the fact the scope of the work of the Consultative Committee has expanded by common consent. It has not expanded by virtue of any amendments

to the statutory provisions or an Act but it has expanded because the present Home Minister and those who are in charge of running the Home Ministry have realised that when the Presidential Proclamation extends for a long period of time it is necessary to have some sort of a machinery which will enable the representatives of the people to bring up for consideration matters of urgent public importance. It is, therefore, well-known that, unlike the previous Consultative Committees, this Consultative Committee has discussed practically every matter affecting the lives of the people in that State.

My hon. friend, the member for Quilon, for example, will recall that even the appointment of the Vice-Chancellor was discussed by this Committee. No one can gainsay the fact that the discussions in this Committee, though they are technically informal, have led to a series of steps being taken by the Government which have corrected some of the mistakes that are bound to occur when there is no popular government.

I do believe that this innovation, this expansion of the scope of the work of the Consultative Committee has proved to be a corrective which was needed. I shall not take more time of the House, but I would like to say in the end that because of the circumstances that prevail in Kerala, there is no option for us but to recommend that the President's Proclamation, taking over the functions of the Legislative Assembly of the State under article 356, be continued. I therefore, support the Resolution moved by the Home Minister.

Shri A. N. Vidyankar (Hoshiapur): Mr. Deputy-Speaker, Sir, I entirely agree with the previous speaker that at present there is no option but to support the Resolution that the existing Presidential Rule should continue for a further period. Having said that, I only desire to make it clear that I do not like that the President's rule

[Shri A. N. Vidyalankar]

should be used in such a common manner and that we should look at it from an angle of political expediency.

President's rule was imposed earlier in some other States also. I come from Punjab, where also President's rule was imposed once. So also in PEPSU. Even now there is quite a lot of talk of President's rule being imposed in Punjab, not because the democratic machinery has actually failed there but because we looked at certain problems from the point of view of political expediency. When a political party is in majority in a Legislature, as the Congress was, I do not think there was any valid ground for the imposition of President's rule only to solve immediate difficulties due to inner party conflicts.

If we cherish democratic values and we were wedded to democratic values genuinely, we should feel deeply concerned and pained when we had to impose President's rule and we had to suspend normal working of democratic institutions. Democracy required a special climate for its functioning. If the representatives of the people were in doubt whether they could exercise fully their rights at a time of difficulties, if they thought that it was not for them to solve the problems, and it was the headache of somebody else, who could apply the correctives, then democracy cannot prosper or function in such a set-up. The representatives of the people should always think that it is they and they alone who could solve the problems even when there is a break-down of democracy.

In the Constitution there were no provisions for President's rule or any provision for exercising executive authority, what would have been the position? Suppose a situation arose in England where no party had a majority or the majority of the party was precarious, only a difference of one or two members, what would they do? They would order re-elections by asking the King or Queen to dissolve the Parliament

Mr. Deputy-Speaker: The hon. Member may continue his speech the next day. We will now take up non-official business.

14.30 hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

EIGHTY-EIGHT REPORT

Shri Shree Narayan Das (Darbhanga): Sir, I beg to move:—

"That this House agrees with the Eighty-eighth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 5th May, 1966."

Mr. Deputy-Speaker: The question is:

"That this House agrees with the Eighty-eighth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 5th May, 1966."

The motion was adopted.

14.30 hrs.

RESOLUTION RE: PROCLAMATION OF EMERGENCY AND DEFENCE OF INDIA ACT—contd.

Mr. Deputy-Speaker: The House will now take up further discussion of the following Resolution moved by Shri Surendranath Dwivedy on the 22nd April, 1966:—

"This House calls upon the Government to take steps to revoke the Proclamation of Emergency and to repeal the Defence of India Act without delay."

Time taken is 14 minutes, 1 hour and 46 minutes are left. Shri Dwivedy may continue his speech.

Shri Surendranath Dwivedy (Kendrapara): Sir, when I was speaking the other day, I was pointing out