

Gold seized at Rs. 45,87,401. Now this has been found to be incorrect. The correct value of the gold at the international rate of Rs. 53.58 per 10 grammes amounts to Rs. 4,58,740/-. The mistake occurred due to the wrong decimal placing in the calculation.

2. According to the unofficial quotations in Bombay market, the value of gold per 10 grammes was approximately Rs. 130 at the time of search. The market value of the seized gold was, therefore, taken by the Income-tax Officer at Rs. 11,13,031/-.

श्री हुकम चन्द कछवाय (देवास) : इसी सवाल के बारे में मैंने आपको एक पत्र दिया है। मैं सवाल पूछना चाहता हूँ...

अध्यक्ष महोदय : उन्होंने तो सिर्फ इतना कहा है कि डेसीमिल की गलती थी।

श्री हुकम चन्द कछवाय : इसी के सम्बन्ध में मैंने आपको एक पत्र लिखा है। मैं एक जानकारी मंत्री महोदय से लेना चाहता हूँ।

मैं जानना चाहता हूँ कि जिन भ्रष्टाचारियों ने आपको गलत जानकारी दी क्या सरकार उनके खिलाफ कोई कार्रवाई करने का विचार रखती है? धुनधुनवाना के जो ऐजेंट हैं उन लोगों ने इस मालिक को बदनाम करने का प्रयत्न किया है। जिन्होंने गलत जानकारी सरकार को दी है उनके खिलाफ सरकार कोई एक्शन लेगी?

मैं कल ही बम्बई से आया हूँ। इन भ्रष्टाचारियों ने वहाँ घातक मचा रखा है। छोटे बड़े व्यापारियों से ये रुपये मांग रहे हैं और धमका रहे हैं कि रुपया दो नहीं तो बदनाम करेंगे। मैं जानना चाहता हूँ कि क्या उनके खिलाफ कोई एक्शन सरकार लेगी?

अध्यक्ष महोदय : जिन्होंने गलत जानकारी दी उनके खिलाफ कोई एक्शन लिया जाएगा, यह वह पूछना चाहते हैं।

श्री ब० रा० भगत : डेसीमिल की गलती हुई है। इनकारमेंशन में तो कोई गलती नहीं है।

13.25 hrs.

ASIAN DEVELOPMENT BANK BILL*

The Minister of State in the Ministry of Finance (Shri B. R. Bhagat): On behalf of Shri Sachindra Chaudhuri I beg to move for leave to introduce a Bill to implement the international agreement for the establishment and operation of the Asian Development Bank and for matters connected therewith.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to implement the international agreement for the establishment and operation of the Asian Development Bank and for matters connected therewith."

The motion was adopted.

Shri B. R. Bhagat: I introduce the Bill.

13.26 hrs.

DEMANDS FOR GRANTS—contd.

MINISTRY OF HOME AFFAIRS—contd.

Mr. Speaker: Out of 8 hours allotted for the discussion on the Demands for Grants of the Ministry of Home Affairs, 5 hours and 40 minutes have already been spent and only 2 hours and 20 minutes remain.

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†Introduced with the recommendation of the President.

Shri Surendranath Dwivedy: (Kendrapara): When will the Minister be called?

Dr. L. M. Singhvi (Jodhpur): The time should be extended. This Ministry covers a very large ambit of activities. The time should be extended a little.

Mr. Speaker: We will continue for the whole of the day and the Minister will reply tomorrow. Would Mr. Hathi like to intervene in the Debate now?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): Not now, Sir.

Shri Basumatari (Goalpara): When questions regarding Assam, Mizo Hills were being raised, the Members from Assam had not been called at all.

Shrimati Renuka Ray (Malda): Mr. Speaker, Sir, the Home Minister has naturally focussed the attention on the Defence of India Rules which have been in existence since the Chinese invasion in 1962 and which continues upto today. In a democratic set-up it is not a very healthy thing and I am sure that all concerned in this House and in this country, including the Home Minister himself, do not like it. He has also brought to our notice the emergent needs of our border areas and specific defence purposes. We have not discussed in this House, one of the very difficult situations that have arisen on account of failure to deal effectively with those who have committed dastardly crimes, by the explosion of trains recently. I was rather surprised to find that instead of taking strong measures in this connection when certain facts have been discovered, a great deal of hesitancy has been shown and no strong action has yet been taken. I will refer to this a little later.

I will now refer to the Defence of India Rules. I do agree with the

Home Minister that for the purpose of defence in our border areas some special provisions are necessary—Mizo Hills, Assam and Bengal borders and in fact, the whole border between Tibet in China and with Pakistan in the North, East and in the Jammu and Kashmir front. But I would like to humbly submit that, though I am not a constitutional pandit myself, whether it would not have been possible for the Home Minister to have revoked the Defence of India Rules earlier and brought in immediately some rules just for these border areas, and also for specific defence purposes. Was it necessary to keep on these Defence of India Rules by merely mentioning that they will be applied only to border areas, which, as I stated earlier, goes ill with the democratic set-up? Therefore, I would request the Minister to re-examine this and see whether the Defence of India Rules cannot be lifted and simultaneously put back for those areas for which it is urgently required. I do agree that exceptional circumstances require exceptional steps.

I fail to see why it is that throughout the years, whoever be the Home Minister, the Intelligence Department never exists or hardly functions, whether it be at the Centre or in the States. We have found this on every occasion, when we were faced with danger from outside, when invasion comes when there was sabotage within the country and when the national security was at stake. On every occasion, with one notable exception, the Intelligence Department, whether it be of the Centre or of the States, has completely failed. That notable exception was the infiltration by Pakistan Military Personnel in Kashmir as a result of which the Indo-Pakistan conflict took place. Apart from this single notable exception, I would like the Home Minister to look into the question why the Intelligence Department has failed on every occasion, both at the Centre and in the States.

Dr. Ram Subhag Singh, in his statement on the recent explosions and dastardly crimes in Lunding and Diphu says:

"the bases of these heinous activities require to be located immediately and tackled properly;"

Why is it not looked into? He also mentions that:

"an expert intelligence cell was considered necessary to be set up by pooling the resources of the State CID, the detective staff of the Railway Protection Force and the staff of Central Intelligence Bureau for intelligence purposes in this area;"

Why is it that such cells are not existing now? We have had sabotage within the country very recently. We have seen them in the border areas. In spite of all these, somehow or other this is one aspect of the working of the Home Ministry which, as I said, throughout the years has not been rectified. I would humbly request the Home Minister to see that something is done about it so that this Department does not continue to function in this fashion.

I do not want to go into a great deal of details about the conditions obtaining in our borders, because they are well-known. We have just now discussed this vital issue. Here I would again ask: Why did the Intelligence Department fail? Why is it that the Central Intelligence or the State Intelligence could not bring to the Notice of the Home Minister and his officials that something was in the offing? Why is it that our Intelligence is so bad that we never know what is in the offing? I can understand that crimes sometimes get committed. But the whole border is in a ferment for some time. The whole of our border with Pakistan and Tibet has been in a ferment and if things like these do happen, and we allow them to happen again and again, then I must say that the time has come when

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this matter is looked into and a thorough overhauling is done.

While speaking on thorough overhauling, I must come to the implementation machinery of the Government. Since I came back to this House in 1957, time and again, almost every year in the budget session, I have brought to the notice of the Government the need for a complete overhauling, complete revolutionising of the machinery of Government to fit it to modern requirements. Yet, it has not been done till todate.

It is true that the Central Government an Administrative Reforms Section and State Governments have Administrative Reforms Committees and they have recommended some reforms. We in the Centre have also recently formed a reputable committee for going into this problem. We are faced with very difficult times. We are in the midst of economic and political crisis from which we can emerge triumphant, successful, if the machinery of Government is able to implement our policies properly. And yet, somehow, we do not think of the problem as a whole. We go in for a great many piece-meal things. We do not make any wholesale change. I do not know what deters us from revolutionising our administrative machinery. We are still clinging to British customs and British procedures which even the British have discarded. We are still keeping some of them. Our financial procedures and regulations still remain what they were in the old days, although in this House so many of us have mentioned time and again that these do not help, that they do not curb excessive expenditure where they should not be incurred, that they curb expenditure on some vital items which would bring about improved conditions.

The governmental machinery today has to deal with trade, commerce and social administration. In fact, the

[Shrimati Renuka Ray]

whole machinery of Government should be thought of as social administration, suited to the requirement of bringing into existence a socialist society. The reason why we have failed to bring in such a society is that we have not been able to shape a proper administrative machinery; to a large extent, that is the reason. I know that the Home Minister is more concerned than perhaps many others about the need for a socialist society. So, I would tell him that before we proceed further, at least for the emergent problems of today, instead of waiting for the report of the Administrative Reforms Committee, let us go in for something immediately.

Take the food problem, especially procurement and distribution of food. Recently, I had been to many districts in my own State. Although it is a deficit State, a State which could not get ample help from the Centre even when it faces difficult times, I found that in some of the deficit districts the policy of the Government in the matter of food has been successful, while in some other districts which are not so deficit it has not been so much successful. It depends so much on the local administration of the district.

Here in this House time and again I have said—I repeat it now with the forlorn hope that now it will be listened to—that if we are to march forward in many fields, people who are in charge of the district administration should be the best men of our country. The district magistrate has sufficient responsibilities. Let him have the power and the prestige of at least the Joint Secretaries and Deputy Secretaries in the State Governments and the Central Government, who are doing only the work of clerks. Let them have that position and let these posts be interchangeable. Now, what is happening is that an officer who was very good in his work in the district comes to the Centre on promotion.

Once he comes to the Centre, he remains there for ever. He is out of touch with district administration and he does not know, or he forgets, the grass roots of the problems and he gives orders. It may be the policy of the Government, may be suggested by us here in Parliament, but it is he who gives the orders to carry out the policy. He being out of touch with district administration for years together, without knowing what is happening in the district, he asks the district magistrates and local officers to do things which are very often not practicable.

The man on the spot should be a competent officer, capable to take quick decisions and act on them. In West Bengal during the present food crisis many district magistrates did well. We shall soon see them in the State headquarters and then in the Central Government. But the districts will be deprived of those who are really good. I ask the Home Minister and his Minister of State who is present here to go into this matter, because it is a matter of terrific importance to the country that at the district level you have people who are holding responsibilities have power, have prestige and are given due recognition and let their jobs be interchangeable with the jobs of Joint Secretaries and Deputy Secretaries who do clerical work.

Is it beyond the capacity of the Government of India to do within a few days? In fact, they can do it if they so choose. They should revolutionize the machinery.

There are so many other things of similar kind which I could mention. I have mentioned them in the past and I can give the Minister if he wants points which he can implement immediately so as to improve the machinery of implementation. But why do we have to defer everything for an administrative reforms committee? The economic crisis that the country faces, the crisis in confidence that the country faces is here and now. It is not

possible two years hence, however good be the report of that Commission, to deal with it and expect to get away with things today. We cannot get away with things today. The Government must govern today properly and firmly and, at the same time, they must take the measures through which the distress of the people, the discontent which is real, is removed. That can only be done if they have an efficient administration, an administration which is fitted to modern needs, which understands, which has imagination which can cope with the problems of today, particularly in those matters which are urgent, economic and food matters and political matters also. I would request the Government to take the measures here and now.

Before I end I want to say that I deeply appreciate the problems that the Home Minister and the Home Ministry have to face today. They are very difficult problems, more difficult perhaps than any problems that faced this country except in the aftermath of freedom when partition came, the problems of partition in the beginning. Even so, today the Government has reached out to many spheres of activities and unless it revolutionizes its machinery, it cannot possibly be able to cope with it.

With these words, Sir, I support the Demands. I hope that what I have suggested will not only be given consideration but will be acted upon also.

Dr. L. M. Singhvi: Mr. Speaker, Sir, I agree with Shrimati Ray, who says that the range of activities of this Ministry is very large and the magnitude of its responsibilities is very heavy. But, unfortunately, one finds that the only outstanding quality of the Report is its fuzzy and confused incoherence. It contains the repertoire of voluminous trivia. It is full of plans and paperclips. It seems that it is characterised by the same fuzzy incoherence which characterises and has become the hallmark of the administration in our country after independence. It has the same protoplasmic

quality, the indeterminate quality, the quality of drift. It is this about which I should like the Minister to speak.

It is very often that we ask angry indignant questions but that is not to express our disapproval of the Minister personally. I am of the opinion that the Minister himself is largely not responsible for what goes on. He is not the author of this confusion or of this drift. But he has unwittingly and unfortunately for him become its proponent and its priest.

I should like to say that the Minister has a touch of both the yogi and the commissioner. He has a bit of the Sadhu Samaj and a bit of the Congress Socialist Forum. He has a bit of astrology and a bit of planning. He has a concern for the rule of law but there is also an admixture of the DIR. But in fairness to him, I think, it must be said that he represents the amalgam of these qualities and characteristics of the Indian society itself. In fairness specifically we must also give him the acclaim that is his due for his very efficient handling of the situation in Calcutta on both the occasions and of the Mizo problem about which we were greatly concerned. His detractors, therefore, have not only to give him the credit that is due to him or to his able political leadership on these issues, but they should also remember that he has had the disadvantage of functioning without the charismatic leadership of the personality of Pandit Nehru since his death.

That he has functioned in respect of his Ministry with a certain measure of success certainly evokes a well deserved tribute from us, but the Ministry which he heads occupies such a vantage position, such a central position, in our national life that we naturally expect a great deal. There are lapses and deficiencies—and God knows there are many—which make us feel that the Ministry of Home Affairs, particularly the administrative technology which it was supposed to bring about in this country, has not brought about what it had promised or was expected

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of it. If I may quote, perhaps the functions of the Home Ministry could be described in the following terms:—

यानिशा सर्वं भूतानां तस्यां जागर्त संयमी ।

While everyone else might be asleep or somnolent, the Home Minister and the Home Ministry would have to keep awake. He has to keep his ears to the pulse of the nation and its affairs. The question that arises is whether this has been done.

Our discussions, as indeed also the claims of the Home Ministry, are often lost in minor and ephemeral concerns and in episodic alarms. What is far more fundamental is the direction in which the country is heading. The state in which we find ourselves must receive fundamental consideration. I am not concerned either with solemn platitudes for which it seems we have a very large appetite, nor am I impressed by the tendency of the people generally to revel in the self-righteous expression of sadistic self-immolation which the Home Minister gave some two years ago. I think, it is improper and alien to considerations of pragmatism as also to democratic functioning.

What we must engage in today is a creative quest for social transformation. What we must concern ourselves with, most of all, is to find new institutional forums to ensure our rapid progress. What we must do today is to engage in a self-searching analysis for preventing drift and frustration, for preventing cynicism and despair. On this task of preventing a kind of erosion which is taking place of the values and the outlook of our society, the Minister must give us an assurance and an outline of his programme.

Sir, I spoke of the technology of administration. I would say that for rapid growth of the country we must have trained manpower, the necessary technology of management and the necessary attitude—deep, committed, dedicated national purpose. This, un-

fortunately, is lacking in our administration. The question that the hon. Minister must answer is whether our administration has an administrative purpose at all, whether we have not raised to the status of a religion the cult of unprincipled *ad hocism*, whether the anatomy of administration today shows and reveals organisational weaknesses of a far-reaching character. The Minister must tell us whether the physiology of the Cabinet Government and Cabinet co-ordination is functioning satisfactorily today. The dissensions which seem to rive the Cabinet, the facts which are publicly known that Cabinet Ministers are at loggerheads with each other do little credit to the Government. The hon. Home Minister must tell us also of the effectiveness of the health measures he has sought to institute in respect of the hygiene of our politics.

Sir, the health and the creativity of our society and of our nation depends on a satisfactory answer to these fundamental problems and not to the ephemeral and the episodic concern which we very much show. It worries me a great deal to see that there is a steady and progressive alienation of the intellectual in our society. It worries me to see that among the masses there is indifference and there is despondency. It worries me to see that no administrative effort or otherwise has been launched to see that the intellectual in the country, the intelligentsia of the country, is involved in the whole process for a gigantic task of development. It worries me to see that we have not been able to secure that wide base of participation among the masses of the country.

It seems that there exists no meaningful dialogue between the Government and the people today and it is this which must be the fundamental concern of the administrator. The merry-go-round politics leaves today inevitably and inescapably a feeling of emptiness amongst us, a feeling of frustration amongst the individuals, a feeling of indifference and cynicism

among the masses. If we have to release the intellectual energies, if we have to release the dreams and visions which we have hovered during the Independence struggle of the country, we must see to it that the emotional mainsprings of the society are rehabilitated, that there is a deliberated process of self-renewal of enthusiasm and of the commitment of the society as a whole. It is in this respect that I would like to point out that we are today crushed and confined dead weights of all kinds and in this I would notably include the administrative dead-weights. What concerns us also is the ascendancy of the way of centrifugal forces today in our country. These centrifugal forces are pulling towards the periphery and we are in the process of steadily becoming a Government of the periphery, a Government at the perimeter. It is this which could spell disaster for the future of this country. It is this which could ruin our hopes and our aspirations. What we want is a Government of the nucleus and the nuclei of Government organisations and the country.

What we want is a nucleus Government so to say and not a Government, as I said, at the perimeter. I think, it is in this context that the Ministry must regulate the remarkable work done by Sardar Vallabhbhai Patel in giving integration and unity to the country. If that unity is to be preserved, if the integration is to be advanced, if the future of this country is to be made brighter and meaningful, if our ideals are to throb and pulsate our national life, then the country must inevitably have a unitary bias. The Central Government must put a stop to the various claims made on behalf of various States—satrap Chief Ministers they have been called and subedars they have been described. This must come to a stop. The sovereignty of the people reflected in the Parliament, the sovereignty of which this Parliament is the focus, must be revived and reinstated, if necessary. It was a concept which, I think, largely informed our institutions in our life at the time of Pandit Jawaharlal Nehru

and I think it is this concept which must be brought in and should be rehabilitated.

It is in this context that I should say that the hon. Home Minister deserves our appreciation for some of the initial action—I am speaking only in institutional terms—which he took in respect of certain States. It seems that there is a definite visible, palpable, recession in the willingness of the Government of India to be answerable to the people of India for matters which are necessarily and inavitably the concerns of the whole nation. It is in this context that we must re-emphasize the need for a really active programme of national integration. We must emphasize the programme for the introduction of Hindi on a national basis—it is in this context and not as a source of fissiparous tendencies.

Another question, a very fundamental question that arises is the relationship between the bureaucracy and democracy. The hon. Minister has not even once answered on the floor of this House as to whether we have come to a stage of settling as to where effective political power, effective policy-making power resides. What is the locus of an effective power in our society has been left undetermined to the actual personal equations. It is the Government of India in that respect, if I may say so, a strange piggy-back and very often I find that it is the administrator who has to carry the Minister on his back.

I think the divisions and demarcations, the division of labour between the Minister and the civil servant, have become out dated during the long years of rule by the Congress Government. There is, I think, a real danger of erosion of relation between the Minister and the civil servant and a consequent erosion of democratic values and of democratic functions. It is this that the hon. Minister should answer. He should tell us whether he has done anything or proposes to do anything in respect of removing various departmental barricades, whether he proposes to do

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anything to institute effective coordination, whether it is his conception of a democratic Government that political leadership should rest in the hand of democracy. A Minister who is not any more in the Government once described to me that when he was transferred from one Department to another Department, a senior Member of the I.C.S. who met him at a party said, "Oh! Now you are in that Secretary's Ministry" and that is precisely what describes the relationship between the Minister and the civil servant. It seems that progressively the Minister is being subordinated to a position of becoming merely an advocate, a brief-holder, for the civil service which really has begun to rule the country.

Shri Hathi: That Secretary might have perhaps been notorious.

Dr. L. M. Singhvi: I have said of the erosion and the progressive dilution of the intellectual quality in the operations of the Government particularly at various political levels. I should like that the hon. Prime Minister who has taken some steps in establishing direct contact with the people, for example, broadcasts to the nation which should be maintained as a regular machinery of contact, should also take the necessary step of establishing a brains trust to this Government. It is this which would salvage the operations of the Government which have fallen into mediocrity. It is in this context I should like to suggest that academic people should be brought for brief spells to the operations of Government.

13.59 hrs.

[SHRI SHAM LAL SARAF in the Chair]

This was done in a big way when President Kennedy assumed power in the United States and this brought a really fresh breath of life in the administrative processes of the United States of America.

I should also like to suggest that a code of conduct should be evolved for

public servants, that definitely the civil service should have a certain set up ideals which they can cherish and the fulfilment of which should be the cherished goal of their administrative life.

14.00 hrs.

I would like particularly to express my appreciation to the Minister for establishing the Vigilance Commissioner and for instituting a half-hearted institutional measure in the form of a Grievance Commissioner. That, I think, is a partial fulfilment of a demand which I have voiced for many years now. Almost in every session, I have taken the opportunity to emphasize the need of giving such an institutional machinery. The contemporary experience and all the current signboards point the way towards fuller institutionalisation for redress of grievances. In the hurricane of accusations and allegations which are bandied about today in the endless discoveries and disclosures of political and administrative corruption which corrodes the conscience of democracy, it is but meet and proper that the Government must take the ultimate logical step by establishing the institution of Ombudsman. The Central problem of a modern government is to regulate and to control arbitrary exercise of discretion in the operations of the Government.

I now come to the last point and I will have done. The statement which the hon. Minister made yesterday on the supposed revocation of the Emergency was singularly disappointing. Dr. Adenauer said once that it is a God-given gift—a thick skin is a God-given gift—and I must concede that the Government possesses this gift in a very adequate measure. To all the claims that we have made in this country, to all the protestations and arguments that we have advanced on the floor of this House, the Government had no more than this diluted and insufficient answer. Mr. Chairman, I should like particularly to dis-

abuse the minds of the hon. members of this House of the idea that there exists any Constitutional difficulty in confining the Emergency to certain areas of the country. Read Article 352 which speaks of India or any part thereof. Read Article 359 (2) which says very specifically that an order under Article 359 may be confined to a part of the country. There is nothing in the Constitution, I submit, which prevents the Government from confining the Emergency to certain specified areas of the country. It is a crying shame that the Government should have taken refuge and shelter behind this very specious argument, this wholly fallacious argument, which is absolutely unsustainable in constitutional law, that the Constitution does not allow confining the Emergency to any part. It is well known in law that the whole always includes parts and my friend, Mr. Hathi, who has himself been a lawyer, perhaps knows very well that there is something like the doctrine of liberal interpretation, that there is the doctrine of progressive interpretation, which is now universally accepted by all the judges, by all the judiciary in the world. Chief Justice Marshall, the great Chief Justice of the United States, once said in considering the question then that we must never forget that it is a Constitution we are expounding. Unfortunately it seems that, instead of consulting well known principles of judicial construction and constitutional interpretation, the Government has resorted to its own private mythology about the Constitution. I hope that, if necessary, the Government would obtain the advisory opinion of the Supreme Court; if necessary, they would bring forth the Attorney General to say that there is actually a Constitutional difficulty in this matter. Otherwise, I hope that they would accept the very logical and the very rational claim that we have made.

Regarding indemnification, I would like to register my very strong protest at the intended and proposed reintroduction of a Constitution Amendment Bill for indemnification for acts done

during the Emergency, which was shelved and abandoned by the benevolent intervention of the late Prime Minister, Pandit Jawaharlal Nehru who had, above all, a democratic conscience. My request to the Government is not to resort to this retrogressive measure; my request to them is not to ask us to be a party to such a legislative irresponsibility.

Shri A. P. Sharma (Buxar): The Home Ministry has to perform a very difficult task. The work of the Home Ministry has been a difficult one in the past; since the attainment of independence due to various reasons, particularly because of the problems that arose out of the partition of the country and so many other domestic problems. The work of the Ministry is even more difficult today. We are faced with numerous problems. On one side we are faced with the aggressive design and intention of Communist China, which has already kept under its possession thousands of square miles of our territory and on the other side, even after the famous Tashkent Agreement, the attitude of Pakistan is very clear to us and nobody in this country can say at what time Pakistan would launch another offensive or aggression against this country. Over and above these external problems, the internal problems of the country are also very serious, for instance, shortage of foodgrains is one of such problems.

Shri Surendranath Dwivedy: We were told that Mr. Hathi would start at 2 o'clock.

Mr. Chairman: He would start at 2.30 p.m.

Shri A. P. Sharma: There are certain anti-social and anti-national elements in this country who do not miss a single opportunity and exploit all these difficulties for their political aggrandisement and for fulfilling their political motivation. It is well

[Shri A. P. Sharma]

known to everybody that there is a Party in this country known as the Left Communist Party which openly owes allegiance to Communist China, which is already on inimical terms with this country. In view of all these things and in view of so many other domestic problems—linguistic problem and so many other problems—that the country is faced with..

Shri Shinkre (Marmagoa): Is he sure that Communist China is our enemy? If so, why do not the Government close their Embassy here?

Shri A. P. Sharma: I do not know how one can think of revoking the present Emergency and lifting the use of the D.I.R. So far as we, on this side, are concerned, we are also equally concerned about the continuance of the Emergency and we also want the withdrawal of D.I.R. These two questions have been discussed not only amongst ourselves privately but also in the Congress Parliamentary Party Executive and in its General Body. They have also been very carefully considered by the Government in the Cabinet. But in view of the revealing about the activities of the hostile Nagas, the activities of the Mizos in the Assam hill areas and particularly the recent happenings in the State of West Bengal and other States where, some of our friends, in order to fulfil, as I have stated earlier, their political aggrandisement, openly instigate the people to indulge in violence, instigate the people to loot and burn the property of the Government. I am one with the decision that has been announced by the Home Ministry that the Emergency has to continue in this country; the D.I.R. has to continue in this country. As a matter of fact, I appreciate and support the decision of the Government that the D.I.R. has to be used in the border areas, particularly in the State from which you hail, in the State of Assam and in the border areas—both eastern and western. The DIR may have to be used against some elements in

other parts of the country who indulge in violent activities. Sir, I am a trade union worker, and I believe in the right of the people to protest against the mightiest of the Governments, even though it may be our own Government if they do wrong. We have got every right to demonstrate, and we have got every right to criticise, but all these things have to be done in a democratic way, and in a peaceful way. If we are dissatisfied with this Government or if anybody is dissatisfied with this Government there is a way open to dislodge Government. Every five years elections take place, and everybody has the right, and every party has got the right to go to the people, tell the defects of the Government, speak against the Government and dislodge the Government. This is called the democratic method of working of political parties. This is how we maintain democracy in this country. I am one with Government, that the emergency has to continue in this country and the DIR also have to be used.

About the use of the DIR, I also want to say that in the past in certain places and in certain cases, the DIR may have been excessively used, or may have been misused. I do not hold any brief for that. As a matter of fact, we want that wherever it is necessary to use the DIR, it should be used with great care, and it should be seen that not a single innocent person is involved under the DIR and made to suffer. While supporting this move, I would also suggest that the DIR, if at all have to be used in other parts of the country, that is, in areas other than the border areas, then the State Governments should not be given a free hand. They must approach the Central Government and justify their case and then only they should be permitted to use the DIR. With these observations I think that whatever decision Government have taken in this respect is wholly justified.

When I was listening to the speeches made by the Opposition Benches, and particularly the Communist friends, I was surprised how anybody in a peaceful way. If we are dis- of this country who had the freedom of this country dear at heart and who had the democratic values of life dear at his heart could in any way support such activities of the people who are out to destroy democracy in this country. Therefore, for these purposes, the use of the DIR has to be invoked.

I shall now come to the present administrative system of the Govern- ment. I have a lot to say about this, but I shall be content with just say- ing a few words about it. Today, what is the position of the adminis- tration in this country? Right from the top to the bottom, this adminis- tration, is bureaucratic administration as we call it, not suited for establish- ing a socialist society in this country? We want a socialist society in this country. But what is the character of this administration? What is in common with the masses and the people who govern this country or who manage this country through the administrative machinery?

14.15 hrs.

[MR. DEPUTY-SPEAKER in the Chair] These administrative officers are called *adhikaris* in the districts and in the States. The term '*adhikaris*' means those who have got the power to rule. Who has made them *adhika- ris*? Who has given them the power to rule the people? As a matter of fact, they are servants of the people. But if you see the day-to-day work- ing of the administrators in the vil- lages and in the districts and see how they behave you will find that they behave as masters instead of behav- ing and acting as the servants. Therefore, I would submit that the present administrative system re- quires a thorough change if it has to serve the present needs of the coun- try. If this administration has to work for establishing a socialist so-

ciety in this country, then it has to be thoroughly changed. I am glad that Government have at last reali- sed the necessity for this change, and I congratulate them for setting up the Administrative Reforms Com- mission under the able leadership of Shri Morarji Desai, I am sure that whatever recommendations the com- mission makes will be implemented by the Government without any hesitation.

Now, I come to the setting up of the joint consultation and arbitration machinery for redressal of the grie- vances of the civil servants and the Central Government employees em- ployed by the various Ministries. In this connection, I want to thank the Government and congratulate them for having announced this scheme, al- though the formulation of the scheme has taken quite a long time. In the statement of the Government itself, it has been said that this scheme was recommended by the Second Pay Commission in 1959 and now this scheme has been laid on the Table of the House during this session. But I shall be content by saying that it is better late than never.

In regard to the scheme itself, I want to say that under clause 19 of the scheme it is provided that an ar- bitration board will be set up as soon as possible after final disagreement is recorded between the parties. In this connection, my federation, name- ly the National Federation of Indian Railwaymen has made a concrete sug- gestion. Since Government have been given the discretionary power to de- cide whether a subject should be re- ferred to arbitration or not, some time limit should also be laid down in that regard. I do not know why this discrepancy has been kept in this scheme. Why should a time- limit not be laid down and why should it not be provided that within a particular time-limit the particu- lar subject on which final disagree- ment has been recorded would be re- ferred to arbitration. Therefore, I would suggest that a time-limit should

[Shri A. P. Sharma]

be laid down. I would suggest that within a month after recording of final disagreement, the subjects on which disagreement has been recorded should be referred to arbitration.

The Intention of this machinery is to promote the establishment of cordial relations between the employees of the Government and the Government as employer. The intention is to see that there is no scope for resorting to strike for settling the grievances of the workers. I do not think that objective or that ideal can be achieved unless and until some change is made in regard to those subjects which are non-arbitrable under the present scheme. According to the scheme, only three subjects are arbitrable compulsorily, and they are pay and allowances, weekly hours of work and leave. Besides these three subjects, other subjects can be discussed, but they are not arbitrable. Therefore, such subjects in the railways will be discussed and will continue to be discussed under the permanent negotiating machinery. Under the permanent negotiating machinery, whether arbitration should be conceded or not is to be decided by the Railway Ministry which is the employer of the 14 lakhs railwaymen. We have been objecting to this for a long time. I would suggest that this power to decide whether a subject on which there is disagreement at the level of the permanent negotiating machinery be referred to arbitration or not should not vest in the Railway Ministry because the Railway Ministry is an employer. Therefore, I would suggest that instead of one Minister there should be a committee of three Ministers, namely the Railway Minister, the Home Minister and the Labour Minister to decide whether a matter should be referred to arbitration or not.

Shri Priya Gupta (Katihar): It is already decided.

Shri A. P. Sharma: If Government accept this suggestion, then only the

purpose of setting up this machinery would be achieved.

श्री काशी राम गुप्त (अलवर) : उपाध्यक्ष महोदय, गृह मंत्रालय को अगर ज्योतिष मंत्रालय कहा जाए तो ज्यादा ठीक होगा। किन्तु पूरी तरह से इसको ज्योतिष मंत्रालय नहीं कहा जा सकता है क्योंकि श्री हाथी ज्योतिष में इतना विश्वास नहीं रखते हैं जितना कि गृह मंत्री महोदय रखते हैं। श्री हाथी का विश्वास गणित में अधिक है।

गत वर्ष जब वामपक्षी लोगों की पकड़ धकड़ हुई थी और उसके बाद श्वेतपत्र रखा गया था सदन पटल पर तब कुछ लोगों के दिमाग में यह बात बैठी थी कि सम्भव है कि सरकार ने यह काम बहुत सोच सम कर और देश के हित की दृष्टि में रखते हुए किया हो। किन्तु आहिस्ता आहिस्ता सारा भ्रम दूर हो गया और यह स्पष्ट हो गया कि इसका उपयोग नौकरशाही और खास तौर से प्रदेश सरकारों के मुख्य मंत्रियों ने अपने निजी स्वार्थ की सिद्धि के लिए किया है और कर रहे हैं।

मैं आपको एक उदाहरण देना चाहता हूँ मैं राजस्थान का उदाहरण देना चाहूँगा। वहाँ पर जिस प्रकार पकड़ा धकड़ी वामपक्षियों की हुई उस का एक बहुत ही आश्चर्यजनक उदाहरण मेरे अपने जिले का है। मेरे जिले में दो विधान सभाई कम्युनिस्ट सदस्य थे। एक दक्षिण पंथी बन गया और दूसरा वामपंथी बन गया। गांवों के लोगों ने यह समझा कि जिस तरह से बड़े हो कर आदमी एक ही घर में अलग हो जाते हैं, अपने चूल्हे अलग रख लेते हैं। इसी तरह से इन्होंने कर लिया होगा। किन्तु जब वामपक्षियों को पकड़ने का समय आया और इस हरिजन विधान सभाई सदस्य को सरकार ने गिरफ्तार किया तो लोगों के आश्चर्य का ठिकाना न रहा। इसका कारण यह था कि यह वह आदमी था जिसने चीनी आक्रमण के समय बहुत बड़ी मात्रा में लोगों से सुरक्षा

कोष में धन दिलवाया था और उस जिले में एक नम्बर पर बहूँ भाया था। वह हमेशा प्लेटफार्म से एक ही बात कहा करता था कि चीन यदि हमारा दुश्मन है तो सब से पहला आदमी मैं हूँ जोकि उसके खिलाफ जाकर लड़ूँगा। इस आदमी को जब गिरफ्तार किया गया तो बहुत ही आश्चर्य और कौतूहल लोगों में हुआ। उनकी समझ में नहीं आ रहा था कि ऐसा क्यों किया गया है।

मैं गत वर्ष इस सदन में उपस्थित नहीं हो सका क्योंकि मेरे पैर में चोट लग गई थी और हड्डी टूट गई थी। मुझे अस्पताल में रहना पड़ा था। किन्तु मैंने पत्र व्यवहार किया। मुझे बड़ा आश्चर्य हुआ कि मेरे पहले पत्र की पहुंच भी जो है वह मंत्री महोदय के हाथों से नहीं हुई। दूसरा पत्र दो महीने के बाद मंत्री महोदय का आता है और उसमें यह कहा जाता है कि भूल हो गई है, पहुंच मुझे देनी चाहिये थी और जो असली बात थी उसका कोई उत्तर नहीं दिया गया। कुछ अर्से के बाद फिर पत्र व्यवहार हुआ। मैं जेल में जाकर उस विधान सभाई सदस्य से भी मिला। उसका दृष्टिकोण स्पष्ट था। उसकी शिकायत थी कि मैंने सरकार को बहुत पत्र लिखे हैं, राजस्थान सरकार को बहुत पत्र लिखे हैं किन्तु कोई उत्तर नहीं आता है। अन्त में जब एक और पत्र लिखा गया तो उससे पहले यह भी पता नहीं चला था कि भारत सरकार ने उनको गिरफ्तार करवाया है या राजस्थान सरकार ने उनको अपनी मर्जी से गिरफ्तार किया है। बाद में यह पता चला कि यह राजस्थान सरकार की कार्रवाही है। हमारे गृह मंत्री ने उत्तर दिया कि उनको मालूम हुआ है कि उसको पैरोल पर छोड़ा गया है। किन्तु वहां की सरकार सोचती थी कि अभी उसको जेल में रखने की आवश्यकता है। फिर मैं श्री सुखाड़िया से जाकर मिला उन से मैंने बात चीत की। मुझे पता चला कि इस में राजनीतिक चाल के सिवा कुछ नहीं है। चूंकि इस केस में कोई दम नहीं था इस

वास्ते कुछ दिन बाद, दबाव पड़ने पर उनको छोड़ दिया गया। अब तो और भी लोग छोड़ा जा रहा है। इस बात से यह स्पष्ट हो जाता है कि यहां पर जो सरकार है वह विशुद्ध राजनीतिक दृष्टि से, अपने दांव पेंच चलाने की दृष्टि से लोगों को पकड़ती और उनको छोड़ती है, फिर चाहे वे जनसंघी हों या वामपंथी हों या कोई और हों...

एक माननीय सदस्य : निर्दलीय भी—

श्री काशी राम गुप्त : निर्दलीय भी कभी कभी गिरफ्तार हो जाते हैं। इसलिए मैं निवेदन करता हूँ कि जो स्थिति हमारे यहां बनी है, इस स्थिति को देखने से यह स्पष्ट है और नन्दा जी ने जो बयान दिया है उससे भी यह बात स्पष्ट हो जाती है कि अभी तक नौकरशाही के पंजे से यह हमारी सरकार, ये हमारे लोग छूटे नहीं हैं और जो राज्य सरकारें हैं वे भी एक तरह की सूबेदार बन गई हैं, उनके रहम के उपर ये कायम रहना चाहती हैं। इसलिए इस स्थिति को जितनी जल्दी हटाया जाएगा उतना ही अच्छा होगा।

यह क्यों चल रहा है? इसकी तह में हमें जाना होगा। अभी मुझ से पूर्व बक्ता ने कहा था कि नौकरशाही के ढांचे की जकड़ में यह सरकार घटने के बजाय उलटे बढ़ती जाती रही है। मैं आपको एक उदाहरण देना चाहता हूँ। हमारे यहां एक पोस्ट एण्ड टेलीग्राफ का डिपार्टमेंट है। मैं यह जो उदाहरण दे रहा हूँ इसके बारे में मैं चाहता हूँ कि हाथी साहब खास तौर से देखें। उस में जो डायरेक्टर जनरल हैं वह सैक्रटरी भी हैं और वह च्येर मैन आफ दी बोर्ड आफ पी० एंड टी० भी हैं। ये तीनों फुड एक ही आदमी सम्भाले हुए हैं। वह आई० सी० एस० का आदमी है। यह भी एक अलग जात बन गई है। पुराने आई० सी० एस० के लोग अपने आप को सबसे

[श्री काशी राम गुप्त]

ऊंचे समझते हैं। यह उनकी ही करामात है कि जैसे देशी राजाओं के राज में चला करता है, राजा राज किया करते थे, ऐसे ही उनका राज चलता है। तीन तीन पद एक ही आदमी के पास हैं। इसका नतीजा क्या होता है? डायरेक्टर जनरल से आगे कोई अपील बोर्ड के पास करता है तो उस बोर्ड के चेयरमैन ये स्वयं हैं और यदि बोर्ड के बाद सेक्रेटरी के पास कोई अपील करता है तो सेक्रेटरी भी वह स्वयं है। यह एक अजीब तमाशा है जो आपको देखने को मिलता है।

अब आप आई० ए० एस० को देखें। आई० ए० एस० स्वयं अपने आप को आई० सी० एस० से कमजोर मानते हैं। राज्य सरकारें उनमें भी राजनीति चलाती हैं। मैं आपको राजस्थान की बात बताता हूँ। यह 1951 और 1952 की बात है। जब आई० ए० एस० का चुनाव हुआ तो तीन अफसर पंजाब से वहाँ गए थे। तब प्रश्न उठा था कि प्राथमिकता किस को दी जाए और उस प्राथमिकता के बारे में मैं एक पत्र का हवाला देना चाहता हूँ। उस पत्र में यह लिखा गया था कि राजस्थान के जो लोग हैं उनको पंजाब वालों के मुकाबले में प्राथमिकता दी जाएगी। मैं इस सारे पत्र को नहीं पढ़ूँगा। एक अंग्रेज को ही पढ़ूँगा। यह पत्र वहाँ के चीफ सेक्रेटरी को लिखा गया था। इस पत्र में जो कुछ गृह मन्त्रालय ने लिखा है वह मैं आपको बतलाता हूँ। इसको उसने स्पष्ट शब्दों में लिखा है कि किस को प्राथमिकता दी जाए। इस पत्र का नम्बर है :

D.O. No. 27/5/52-AIS (II) dated 18-3-53.

इसमें लिखा गया है :

"As for the *inter se* seniority, of the officers referred to in para 4 of your letter, the Rajasthan officers appointed to the Indian Administrative Service shall rank above the Punjab Provisional Civil Service and open market emer-

gency recruits of the same year of allotment. The *inter se* seniority of the two latter categories should among themselves be effected according to age".

किन्तु हो यह रहा है कि राजस्थान के जो अफसर हैं उनकी सीनियारिटी घटिया मानी गई है और जो अफसर पंजाब से गए थे उनको बड़ा माना गया है। इस सब की जड़ में आप जायेंगे तो आप को वही राजनीति यहाँ भी देखने को मिलेगी। यह वही राजनीति है जो कि आजकल कांग्रेस में चलती है जो कि सत्तारूढ़ दल है। जिस देश में आई० ए० एस० और आई० सी० एस० अफसरों की यह हालत हो जाए वह देश और उस देश का गृह मन्त्रालय किस तरह से जवाबदारी से काम कर सकता है, इसको आप स्वयं देख सकते हैं।

अब मैं एक बहुत अहम बात की तरफ आता हूँ। हम को केवल नौकरशाही का दोष ही नहीं देखना है बल्कि हमें अपना दोष भी देखना है। राजनीतिक व्यक्ति जो कहलाते हैं और जो राजनीतिक दल हैं, उनकी अपनी क्या स्थिति है। मैं समझता हूँ कि राजनीतिक दलों और राजनीतिक व्यक्तियों की स्थिति यह हो गई है कि दिन प्रति दिन तादाद तो इनकी बढ़ती जा रही है और आदमी घटते जा रहे हैं, राजनीतिक दलों की तादाद तो बढ़ती जा रही है लेकिन उनमें आदमियों की जो तादाद है वह घटती जा रही है। यह जो स्थिति आकर बनी है इसको ठीक करने के लिए मैं समझता हूँ कि सबसे पहले अगर किसी आयोग की जरूरत थी तो वह राजनीतिक दलों और राजनीतिक व्यक्तियों के लिए थी। इनको कैसे ठीक किया जाए, इसको देखने की जरूरत थी। आज नौकरशाही भी यह कहती है कि हम क्या करें, हमें तो आप लोग मजबूर करते हैं, आप लोग गड़बड़ करते हैं और इस गड़बड़ी के लिए हमारी कोई जबाबदेही नहीं है। सन्तानम कमेटी

की जो रिपोर्ट है उसका अमर भी कम हुआ है। देखने वाली बात यह है कि इस देश में राजनीतिक दलों की संख्या किस तरह से कम हो और स्वस्थ रूप में दल किस प्रकार चलें और इसके लिए आयोग बनाने की जरूरत है।

एक और खतरनाक बीमारी पैदा हो गई है...

Mr. Deputy-Speaker: That is for you to decide. What can Govt. do?

Shri Kashi Ram Gupta: Not only personally for me or anybody, but for all of us.

मैं यह निवेदन कर रहा हूँ कि हमारे लिए आयोग कौन बनायेगा। गृह मन्त्रालय की इसके बारे में जवाबदेही है क्योंकि वही चुनाव कराता है। जो चुनाव कराता है उसको यह भी देखना पड़ेगा; इसके बारे में सोचना पड़ेगा; इस बार नहीं तो अगली बार सोचना पड़ेगा।

नतीजे जो हों रहे हैं वे भयंकर हो रहे हैं। लांछन नौकरशाही पर लग सकता है कि वे लोग रुपये पैसे में ही अष्टाचार नहीं करते हैं, बहुत अंशों में सदाचारी भी नहीं हैं। किन्तु सत्ताधारियों की दशा क्या हो गई है? जो राजनीतिक लोग हैं उनका एक उदाहरण मैं आपको देना चाहता हूँ। अभी कुछ दिन हुए मैंने काश्मीर के एक उर्दू के अखबार में एक मन्त्री के खिलाफ एक बात बहुत स्पष्ट रूप में लिखी हुई पढ़ी थी। एक मन्त्री एक अफसर के घर निजी तौर पर जाकर ठहरा और उसके घर में उसकी स्त्री के ऊपर उसने हमला करने की कोशिश की। इस प्रकार की खबर अखबार लिखे और उसके बारे में सरकार कुछ भी कार्रवाई न करे कोई जानकारी लेने की कोशिश ही न करे, इससे ज्यादा गड़बड़ी वाली बात और क्या हो सकती है। यह एक ऐसी जगह की बात है जहाँ पर खतरे हो सकते हैं, नतीजे भयंकर हो सकते हैं। यह बीभत्सता

क्यों बढ़ती जा रही है? इसलिए बढ़ती जा रही है कि हम लोग अपनी आस्थाओं को खो रहे हैं। एक तरफ शराब के बारे में हम कहते हैं कि उसे निषिद्ध होना चाहिये, उसे बन्द होना चाहिये और दूसरी तरफ कांग्रेस के कर्मठ सदस्य, कांग्रेस के जिम्मेदार सदस्य उसी शराब को आराम के साथ पीते हैं। मैं आपको बतलाऊँ कि मैं देखता हूँ कि यह जो बर्ग चला है पच्चीस से चालीस वर्ष की उम्र का उसमें से शराब के विरुद्ध आस्था समाप्त हो गई है। वह पीना चाहते हैं और खुशी से पीना चाहते हैं और कहते हैं कि हमारे लिये कांग्रेस की ऐक्टिव मेम्बरशिप बेकार है। ऐसी हालत आज हो रही है।

श्री चन्द्रमणि लाल चौधरी (महुआ) : कांग्रेस के पुराने सदस्य नहीं पीते हैं। उन्होंने जेलों का मुकाबला किया है यह आप को पता नहीं है। जो पुराने वर्कर्स हैं, जिन्होंने शहादत दी है वह बिल्कुल भी शराब नहीं पीते।

श्री काशी राम गुप्त : मैं बतला रहा हूँ कि यह चीज उनमें बढ़ती जा रही है जिनकी उम्र पच्चीस वर्ष से चालीस वर्ष के दम्यान है। मेरा स्वयम् का अनुभव है, मेरे यहां मेरे मेहमान ठहरते हैं, कांग्रेस के विधायक भी ठहरते हैं। कांग्रेस के कुछ विधायक प्राये। वह मुझ को जानते थे कि मैं शराबविरोधी हूँ मुझ से छिपा कर उन्होंने शराब पी बोतल से और उसको छोड़ कर बह चले गये।

श्री अ० ना० विद्यालंकार : होशियारपुर) : आपके घर पर।

श्री काशी राम गुप्त : मैंने जब अपने नौकर से पूछा कि यह क्या है तो उसने कहा कि रात को जो प्राये थे वह यह धन्धा कर गये। दुबारा विरोधी पक्ष के लोग प्राये, वह भी यही धन्धा कर गये।

श्री अ० ना० विद्यालंकार : आप के ही घर पर यह धन्धा चलता है।

श्री काशी राम गुप्त : तिवारा प्राये ऐसे प्रादमी जो पहले विरोधी पक्ष में थे अब कांग्रेस में चले गये हैं। वह भी वही धन्धा कर गये। श्री विद्यालंकार जी को सूझ रहा है जो कुछ उसके सम्बन्ध में मैं हिम्मत से कह दूँ कि मेरे घर पर आने वाले लोग कौन थे। वे आप के ही लोग थे।

Shri Manoharan (Madras South):
Why should you give accommodation?

श्री अ० ना० विद्यालंकार : हमारे नहीं थे, आपके घर पर ही यह धन्धा चलता है।

श्री काशी राम गुप्त : यह जो धन्धा चल रहा है देश में यह बहुत खतरनाक मामला है। इस लिये भ्रष्टाचार बढ़ने के जो कारण हैं उन्हें हमें समाप्त करना होगा। या तो हमें अपनी नीति बनानी होगी कि शराब की छूट सारे देश में रहे या उसे समाप्त करना होगा। बीच की जो बात चल रही है वह नहीं होनी चाहिये क्योंकि यह सब से खतरनाक बात है। इसी लिये सारा उत्पात होता है कि सत्तारूढ़ दल के लोग जो होते हैं, और राजनीति में तो विरोधी पक्ष में भी सत्ताधारी होते हैं, उनका नाजायज दबाव होता है। इन सब बातों को दूर करके सही कदम उठाने की जरूरत पड़ेगी। केवल नौकरशाही पर लांछन लगा कर हम इस बात को समाप्त नहीं कर सकते हैं। हां बहुत बड़ा लांछन उनके ऊपर धाता है क्योंकि हमने उनके हाथ में सब कुछ दे रखा है।

अब मैं एक बात अंग्रेजी हिन्दी के झगड़े के सम्बन्ध में कहना चाहता हूँ। दिसम्बर के महीने में मैं दक्षिण गया था तब हमारे साथी श्री मोहम्मद इस्माइल के साथ इस विषय में चर्चा हुई। उन्होंने कहा कि अब ऐसा वक्त गया है कि हम को इसके बारे में दुबारा सोचना चाहिये। एक जमाना था जब हम सोचते थे कि हिन्दी को राजभाषा होना चाहिये, किन्तु अब उनका दृष्टिकोण यह है कि वह जमाना नहीं रहा। जब सेठ गोविन्द दास बोल रहे थे तब वह बड़े दुःख के साथ

कहते थे कि इससे भ्रष्टा तो यह है कि हिन्दी को आप बन्द कर दें। आखिर यह समस्या क्यों पैदा होती है। क्या हम केवल शाब्दिक बातें कह कर हिन्दी को चला सकेंगे। उसके भीतर घुसना चाहिये। मैं समझता हूँ कि जो गलतफहमी फैली हुई है उसका कारण यह है कि वह समझते हैं कि अगर हिन्दी राजभाषा हो गई तो अहिन्दीभाषी लोगों को नुकसान होगा और लम्बे अरसे में और भी नुकसान होगा। यह घातक चीज है। अगर इसे दूर नहीं किया गया तो इसका नतीजा यह होगा कि या तो हमारे देश को मानना होगा कि हम इतने नालायक हैं कि हम किसी भी अपनी भाषा को स्वीकार नहीं कर सकते, इसलिये बहुत भ्रष्टा, अंग्रेजी देवी को रहने दो, या फिर यह सोचना होगा बैठ कर कि इस देश के लिये सबसे भ्रष्टा उपाय यह है कि जो दक्षिणवासी हैं या बंगलाभाषी हैं उनको साथ बैठ कर स्पष्ट बतलाना चाहिये कि क्या उनके दिल में हिन्दी के प्रति नफरत हो गई है जिससे कठिनाई होती है। कठिनाई तो दूर हो सकती है किसी तरह से, लेकिन यदि नफरत हो गई है तो वह दूर नहीं हो सकती। इसलिये इस नफरत को दूर करने के लिये हमें बैठ कर बात करनी होगी।

मुझे याद है डा० काटजू ने एक बार कहा था, और उन्होंने इसके लिये आन्दोलन भी किया था, कि इस देश की राजभाषा संस्कृत होनी चाहिये। मैं कहता हूँ कि अंग्रेजी नहीं हो सकती तो चाहे बीस साल लग जायें लेकिन उसके लिये तैयारी करो। या तो आप फैसला करें कि हिन्दी नहीं रहनी है और उसके हिसाब से तैयारी करो। अगर तैयारी करनी है तो जैसे अंग्रेजी में पचासों साल लग गये प्राते प्राते वैसे ही संस्कृत को लाना होगा। एक सप्ताह हुआ जब दिल्ली में संस्कृत विश्वविद्यालय बनाने की चर्चा हुई तो वहाँ जो महात्मा और पंडित प्राये थे उन्होंने संस्कृत में अपने विचार प्रकट किये और मैं बहुत

सरल तरीके से उनकी बात को समझ गया। मैं जानता हूँ कि दक्षिण के लोग बहुत अच्छी तरह से संस्कृत समझ सकते हैं। इसलिये इस सम्बन्ध में बहुत सोच समझ कर काम करने की जरूरत है। केवल भाषणों से काम नहीं चलेगा, इसके लिये कुछ ठोस कदम उठाने होंगे।

इसके बाद मैं आपको याद दिलाऊँ कि जब यहाँ यह चर्चा हुई कि नया प्रधान मन्त्री बने एक नाटक खेला गया था कि हमारे यहाँ के मुख्य मन्त्री को यहाँ ए० आई० सी० का सेक्रेटरी बनाया जाये। इस नाटक का राज जब खुला तब बाद में पता चला कि कितनी गिरावट हमारे सत्तारूढ़ दल में आ गई है। लेकिन हमें इससे खूब नहीं होना चाहिये। उस गिरावट का शिकार हम स्वयम् भी हैं और नतीजा यह होता है कि चुन कर लोग कहीं आते हैं और उन को फुमला कौन लेता है। लोग समझते हैं कि यह बड़ा अच्छा काम देश का हो रहा है लेकिन यह कोई देश का अच्छा काम नहीं हो रहा है। मुझे बतलाया गया था कि उन्हें श्री सुखाड़िया को यकीन दिलाया गया था, उन्हें ख्वाब दिखलाया गया था कि उनको यहाँ गृह मन्त्री बनाया जायेगा। इस तरह की बातें जो होती हैं उससे देश का नाश होता है। इस बात का ध्यान रखना चाहिये।

अन्त में मैं दो तीन बातों की तरफ ध्यान दिलाना चाहता हूँ। इस रिपोर्ट के सम्बन्ध में पहली बात यह है कि पृष्ठ 9 पर पैरा 21 है :

"Integration of Services as a result of reorganisation of States (Position as on 1-12-1965)".

इसमें यदि देखा जाये तो अभी तक इंटिग्रेशन में हजारों लोगों का काम अधूरा पड़ा है। राजस्थान में 1390 गजेटेड आफिसर्स और बाम्बे / महाराष्ट्र एण्ड गुजरात के 15604 नानगजेटेड एम्प्लोयीज का फैसला नहीं हुआ है।

इसी तरह मे 22 वां पैरा है :

"Joint Consultation and Compulsory Arbitration Scheme for Central Government employees."

यह अभी तक क्लास 3 और क्लास 4 के ऊपर अप्लाई हुआ है, बाकी लोगों पर नहीं हुआ है। उसे करना चाहिये।

पृष्ठ 11 के ऊपर मुझे कहना है :

"Representation of Scheduled Castes and Scheduled Tribes in Services."

यह कार्य कितनी धीमी गति से चल रहा है यह इससे साफ जाहिर होता है। इस के कारणों को लिख दिया गया है लेकिन इस रिपोर्ट में केवल लिख देने मात्र से काम नहीं चलेगा कि गिनती कम है। क्या कारण है इसको देखना चाहिये। शेड्यूल्ड ट्राइब्ज के लिये खास तौर से लिखा है कि इसमें रुकावट आ रही है।

इसी तरह से एडमिनिस्ट्रेटिव विजिलेंस डिबीजन के बारे में है। गवर्नमेंट इस बारे में बहुत कुछ कर रही है। इसमें जो लिखा गया है करप्शन को दूर करने के लिये, उसके बारे में जो कदम उठाये जायें वह पूरी तरह उठाये जाने चाहियें।

पृष्ठ 15 पर आपने पैरा 31 में सेंट्रल पब्लिक वर्क्स डिपार्टमेंट के बारे में कहा है :

"The study team here was headed by Shri M. Govinda Reddy, M.P. It started work last year and its report containing 89 recommendations was made in August 1965. The Ministry of Works and Housing accepted 83 recommendations, some in a modified way, and announced its decisions to this effect in October 1965. Implementation is under way."

कितना एक्स्पेडाइट हो रहा है और कितना नहीं हो रहा है इसको देखना है।

[श्री काशी राम गुप्त]

अन्त में मुझे यही कहना है कि इमर्जेंसी के बारे में हमारे गृह मंत्रालय ने जो बयान दिया है वह बहुत ध्रुवरा है। इससे किसी को भी सन्तोष नहीं हो सकता। कांग्रेस के साथी भी इस बात को मानते हैं। अभी कानून विशारद श्री सिधवी ने यह कहा कि वह एक जगह पर लागू हो सकती है। अगर नहीं हो सकती है तो इसके लिये संशोधन करना चाहिये और उसे समाप्त करना चाहिये।

Shri Hathi: At the outset, I should like to express my gratitude to the hon. Members who had some complimentary words for the Home Ministry's work, and also to other Members who have given constructive suggestions and also those who have made criticism but in a constructive manner.

I am aware that the Home Ministry has to deal with a wide variety of subjects. It is not purely a question of maintaining law and order. It has several other subjects to deal with—the services, the administration of the country, language etc. All these questions are of such importance that there may be here and there things in which there may be scope, much scope, for improvement and there may also be scope for difference of opinion.

There should be scope also for criticism. On this simple question of law and order, if it was to be dealt with only in a way as to protect the lives and properties of people from thieves or dacoits, it would have been a different matter. But today there are various problems facing the country and the Members have touched many of them, for example, the Mizos, the Naga hostiles, and several others. So, it is that the Ministry has to deal with a number of these problems.

Several hon. Members have dealt at length with the question of adminis-

trative machinery, with the question of vigilance, with the question of general law and order in the country.

Shri Manoharan: Corruption.

Shri Hathi: I said vigilance. We can also call it corruption. These are really the subjects which do require attention and concentration not only of the Government but the Members and of the country as a whole. Therefore, I am thankful to the Members for highlighting several of the questions that have been discussed here. It will not be my endeavour to deal with all the points that have been raised. It may not be possible. I shall deal with some of them and will try to clarify certain points that have been raised. I would not be doing with a view either to criticise the Members or with any such view, but I will try to give that information which is likely to convince them about the attitude and the approach of the Government on the various questions they have raised.

As I said, the question of administration is vital to any democratic government and specially in India, after Independence, when we have taken up a particular ideal before us. The activities of the Government have expanded. The new tasks and the new burdens and the new responsibilities before the administration have assumed very wide dimensions. It is, therefore, necessary that we will have to trim our personnel, to overhaul our administrative machinery, in order that it may be able to meet the changing needs of the people; but, as has been rightly said by Shri Guha, and Shri Mathur and several others, it is not a question of merely making some administrative changes here or some other changes there. It may be that we may be able to make a few changes here and there. But really what is needed is to train the people, our officers, in a way that they are responsive to the people.

An hon. Member: Train the politician also.

Shri Hathi: Politicians should be, and mostly they are. But the complaint is that even among officers, very often, one thing has to be kept in view. Whenever I have occasion to address these young officers, probationers, the first thing that tell them is that "Whenever anybody comes to you, you must hear not only with an open mind but take it that what the other man has to say has a view-point, and that he may be right." If you start with a presumption of that kind, only then it will be possible for you to Judge the other man's case. But if you start with a presumption that what the officer or the Government has done is alone right, and what the other man says has no force, then it will never be possible to understand the other point of view. Therefore, it is that we have to give this sort of training and this training is not only as to how they should handle the file or they can get over the various bottlenecks or the procedure or the financial sanction. That is in a way important, but more important than that, is the officer-citizen, relationship or other relationship between any body who is in position and the citizen. I do not mean only officers, but anybody who is in position—the relationship with him and the citizen or the public. I think that is what is needed today, and if they are able to understand the mind of the people, are able to read what they have in their mind, then only it will be possible for them to solve the problem.

We have at present various training institutions, and the young IAS, IPS and IFS officers do get training, but these are based on lines which require a change. With that end in view, we have recently appointed an advisory Council, presided over by Dr. Karve, with four senior Members of Parliament: Shri H. C. Mathur and Shri Nath Pai from this House, and Shri Rethaswamy and Shri Sinha from the

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Rajya Sabha. They are members of this advisory council, and the task of this body will first be, as I understand, to suggest the changes in the syllabus itself and to suggest the changes in the facilities for training that are being given today. Four days back, the council had met, and they have appointed a sub-committee. I am sure that they will also look into this question and whatever the recommendations are with regard to the change of the syllabus and the change in the existing training facilities, we shall certainly implement those recommendations. Moreover, as the House knows, we have in fact an Administrative Reforms Division. It is now two years since that division has been set up. It has done some work in its own way, though it may be a small way. I know that it cannot do the same kind of work which we expect from a Commission. But even then, in their own way, they have done quite a good job, and this deals with the day-to-day life of the people, how the difficulties, the bottlenecks and the complaints that are met with by the people and which they have to undergo because of administrative deficiencies could be got rid of. They are having training classes for working out problems for young officers. It is not, as I said, merely teaching them as to how to handle a file, but they are given practical projects. These things are very small; for example, people have to undergo great hardship for having a motor-driving licence or in getting medicine in the hospital, or milk in the Delhi Milk Scheme or getting electric connection; these are small matters, I know, but it is these small matters in which the public are interested. If you can remove those difficulties, that would be good. They have taken up nearly 36 projects, and about 900 recommendations, on a practical basis. When implemented, they will certainly add to the efficiency and the lessening of paper work.

Similarly, as the House knows, we have appointed different committees under the chairmanship of Members

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of Parliament to look into the working of the departments which deal with the public, for example, the Directorate-General of Civil Supplies, the Chief Controller of Imports and Exports, the Works and Housing Ministry. These are the places where the people have to come in day-to-day touch with the Ministries and they have been finding difficulties.

The Mathur Committee has given a very valuable report and it has been accepted. I am sure it will go a long way in dealing with these difficulties removing the bottlenecks and increasing efficiency.

This is only in a small way. Minor changes here and there are not going to help us in the over-all changing of the whole administrative machinery to cope with the present task before us. In a democracy, where we have not to govern by might but we have to take the people with us, there the administration has to have a different pattern. It is not an easy task. Fortunately, we have been able to set up the Administrative Reforms Commission headed by an eminent person like Mr. Morarji Desai with senior Members of Parliament as members, whom we all know, I am sure they will be able to deliver the goods. Yesterday some questions were asked whether it is a white elephant. It is neither white nor black; after all, it is everybody's wish that something has to be done. Every member who has spoken has said some change is necessary.

Shri Bade (Khargone): Mr. Hathi is neither white nor black; his colour is wheatish.

Shri Hathi: I am neither white nor black. I do not know what I am. That may mean I am only transparent.

Everybody has a keen desire to see that some radical change is brought about in the administration. I would request that now that we have appoint-

ted this commission, let us give them full cooperation.

Shri M. R. Krishna (Peddapalli): Have you given them office accommodation?

Shri Shinkre: The cooperation they want is not from us, but from your bureaucracy. What steps are you taking to ensure that cooperation?

Shri Hathi: This is the difficulty. When something good is being done, whatever little good that is being done will not be appreciated, but if there is some slight error somewhere, it is brought out here. That is not proper. On our part, of course, we shall give all cooperation. I am asking not only the members but everybody, the intelligentsia, the people outside have to give full cooperation and support, so that we are able to do something.

Dr. Sen made certain points. I would certainly be happy to hear his criticisms. I have made a note of all things about which he spoke and which require our attention. I assure him that I will certainly look into those things. But if a hundred honest criticisms are made and one criticism which is not honest is also linked with that, the whole grace and beauty of the honest criticisms vanish. For example, he mentioned that the CBI is investigating against the professors of Delhi University. It is absolutely wrong. They are not doing it. If he had seen yesterday's paper, he would have found that it is a wrong, baseless story. Then he said about Walcott. I can understand that a member of the opposition would not like to give credit to any good work done by government. There is nothing wrong in that. But so far as the arrest of Walcott is concerned, the Interpol had nothing to do.

Dr. Ranen Sen (Calcutta East): It was reported in the newspapers.

Shri Hathi: That is not correct. Information about the antecedents of Walcott and his colleagues was collected and there certainly we had the help and assistance of Interpol. We are grateful to them. But so far as his arrest was concerned, from the day he left India after landing at Murud, the CBI officers were looking out for him and with the assistance of the Bombay CID, it was possible to trace them. The two gentlemen again assumed false names, not Walcott and Philby.

Shri Surendranath Dwivedy: Are they gentlemen?

Shri Hathi: I shall correct myself; these two persons assumed false names and got passports even from the countries where they were required and they could come down again. But we had cast our net and both the persons were arrested.

Now this category is over. I come to other criticisms of Dr. Sen. He mentioned about the grievances of the secretariat employees. I have personally looked into many of these cases and I feel something requires to be done. The Deputy Minister, Mr. Mishra had said that the committee would meet. Dr. Sen's information that the officers turned it down is not correct. The committee is meeting on 7th May and they will go into it, because these questions are numerous. Therefore, it will take some time. This high-powered committee is there; it is not shelved. It will meet and they will certainly look into it. I am interested that all Central Government employees should at least feel that their grievances are being looked into. May be it may not be possible for us to redress all their grievances, but certainly they must feel that there is somebody to look into these grievances.

This brings me to the question of Whitley Councils or the joint consultative machinery about which Mr. Sharma, Mr. Khadilkar and others spoke. Mr. Priya Gupta has not

spoken, but I shall clarify certain doubts which are in his mind, because I know him. After all, unless I am able to read the mind of people, it is no use my dealing with the question.

15 hrs.

Dr. Ranen Sen: But he is not transparent like you.

Shri Hathi: To me he is. I may claim the credit that everybody is transparent to me. He is transparent.

I may say, at the very outset, that there is no imposition. There is no compulsion on anybody whether to join or not to join. If they feel like joining they may do so, and if they do not feel like joining they may not join. I will tell you what are the advantages of the Whitley Council. The three important matters on which the employees would give the greatest weight and importance are the conditions of service such as pay and allowances, hours of work and leave. These matters were in the first instance not compulsorily arbitrable. The Government had kept the right to refer it to arbitration or not to refer if they found that in public interest it was not a fit case for referring it to arbitration. We have dropped that provision. Therefore, all the cases will now be compulsorily arbitrable.

The second difficulty that Shri Priya Gupta found was that industrial workers may be turned into civil workers. That is not so. All the benefits that they derive from industrial acts will remain with them. But when these three are compulsorily arbitrable, I am sure they would like to come to this scheme because in the Industrial Disputes Act there is no compulsory arbitration—there may be a tribunal but there is no compulsory arbitration. Wherever you get the benefit you are welcome. Then your existing machinery, the Permanent Negotiating Machinery is there. Wherever it is there, you can continue that also. But where you

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do not find the benefit, you are welcome here.

Shri Priya Gupta: With all the three tiers?

Shri Hathi: Yes. The third tier, for arbitration at the top was given. I would like to ask in how many cases arbitration has been given. Have you been given any arbitration in the last ten years?

Shri A. P. Sharma: Only once, in 1957.

Shri Priya Gupta: That was on a specific condition. It was never given.

Shri Hathi: Now we are giving you this compulsory arbitration.

Shri Priya Gupta: That was allowed to be given, but the sanctity was overruled and it was not followed by your counterpart, the Railways.

Shri Hathi: The third point is, the members of the trade union workers wanted that they should have the right to recall members if an office-bearer was appointed on the Council and another office-bearer was elected in his place.

Shri A. P. Sharma: All these things are details of the scheme.

Shri Hathi: Still, he has written to me about a number of things. Therefore, there are many things which are better than what you have either in the Industrial Disputes Act or under the Permanent Negotiating Machinery. Again, I may assure him that they may go through the scheme once again and if necessary we can again discuss it. There is no question of imposing it on anybody. All others have agreed, and I would only appeal to them that it would be better if they also joined so that we can start with it.

After all, what is the aim and object of this? We want that there

should be such a relation between the employers and the employees such that all disputes are solved amicably. Another important thing is, originally we had thought that any union which wanted to join this should provide in its constitution that its members will abjure strikes, that they will not go on strike. Here also, we have said that instead of amending their constitution it will be a joint declaration, for the purpose of trial, that they will not go on strike. The main important thing is the goodwill, the cooperation and the atmosphere to work together, so that all disputes can be solved amicably. It is in that spirit that this scheme is to be enforced, and I am sure that they will all agree.

So far as the question of time is concerned, it will be "as soon as possible". When there is a will and you want to work in a spirit of goodwill and co-operation, it will be "immediately". Now there is no question of thinking whether compulsory arbitration is to be given or not. Certainly it has to be given and we have said that it should be as soon as possible. I may also assure the House that we shall set up a convention whereby it will be done without any delay.

Shri A. P. Sharma: Will there be any time limit?

Shri Hathi: I do not want to put any time limit; you can reduce it to a week if you like.

Shri A. P. Sharma: I want that the thing should be on record so that whether you are in the Ministry or somebody else is there it will be adhered to.

Shri Hathi: I am prepared to give it in writing to all the trade unions that it shall be our endeavour not to delay and we shall do it immediately. But by convention we can say that it will be done in two or three months.

The next point that Dr. Ranen Sen touched was about reversions and retrenchments of thousands of assistants. I may say, there is no question of retrenching thousands of people. There may be some instances of reversions. But there are two schemes. One is the officer-oriented scheme. When we want that the file should move quickly, naturally, we do not want so many people to deal with it. In one Ministry, and there also only in one part of the Ministry, in the Chief Engineer's Office of the Ministry of Works, Housing and Supply, that experiment was tried. There some assistants, some upper division clerks—some 3 or 9—were rendered surplus because of that. But we have not yet gone ahead with that scheme in others because we do not want to create that sort of apprehension in the minds of the section officers, assistants and clerks that they are all going to be rendered surplus if at all they will be surplus, we will require them in some other work. For that we have opened a cell in the Home Ministry where they will be given training in some other work like accounts, typing or something of that sort, and they will be absorbed. So, there need not be any apprehension on that account.

Shri Bhattacharyya also mentioned about the attitude of the public service to which I have already referred. The second point that he mentioned was about the Santhanam Committee's recommendations and about the Bill which he had brought. We have considered this question, whether retired servants should be barred from accepting employment in private firms. We have taken a policy decision that generally these officers should not be given permission for two years.

Shri Surendranath Dwivedy: Why don't you ban it altogether for two years. The recommendations was that for two years you should ban it completely.

Shri Hathi: Two years completely, but . . .

Shri Surendranath Dwivedy: Why "but"?

Shri Hathi: I will tell you. They have said that it may be examined whether it is possible. We got it examined by the Attorney-General, Shri Chatterjee and other lawyer friends. They say it will be perhaps violative of article 19 if a total ban is put.

Shri Surendranath Dwivedy: You have to frame the rules.

Shri Hathi: Rules we are framing, and even in those rules we will not allow it except a very stringent test, namely, whether the officer concerned had any dealing with any firm while he was with the Government. We will examine whether his official knowledge or experience is going to give the firm any undue advantage. We will also see whether his office or post is befitting the dignity of the Government servant. For example, if the proposal is to appoint the Government servant as a liaison officer, permission is not usually granted. For the first two years there is no question of granting any permission.

Shri C. K. Bhattacharyya (Raiganj): If the hon. Minister yields, I can say that I have also consulted some very high constitutional authorities and they told me that some provision in the Constitution itself entitles the Government to impose certain conditions.

Shri Hathi: If it is possible, I shall be only too happy.

Shri C. K. Bhattacharyya: I shall supply a note on this.

Shri Hathi: If it is legally possible, we shall certainly look into. Today our advice is that it will not be possible.

Then, Shri Trivedi criticised us, saying that we have omitted to mention the good work done by the

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Central Reserve Police. They have done really good work during the hostilities on the Kutch-Sind border. They have done a fine job. We have mentioned it in the Report. It is a force which has been doing excellent work and there was no question of omitting or not mentioning their importance.

His second point was about corruption in railways. He referred to corruption in reservation sale of tickets and all that. There are a number of such departments where there are complaints. If you go through the Report of the CBI, you will find that they have taken up these departments for examinations, and railways is one of them.

The other complaint that he made was of the recognition of a ruler of a particular State. There I may assure him that it is not a question of any officer deciding as to whether a particular price should be recognised or not recognised. It is done according to the custom prevailing in the State. In this case, the antecedents were that he was previously convicted and his father, when alive, had said against him that he should not be recognised. So, there was no question of any particular officer or bureaucracy coming in the way. This decision was taken at a higher level.

Shri Dwivedy suggested that the border security force should be under the army. Normally, it is not an army organisation. In peace time, they cannot be under the operation of the army. In war time they are under the operational control of the army. In peace time they have their own Inspector-General. But we have to appreciate one point. There is a close co-ordination or liaison between the army officers and these officers. The Sector Commander and the DIG will be co-ordinating their work. So, there will be close and complete co-ordination.

The border security force, as the House knows, have done good work

during the hostilities. After that also they have been doing nice work. But they require more training. They require to be equipped with modern weapons and modern equipments. That is being done. We have started a training institute near Gwalior where these people are being trained.

I hope he will excuse me if I leave some of the matters for reply by my senior colleague. Shri Mathur touched on administrative reforms. I will not deal with that also, he is not present here.

I am very grateful to Dr. Singhvi. He has really contributed to the debate by giving very good suggestions. He is a student of constitutional law and administration and a lawyer. He has certainly contributed to the debate.

Shri Kashi Ram Gupta mentioned about seniority in some Rajasthan case. I shall look into and let him know the position.

Shri Kashi Ram Gupta: One ICS is holding three posts-Director-General of Posts and Telegraphs, Chairman, P&T Board and also Secretary, Communication Department.

Shri Hathi: Really speaking, they are not three separate posts. There are many such instances where one official is both Secretary and Chairman. The Chairman of CWPC can be Additional Secretary.

Shri Kashi Ram Gupta: But the appeals of all the subordinates will go only to this one person.

Shri Hathi: Now this Whitley Council will come into being in P & T.

Shri Kashi Ram Gupta: I would suggest the change of the rules.

Shri Hathi: I think I have dealt with some of the points which hon. Members have raised.

Shrimati Renuka Ray: What about my points?

Shri Hathi: I have dealt with them in her absence. I will leave the other points, larger issues, to my senior colleague.

Shri Manoharan: Mr. Deputy-Speaker, Sir, I have heard with rapt attention what the Minister of State for Home Affairs, Shri Hathi, has explained to this House. It seems that he is a very good advocate, but the poor man was arguing a very weak case on behalf of the Government.

Let me begin my speech by reading the opening sentence of the Report of the Home Ministry.

"The Ministry of Home Affairs deals with a wide range of subjects and has to play an important role in fostering conditions under which democracy may flourish and orderly development and progress of the country may be possible."

So far as my knowledge goes, this Government provides certain conditions wherein the functioning of democracy is an impossibility. Instead of removing those conditions, the Government have created so many conditions wherein demonstrations, revolutions and agitations are the only way out. While the country is witnessing all sorts of agitations and demonstrations, our Home Minister has turned round and said that it is because of the Opposition that agitations are on the increase and it is a pre-election strategy. But I think it is fitting on my part to quote a letter written by an illustrious politician of this country, who is no more, to his daughter, who is fortunately with us as the Prime Minister of the country.

"Ideas and economic conditions make revolutions. Foolish people in authority, blind to everything that does not fit in with their ideas, imagine that revolutions are caused by agitators. Agitators are people who are discontented

with existing conditions and desire a change and work for it.

"Every revolutionary period has a full supply of them. They are themselves the outcome of the ferment and dissatisfaction that exist. But tens and hundreds of thousands of people do not move to action merely at the bidding of an agitator. Most people desire security above everything. They do not want to risk losing what they have got. But when economic conditions are such that their day to day suffering grows and life becomes almost an intolerable burden, then even the weak are prepared to take risks. It is then that they listen to the voice of the agitator who seems to show them a way out of their misery."

Therefore, Mr. Deputy Speaker, I want to draw the attention of the Home Minister to the fact that it is not fair on the part of the Government to accuse the Opposition of having created such conditions. Revolutions are not created, but they come; they come when the situation is ripe. My question is, who are the real culprits who have created conditions wherein revolution is inevitable. I fix the responsibility squarely on the Home Minister as well as on the Government of this country. The Government of the country to-day is disloyal to the people. I hold disloyalty next to treason. Therefore, I consider this Government as most treasonable.

I want now to draw the attention of the Home Minister to certain matters which deserve his consideration. I think this Government believes only in bullets and gunshots, in the Defence of India Rules and the obnoxious Preventive Detention Act. They have lost the confidence of the people because they have already betrayed the people. The performance of the Home Ministry is a striking example for that.

Now, I come to say something about the Defence of India Rules and the continuance of Emergency. Yester-

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day, our Home Minister, Mr. Nanda, announced on the floor of this House that the Defence of India Rules and the relevant Acts will not be there and only a restricted use of the Defence of India Rules will be there in those areas where troubles are brewing. I cannot understand this statement. I seek some clarification from the Home Minister because I want to understand what he has said. Here is the statement or the speech made by our Home Minister yesterday wherein it is stated that the necessary legislation should be introduced in the current session of Parliament. The decision regarding the restricted application of the Defence of India Act and Rules should be given effect to without waiting for the amendment of the Act and Rules, and the State Governments should also be advised accordingly. I want to know whether the Defence of India Rules and the other Acts would be used sparingly, I mean in a restricted sense or a limited sense, only in regard to the border areas, or the Defence of India Rules in a limited sense would be utilised all over the country. When it is said that the Defence of India Rules will be sparingly used or used in a restricted sense or in a limited sense, who is to decide that the situation is a ripe one and a limited use of the Defence of India Rules is necessary? Unfortunately, I am told that almost all the Chief Ministers of States . . .

Shri A. V. Raghavan (Badagara):
. . . including the Governor of Kerala.

Shri Manoharan: . . . are for the continuance of the Defence of India Rules and the Emergency. Probably, certain Chief Ministers may have a different opinion. For example, very recently I have read from the Newspapers the views of Mr. P. C. Sen, the Chief Minister of West Bengal.

Dr. Ranen Sen: He is considered to be the model Chief Minister by Mr Subramaniam.

Shri Manoharan: Whatever he might be. This is what is stated in the Newspaper:

"The West Bengal Chief Minister, Mr. P. C. Sen thinks that it is only the Defence Ministry which can say whether the conditions, leading to declaration of the emergency and the promulgation of the Defence of India Rules, still exist or not."

Mr. Sen feels that the Defence Ministry should decide about it. Here the Home Minister makes a statement that the Emergency must continue. Probably the Chief Ministers have been made the scapegoat. In spite of the opposition within the Congress Party and in spite of the consensus in the Executive of the Congress Parliamentary Party against the continuance of the Emergency as well as the Defence of India Rules, in spite of the sober elements in the Congress Party, men like Mr. Mathur, the young and daring friend like Mr. Azad, senior Congressmen like Mr. Khadilkar, friends like Mr. Sharma, noble-minded men like Mr. Hathi and Mr. Shamlal Saraf, our Home Minister, Mr. Nanda, stands as a stumbling block in the way. Probably, he thinks that he may not continue in the Ministry without resorting to the Defence of India Rules or without the Emergency situation. I think, in that case, I must align myself or I must identify myself with the senior-most politicians like Mr. Mathur while he said that, if the Home Minister feels that he cannot administer the country without the Defence of India Rules and the Emergency, let him quit the Cabinet and resign and go away. That is the only way out, I think.

I am very glad that the detenus all over the country are being released. My friends, Mr. Gopalan and Mr. Namboodiripad are now out. But still 8 people are in the Kerala Jails. I do not know what happened to Mr. Umanath and to Mr. Imbichibava, who are in Madras. I also do not know

what advice has been given by the Home Minister to the Madras Government and when these people are going to be released. Another important thing which agitates my mind is this. Mr. Imbichibava has not yet been arrested, though the arrest warrant is pending. I am told that he is in Delhi and he wants to attend the Parliament. So far as you are concerned, Mr. Deputy Speaker, I know that you are helpless in this matter. If the Member wants to participate in the discussion, in the debate, you will tolerate him and allow him to do so. While he wants to come and attend the sittings of the House, the stooges of the Home Minister would prevent him from entering the House, I do not know what Mr. Hathi or Mr. Nanda will do in this matter, whether the arrest warrant is going to be withdrawn or the order cancelled or whether the Member will be arrested and then released. I want a categorical statement from the Home Minister because the hon. Member's contribution to the parliamentary system of the country is not being utilised now. I hope the Home Minister will consider this point.

Much against the advice and the suggestions given by so many top leaders of the country, so many jurists of the nation including the Chief Justice of the Supreme Court of this country, our Home Minister sticks to what I call the adamant attitudes that the Emergency must continue because without it it is very difficult for this Government to function and to move. Here is what Mr. Azad has said:

"The Emergency should be lifted. If it was to be retained for certain border areas like Jammu and Kashmir, Mizo Hills and Nagaland, the Constitution should be amended for that purpose."

I request the Home Minister to consider this aspect of the issue and see that once for all the Emergency is revoked and the D.I.R. scrapped completely.

Mr. Deputy-Speaker: The hon. Member must conclude now. He has taken the full time.

Shri Manoharan: I want to draw the attention of the Home Minister to the language policy. That is a very important thing and many hon. Members talked about it yesterday. On page 56 of the Annual Report of the Home Ministry it is stated:

"As a sequel to incidents which occurred in Madras in early 1965, the late Prime Minister convened a meeting of the Chief Ministers of States on February 23-24, 1965 to consider the language issue. It was agreed in that meeting that the question of giving a statutory shape to the assurances given by the late Prime Minister (Shri Jawaharlal Nehru) in Parliament on 7-8-59 be examined. The Government have since decided to bring before Parliament a Bill to amend the Official Languages Act, 1963 in order to incorporate the assurances given by the late Prime Minister (Shri Jawaharlal Nehru) and also certain other related matters on official language. It is hoped that necessary legislation will be brought before the Parliament as early as possible."

See the arrogant wordings:

"It is hoped that necessary legislation will be brought before the Parliament as early as possible."

I want to know what "as early as possible" means. Does it mean within this session, within the life of the Parliament itself or after that? I am very particular to ask Shri Nanda that he should consult his stars whether after 1967 he would be in a position to come again to Parliament. I do not know. But it is the duty of Government.....

Shri J. B. Kripalani (Amroha): Hope not.

Shri Manoharan: to see that statutory shape should be given to the

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Prime Minister's assurance given to this House.

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): You have any doubt about his coming to Parliament?

Shri Manoharan: Definitely have. So far as the late Prime Minister's assurance is concerned, we consider it as a *magna carta*. Unless and until that is given a statutory shape, I would accuse the Government of trying to hoodwink the people in the non-Hindi speaking areas.

So far as the DMK is concerned, we have explained our stand very clearly. The policy of having Hindi alone as the official language is suicidal not only to the integration of the country but also to the healthy development of the nation. Therefore, all the 14 languages enshrined in the Constitution should be given equal opportunity.

Yesterday I had written a letter to the hon. Speaker requesting him to give me an opportunity to speak in Tamil because I cannot adequately express my views in English.

Mr. Deputy-Speaker: You are expressing them exceedingly well.

Shri Manoharan: I am sorry, that is my view. I cannot express myself as effectively as I do it in Tamil. But, unfortunately, the Speaker did not allow me to speak in Tamil.

Here, I want to reiterate the stand of the DMK that all the 14 languages should be given equal status and each and every Member should be given the right to speak in his own language on the floor of the House. Parliament is a sovereign body where the will of the country is expressed and the heart throbs of the nation are recorded. In such a place as Parliament I must be given a reasonable chance to express in Tamil. You must see that all the

regional languages are treated on parity and these languages are not neglected and treated as third-rate or fourth-rate languages.

One more point and I have done.

Mr. Deputy-Speaker: You have exceeded your time.

Shri Manoharan: Just a minute and I will finish.

It is about the Andaman Islands. I had been to the Andaman Islands and after visiting the Andaman Islands I have submitted certain things for the consideration of our Home Minister, Shri Hathi. Shri Hathi was there and I think he would appreciate the difficulties that have been encountered by the people of the minorities there.

Shri Hathi: Much has been done since then.

Shri Manoharan: Unfortunately, I may tell you that a Tamilian, a Malayalee, a Kanarese or a Telugu child has no school at all teaching in his mother tongue.

Dr. Ranen Sen: Bengalis also.

Shri Manoharan: Bengalis also.

Another thing is that the South Indian people are badly treated. I do not know why. While these people are talking from housetops that colonisation schemes are there, what prevents the Government of India from sending Tamilians or Malayalees or South Indians to the Andaman Islands. It seems that it is a decided policy of the Government of India not to send any people from South India to the Andaman Islands. I request Shri Hathi to consider it seriously because your Government is talking much about national integration.

Lastly, one sentence and I have done. I am one of those who believe that preventive treatment is less costly than desperate surgery. So far as

this Government is concerned, it sticks to desperate surgery only. Remove all the difficulties and see that proper climatic conditions are created in this country. In spite of the Home Minister, Shri Nanda, or the noble-minded person like Shri Hathji or the young man like Shri Shukla, in spite of these people's participation in the Home Ministry, I am sorry the net result is a magnificent zero.

Shri Mahesh Dutta Misra (Khandwa): Mr. Deputy-Speaker, Sir, I am very thankful to you for allowing me to participate in the debate. While rising to support the Demands of the Home Ministry, I wish to congratulate our Home Minister, one of our able and honest leaders of the old Gandhian guard, that he has very successfully and efficiently managed the affairs of home in our country. When we were faced with external dangers and a kind of internal indiscipline, he has been able to give some kind of a hope to the people of India that he can manage the affairs in spite of the odd and unfortunate incidents in an unfortunate atmosphere and at an unfortunate time.

Our actions are being criticized in this House for being either too drastic or too lenient. Because of the complexity of the situation obtaining in this country, we are attacked from both sides because there is a growing tendency for violence in this country and the police has to deal with these things at places effectively and at places ineffectively. For the various causes are found out; sociological researches are being referred to in this House to say that all the responsibility for these unfortunate incidents lies on the Government. We fail to understand as to why everything that happens in this country is ascribed to the policies of the Government. They have not tried to understand that there has been a change in the attitude of the people who oppose the Government, that there has been a deviation from the democratic path so far as the opposition is concerned.

Hon. Members of the Opposition in this House behave in a democratic manner; at times taking a little liberty with the rules. But outside they make speeches which provoke all kinds of things in this country. Then they blame The Government that the Government allows the police to take action against them, against the demonstrations organised by them and against some kind of activity indulged in by them.

Nobody would say that these things are not unfortunate. The other day while speaking on the Baster incident our revered leader, Acharya Kripalani, referred to many things. I am sorry that I had to interrupt him and here I apologise for having interrupted a very trusted, honest and revered leader of the country. But I did it because he referred to certain happenings in that part of the country.

So far as the happenings are concerned, I think, nobody has a claim to say that he is in the right, that he knows the facts or that he knows what happened in Bastar. So far as the analysis and general observations are concerned, nobody in this House disagrees with him that they are most unfortunate things, whatever may be their nature or the incidents or the causes. Most unfortunate things happen in this country but by singling out Bastar we do not do justice either to the people of Bastar or to the people of this country or to the Government or even to the sense of opposition that prevails in this country. A lot of propaganda has been done about Bastar, but as I belong to the State of Madhya Pradesh, I feel myself bound by the convention that we should not say anything till the report of the inquiry commission is out.

In this country we are faced with various kinds of situations and the problem is why, these situations occur, why these happenings become so serious a danger to democracy. A good deal of talk is in the air about the dangers to democracy, but having taken to the path of democracy, socialism and secularism, we in this

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country are all wedded to those ideals because they are no more the ideals of the Congress only. Many people outside the Congress also believe in them. If we are really serious about establishing these ideals, if we are seriously thinking in terms of achieving these objectives, we have all to think about the problems that face this country. Faced with external and internal problems we have to find a way out.

Of course, so far as preventive action is concerned, I agree with some hon. Members who have suggested that the educational policy should be reformed, that there should be more emphasis on the co-operation of the people sought in various manners. Therefore I would like to suggest that it is high time that we further decentralise power in this country. We must go back to what Gandhiji said in the days before independence. This was the man who had an intuitive approach to various problems and he suggested that democracy should be of a decentralised form, that more power should be given to the people. Therefore, I suggest it without going into the details of all the schemes, the plans and the suggestions that have been made in this country, because somehow or other there is a fashion in this country that we imitate the West, whatever Westerns say about us, we take them for granted and then we begin to think about them, without trying to understand the spirit, the culture, the traditions of this country. I think, Gandhiji had rightly understood as to what kind of democracy can succeed in this country and, therefore, he had said that there should be complete decentralisation of power, political as well as economic. I would only like to say that if we decentralise power in political, economic and administrative fields, we might be able to eradicate many of the evils that are rampant in this country.

Applied to the political field, we might be able to make this adminis-

trative machinery simpler, more of a mass nature, because then there will not be much of criticism about centralism, and authoritarianism, against the Government as well as against the officers. I do not wish to blame the officers only. They belong to a class of people in this country, specially, the high-ranking officers. But there have been other classes too in this country who are completely isolated from the masses and who want to behave as such they have certain airs and certain complexes. I do not wish to isolate only the administrative services. There is in this country, at the present moment, a class of people, whether they are politicians, and or administrators, the capitalists or intellectuals, who have isolated themselves from the masses. They do not wish to share the grievances, the sufferings of the millions and the privations that the masses have to suffer. They want to live in a kind of privileged position. Therefore, we are trying to deal with various problems in this country from a particular angle. We talk in the name of the masses; we talk in the name of democracy, socialism and secularism but when it comes to one's own personal interest, one wants to sabotage all that.

I would like to say that it is high time that we think in terms of Gandhian advice and Gandhian suggestions, which should be worked out in detail. I do not wish to give all the details because I have not myself worked out all the details. But I suggest that there should be committees at all levels, that there should be committees of the representatives of the people at all levels from the Centre to the village level who should deal with all the problems that face the administration, that face the distributive system in the country and that face the various economic and political situations. Therefore, if we have representative councils at all levels from the village to the Centre or from

the Centre to the village, that would bring about certain changes in the tone of the administration. I would give only three examples here. If we associate more Members of Parliament with all the Departments of the Government and if we give them an access to the files, if we give them some authority and initiative, they would be able to correct many of the evils, many of the grievances and many of the mistakes, that are committed by a Minister or a Secretary or by a Deputy Minister or a Deputy Secretary. So, at this highest level, I would only point out the desirability that set up committees and give them more authority and initiative.

Applied to the distributive agencies in this country, I would only say that if we allow these representative committees in the capital towns, in all district places, in the small towns and also in the villages to be associated with the distributive policy of the Government, then it would be possible to check hoarding, it would be possible to check black-marketing and it would be possible to check faulty distribution of food by officials.

Applied to the field of industry, I would like that there is more initiative given to the workers. There is a good deal of talk about the workers' participation in management. But that has got to be implemented. Now, the time has come when the worker wants, specially in the public sector, that all the affairs of his industry should be decided by him and if he is given this initiative, he would be enthused to work honestly and efficiently and the public sector at least will be free from the evils that are rampant in other sectors.

About the joint consultative machinery, I wish to thank the Home Minister who has done various kinds of things. He started his life as a worker among the labour, as a worker among the masses. I think he continues the same tradition because we have seen him in some of the meetings—I am associated with the labour movement

in this country—and I can assure all the Members that our experience has been that the Home Minister has always given a sympathetic consideration to the demands of the workers, to the grievances brought before him, and he has always tried to tackle the problems from the labour's point of view. Therefore, when I find here some Members of the Opposition indulging in the propaganda that the Home Minister does not enjoy the confidence of the Cabinet or the confidence of the Prime Minister, I do not know as to who manufactures this propaganda stuff and who is interested in doing this kind of damage to the position of the Home Minister. Why is it being done? We can only say that there is probably a quarter, a section of people, in this country, an interested quarter or a quarter of the vested interest, who are interested and want to see that the Home Minister is out before he can be allowed to do more and more work so far as the elimination of corruption, and the eradication of other evils, from this country is concerned. It is because, they see that in these two years also, he has given a little tone to the administration, he has been able to do something and he has been able to achieve something. Therefore, I only wish to tell the Opposition Members that their propaganda will not succeed and that their tactics will not be able to achieve their purpose.

Some Members here have referred to the problem of Hindi or the opposition to Hindi being introduced at the Central level. I wish to assure the Members, coming from the non-Hindi speaking areas, that there are a good number of Hindi protagonists who want to go slow. The reason is very simple. We want to have Hindi as the official language in this country, we want to have Hindi being used by all the people in this country, only when they are prepared for it. So far as Hindi protagonists or Hindi-speaking people are concerned, I would only tell them, we are going slow so far as non-Hindi speaking areas or the non-Hindi speaking people are

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concerned and that we do not want to go slow so far as the Hindi-speaking areas are concerned. They should concentrate all their efforts on making Hindi as the official language in the Hindi-speaking areas and that can be done only by simplifying the language and by retaining the simple language that prevailed in this country before Independence. For certain communal considerations, Hindi is being distorted out of all proportion and I wish to say that somehow or other we are falling a prey to a kind of a puritan movement, to a kind of movement that emerges from our communal bias and prejudice.

I have also to make one positive suggestion. So far as Hindi-speaking people are concerned, I wish to tell them that we can popularise Hindi in the southern States or in the non-Hindi speaking areas in the north, only by learning their language. Let there be thousands of youngmen, let there be thousands of professors, and thousands of administrators, from the Hindi-speaking areas who would learn the southern languages or other non-Hindi languages. Then only, we will be able to convince the people of the south and the people of other parts that we are interested in the promotion, in the encouragement, in the development of the languages besides Hindi. Then only, we will be able to create an atmosphere of positive love for Hindi on the part of south Indian people.

Before concluding, I would like to quote Montesquieu, that there should be unity of Government but diversity of administration. Considering the various demands that have been made in this country, on the basis of regionalism, I visualise that probably we are heading towards disintegration in this country. But I do not find any danger in that because it is a natural demand for the people living in a contiguous area—people belonging to a certain set of traditions—to demand

some kind of autonomy. I think, time is not mature enough to suggest that. At the moment, I would only suggest the lines on which we must start thinking about these problems in this country. Why not have 50 to 60 provinces? I don't say States. It is a peculiar anomaly that in this country we have 16 States within one State—because we have given them the name of States. Formerly, they were called provinces. We have given them too many rights. Why not curb some of these rights and some of their powers and give more democracy, more powers and more initiative to these 50 or 60 provinces in this country and then create five or six zones which may be able to unify the administration of government policies in various zones; the zones could be multi-lingual and it would be possible to create some kind of an all India character of the services; that would work in these zones. The Centre would also be relieved of so much of responsibility; the Central powers would be administered through the zonal system and then we would be able to satisfy all the demands for all kinds of regional, cultural and other kinds of entities and these people would be having a feeling that they have their own Government; that the Government is accessible; and that they can have various kinds of things and the laws that could be administered by them. With these words, I again emphasize that, without decentralising the powers in the country, we cannot save the democracy. It is true democracy is in danger; but there is no alternative to democracy; there is no alternative to the kind of pattern that we have adopted. The only thing that we might bring in as an alternative to this kind of thing would be chaos and disunity and a civil war. Some people refer to military dictatorship, as an alternative, in this country. I only wish to observe that military dictatorship or a coup is not an alternative in the kind of country that we have; we are a very large country

and I do not think that any particular kind of military dictatorship would succeed in the country, in unifying the whole country; there would only be further chaos. So we have to think in terms of rectifying the mistakes that we have committed in the past. We have to reorganise the democratic set up by giving more democracy to the people, by associating more people with more powers. That is the only way that can save democracy in the country and that can save all the principles to which we are wedded—socialism, secularism and all that. With these words I conclude.

Dr. Saradish Roy (Katwa): While discussing the Demands of the Ministry of Home Affairs, I would first like to refer to the first sentence which appears in the report of that Ministry. It is stated:

“The Ministry of Home Affairs deals with a wide range of subjects and has to play an important role in fostering conditions under which democracy may flourish.....”.

These are no doubt good words. If democracy had actually flourished in this country, one would have given support to the Demands of this Ministry, but in actual fact we find that, during the past one year, this Government has outraged democracy in Kerala. In Kerala, the Government was elected; the Congress Party was in minority; it was found that the Congress would not be able to form the Ministry there and, therefore, this democratically elected Assembly was dissolved. This was done not in the interest of defence or security of the country, but in the interest of the security of the Congress Party. Not only did this happen, but under the President's rule in Kerala, this Government was also trying to strengthen the Congress Party in that part of the country. Under the President's rule, what they have done is to strengthen the Congress Party and

where the Congress Party is divided, to win over the dissidents, only to satisfy the dissident group, they have awarded Padma Bhushan to a rank communalist, the President of the Nair Society, who is a patron of the dissidents of the Congress Party; they have done this to strengthen the Congress Party; they have done this to unite the dissident group with the official Congress Party. That is the way how they are proceeding—not for the defence or security of the country, but for the security of the Congress Party, for strengthening the Congress Party itself.

Yesterday the Home Minister has made a statement regarding the necessity for continuing the Emergency and the Defence of India Rules; in effect, this means emergency powers and D.I.R. will continue to remain throughout the country. The democratic public throughout the country has been profoundly shocked and indignant over this; the statement is being condemned by all democrats in this country. Even today some of the newspapers have come out with strong editorials condemning the statement made by the Home Minister regarding the continuance of the Emergency and the D.I.R. The rule of law and the fundamental rights guaranteed to the people by the Constitution are not being restored, but they are being suppressed and they will continue to be suppressed in view of the statement made by the Home Minister yesterday. The political detenus who are kept in jails without any trial, without showing any cause, will have to languish in jails.

The Government has failed to make out any case for the necessity of continuing the Emergency even in the border areas. In the year 1947-48, when there was a military conflict in Kashmir with Pakistan, no Emergency was imposed on any part of the country. Prior to 1962 when Emergency was imposed in the country, for five or six years, there was

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military intervention in Nagaland and to quell the movement there, no emergency measures were found necessary then. Though there may be certain trouble in the border States and territories, we are not convinced—and none will be convinced—about the continuance of the Emergency on the plea of the border areas. I urge upon the Government to reconsider the whole issue and revoke the Emergency and scrap the D.I.R. I am confident that the people throughout the country will not rest until these Emergency measures are revoked.

I am one of those who were detained under the Defence of India Rules for 16 months and I have come here only yesterday. Under these D.I.R., even Members of Parliament and Members of Legislatures are held and detained by the authorities. As I have already said, the D.I.R. are used not for the defence or the security of the country, but for the security of the Congress Party.

What has happened in West Bengal? One Panchayat Parishad Chairman who won the elections by defeating a Congressman was arrested in March last on a charge of smuggling food from West Bengal to Bihar; and after three or four days this gentleman was released on the understanding that he will not oppose any Congressman and that he will be a member of the Congress Party. He is the Chairman of Durajpur Anchalik Parishad, West Bengal.

16 hrs.

[SHRI SHAM LAL SARAF in the Chair]

You know that on the 6th April, there was a complete hartal in West Bengal. But prior to 6th April, hundreds of prisoners who had been detained under D.I.R. for criminal charges were released from the West Bengal jails with the

understanding that those people would act as volunteers of the Congress Resistance Group and would help them to resist the hartal call on the 6th April.

Mr. Chairman: The hon. Member should conclude now.

Dr. Saradish Roy: May I have three minutes more?

Dr. Ranen Sen: He has come after sixteen months of incarceration in jail. So, let him have a few more minutes.

Mr. Chairman: He may have two minutes more, and then he should conclude.

Dr. Saradish Roy: In West Bengal, those persons who had been detained for criminal charges under the D.I.R. were released prior to 6th April, which was the hartal day, with this understanding that they would act as volunteers of the Congress and would help in resisting the hartal. With that understanding, that is, to strengthen the Congress Party and the Government, these criminal persons were released, but the political prisoners were not released. That is the crux of the whole thing.

I may state another case. One Islamuddin Chaudhuri is about 73 years old; he is a pleader of the Cooch-Bihar Bar; he was the Vice-President of the Cooch-Bihar District Congress Committee. This gentleman has been in jail for about two years, simply because he does not agree with the official Congress policies of Cooch-Bihar. It is only due to this fault of his that he is in jail. There is no other fault. I was in the same jail along with him. I know many more persons who are detained for political reasons though they are Congressmen.

I would also like to mention one the case of one Abdur Rahim Mandal. He was a member of the Communist Party. He has been detained in jail for about two years on a communal charge which is absolutely false; the only reason for his being in detention is that there was a certain difference of opinion and conflict between him and the local Congress leaders; and communal charges were framed against him and he has been put in detention.

Mr. Chairman: The hon. Member should conclude now.

Dr. Saradish Roy: May I have just one more minute?

Mr. Chairman: The hon. Member cannot have more time now. He should conclude. Because of Dr. Ranen Sen's recommendation, I had given him two more minutes.

Dr. Saradish Roy: Please give me one more minute.

Mr. Chairman: No, he cannot have it. He should conclude now. If he does not, I shall call the next Member now.

Dr. Saradish Roy: I would also mention the case of one Yusuf Khan, a military personnel. He had some differences with the local military officials, and, therefore, he was prosecuted on a charge of theft, but he was honourably acquitted by the Siliguri court. But, there was some altercation between him and the military police, and he was put in detention, and he has been in detention for the last thirty months in the Purulia district jail. The moment he was acquitted by the court, he was not set free, but was re-arrested. He has not been suspended or dismissed from service, and his family is there in Andhra Pradesh.

I would also like to mention one more thing. I have got here a letter written to me by Shri S. M. Baner-

jee. I would like to show this letter to my hon. friends. In the letter that I received from Shri S. M. Banerjee, three lines were erased, and in those lines had been written the words that he had received a telegram a few days later, but those lines had been erased.

An hon. Member: He may place it on the Table of the House.

Dr. Saradish Roy: Then, I would like to mention an instance to show the intelligence of the intelligence branch. Shri N. C. Chatterjee had made a speech on the floor of the House on 25th March, 1965 on Kerala Affairs at the time of the general budget discussion. A copy of his speech was sent to me, that is, a typed copy of the speech was sent to me in jail. But that speech was withheld by the local police. Just see the foolishness of the local police. Within a few days after that, I got the copy of the speech when I got the *Lok Sabha Debates*. But the typed copy had been withheld by the police.

Mr. Chairman: I think that will do. The hon. Member should resume his seat now.

Dr. Saradish Roy: Please give me just one more minute.

In the Tihar Jail, so many political prisoners are detained. You know, Sir, the climate of Delhi, and we see from the papers that the zoo is getting ready for the summer. For the animals which are kept in the zoo, *khas-khas thatties* etc. are being provided so that their health may not be ruined. But in the Tihar jail, there are no shutters. Only iron bars are there. The political prisoners and the ordinary prisoners are forced to live in that jail under these conditions. One lady prisoner had died last year of sunstroke there. Even the demand by the political prisoners and the ordinary prisoners for the provision of shutters there has not been attended

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to. No medical facilities are available to the persons in this jail.

Lastly, I want to point out that there are so many very old persons in jail. For instance, in the Dum Dum central jail, there is com. Muzaffar Ahmed, who is 78 years of age. He has been in the political movement since 1912, and he is in jail now. He cannot even walk.

Mr. Chairman: The hon. Member should conclude. Now, Shrimati Savitri Nigam.

Dr. Saradish Roy: Lastly, I would like to submit....

Mr. Chairman: The hon. Member should conclude now. If he speaks anything more, that would not go into the record. The hon. Member has already taken six minutes more than what he was entitled to.

Shrimati Savitri Nigam (Banda): I rise to support the Demands of the Home Ministry wholeheartedly.

Shri J. B. Kripalani: I was given to understand by the office that I would be given 25 minutes to speak on any of the Demands. I have been waiting and waiting but I have not been called. I do not understand why this is so.

Mr. Chairman: I have come to the Chair just now. The procedure here is that the time is allocated to all the parties. Since an hon. Member from the Opposition has spoken just now, it is the turn of two Congress Members to speak now, and then Shri J. B. Kripalani's turn will come. (Interruptions).

Shri H. C. Soy (Singhbhum): What is the procedure for calling the two Congress Members?

Shri Basumatari: I want to draw your attention to one thing. Most of the speakers have referred to Assam, Nagaland, Mizo Hills etc., but no Member from Assam has been called so far. I do not understand this.

Mr. Chairman: There are two more hours yet for this discussion. Let the hon. Member please wait.

Shri Basumatari: It is unfair that nobody from Assam has been called.

Shri Mohammed Koya (Kozhikode): Nobody from Kerala also has been called.

Mr. Chairman: Order, order. Shrimati Savitri Nigam may start her speech.

Shrimati Savitri Nigam: I rise to support the Demands of the Home Ministry wholeheartedly. We cannot ignore....

श्री ह० च० सोय : सभापति महोदय
में पूछना चाहता हूँ कि सदन में मेम्बरों को
बुलाने का क्या तरीका है ।

Mr. Chairman: Order, order. The hon. Member should resume his seat. He should listen to me.

Shri H. C. Soy: You have to listen to me also.

Mr. Chairman: I am not going to allow this kind of thing. If the hon. Member wants to communicate anything to me, he may send me a chit.

Shri H. C. Soy: I have done it a dozen times.

Mr. Chairman: I do not know.

Shri H. C. Soy: You will have to know it. I have written a dozen times already. What is the way out?

Mr. Chairman: When the Chair is on its legs, the hon. Member must sit down. Again and again, I have been telling him that if he wants to communicate anything, let him send it in writing, and I shall see what should be done.

Shrimati Savitri Nigam: We cannot ignore this fact that the Home Minis-

try has to face a very difficult situation in the country. The country has been hit by a very bad drought. There is a very difficult food situation, and over and above that, on our borders spies, Naga rebels, and Pakistani agents are very active and they are creating problems and indulging in so many disruptive activities which make the law and order situation more and more complicated one. In spite of this situation, if the Home Ministry has been able to maintain the law and order to this extent, we should not feel shy of having at least sympathy for them, if we do not pay compliments and bouquets to them; we should at least have sympathy with them, and we should also try to strengthen their hands by constructive suggestions. But Sir, you will agree with me that there is a lot of room for bringing about improvement in the present situation.

Instead of allowing the situation to go from bad to worse, if precautions are taken, I think many and critical situations can be avoided, and many such events can be easily averted.

For example, take the case of the Delhi bandh. When there was the bandh in Calcutta, a lot of lives were lost and property was ruined, but when a similar bandh took place in Delhi, there was no such thing, and this was because precautions had already been taken and the administration alerted. I do not think that the Chief Commissioner of Delhi is a wizard.....

Shri Inder J. Malhotra (Jammu and Kashmir): It was a traders' bandh.

Shrimati Savitri Nigam: But I would like to say that because the Chief Commissioner could foresee things and could arrest these anti-social people who always exploit every situation, the Delhi bandh fizzled out. There was no loss of life or property. If the Home Ministry could alert the administration in a

more effective manner, I am sure many things could be avoided.

Today there was a lot of discussion about the Naga hostiles. You will agree with me that if some precautions had been taken and those people who were seen in the jeeps on whom those papers were found, if they could have been arrested and interrogated properly, Government would not have had to face so much embarrassment, and all those culprits who are creating all this trouble and indulging in sabotage activities could have been caught.

I welcome the decision regarding DIR.

Shri Manoharan: What about the emergency?

Shrimati Savitri Nigam: I am quite convinced that we need this DIR and Emergency specially for the border areas where there are so many Pakistani and Chinese spies and Naga hostiles, specially Left communists who are the greatest traitors. For them we need DIR.

Shri Badrudduja (Murshidabad): Why not for Muslims?

Shri Mohammed Koya: But you are releasing the traitors.

Shrimati Savitri Nigam: I would like to draw the attention of the hon. Minister to a very difficult problem which may take a very dangerous shape. There is a lot of dissatisfaction mounting up in the services. I would beg of the hon. Minister to examine this thoroughly and take such steps as would remove this dissatisfaction. The most important reason for this dissatisfaction is the rising prices. If you look at the index of wholesale prices or the cost of living index, you will be surprised to find that there has been an abnormal rise in it, and the little increase given in DA has already been neutralised to a great extent. This should be examined and action taken to provide more D.A. to Government servants.

[Shrimati Savitri Nigam]

Another reason for the dissatisfaction among the services is that the poor government servant has to face many difficulties in his life. If you see the most disgruntled, frustrated, pale and exhausted man on the road you would immediately know that he belongs to the class II or class III of government service.

An hon. Member: Class IV also.

Shrimati Savitri Nigam: Yes class IV also. There is a life of queues and queues and queues, queues at the ration shop, queues at the co-operative store, queues at the time of getting accommodation, queues at the bus stand.

Shri Priya Gupta: And queues for marriage for want of dahej.

Shrimati Savitri Nigam: Over and above all this, there is a lot of humiliation he has to face 'Oh they are government servants, they are corrupt, they are inefficient, they are part of the bureaucracy'.

In actual day-to-day service, the most humiliating thing are the departmental promotion committees. Instead of calling them departmental promotion committees, we should call them 'committees for the promotion of flatterers and manouvriers'.

An hon. Member: Corruption committees.

Shrimati Savitri Nigam: What happens. Those inefficient Government servants who have got the technique of pleasing their immediate bosses by buying complimentary tickets for the wives of their immediate bosses, for purchasing some cheap eggs or other consumer goods for them and by flattering them and working for them like chaprasis, are the people who are given lift by these departmental promotion committees.

Shri Basumatari: Why is she mentioning about wives? Wives are hav-

ing the same treatment as husbands? (Interruption).

Shrimati Savitri Nigam: But all those able people who work in a devoted manner can never get a promotion. The mention of 'outstanding' is reserved only to the flatterers. That is why the poor government servants who are hard-working and honest always face humiliation in rest of their life. Their seniority is disturbed; persons who are their juniors by 30 or 40 places below suddenly become their bosses. Recently, one such victimised officer said to this new boss, "You have become my boss. But my dear friend, when you write my confidential report, please show it to me, not because I want to correct it, but because I may correct your spelling and grammatical mistakes". This is what is happening. In this way our services are getting frustrated. I would beg of the hon. Minister to abolish these departmental promotion committees immediately. Let Government give promotion by seniority or any other means.

Coming to the law and order situation, I would like to tell the hon. Minister that if he wants that the law and order situation should be improved, he should try and see that the backward areas do not become more and more backward and the forward areas get more and more urbanised. In the backward areas, we find that people are starved of even drinking water while urbanisation proceeds elsewhere enjoy all luxuries. In Banda in Bundelkhand, there is a water famine. Thousands of people and cattle drink the same muddy water. This drain out mixture of mud and water that the people are drinking. There is a great danger of any epidemic breaking out any day.

An hon. Member: After 18 years of Independence,

Shrimati Savitri Nigam: Why is this step-motherly treatment being given

to Bundelkhand? In the last 17 years, if you ask me what has been done for specially Banda or Bundelkhand, I would say, 'nothing'. There are no schools, Industries or roads. As far as roads are concerned, in comparison with Western UP, the percentage of roads is only 5. You cannot imagine how the poor adivasis of that area are still suffering due to so many hardships. You will be shocked to learn that even today in this 20th century, the sons and daughters of adivasis are being purchased by the contractors for labour, the worst type of exploitation imaginable. Could you ever expect the law and order in this area to be maintained?

Some hon. Members: No.

Shrimati Savitri Nigam: Could you ever expect them to be satisfied by high slogans and high ideals of socialism?

Some hon. Members: No.

Shrimati Savitri Nigam: Luckily, we have got a Home Minister who is God-fearing, who is a noble man, I would request to visit this area and see things for himself with his own eyes whether the description I have given is correct or not.

Some hon. Members: Correct.

Shrimati Savitri Nigam: If this description is correct, I would beg of him to take special steps and give special grants for the development of backward areas immediately. Only then the situation of this area could be improved and people could be made to behave in a responsible manner; only then democracy can survive.

I would like to suggest that the difficulties of the backward areas could be solved if joint councils for the entire area having representatives of both M.P. and U.P. States could be constituted and if special steps are taken for the development of those areas. You will be surprised to know

that for drinking water, Rs. 4 crores were granted by the Planning Commission about 4 years ago for this particular area, but four years have passed and the pipe water scheme could not be implemented because the Madhya Pradesh Government is not ready to give 7 acres of land where the pumping station could be erected. The same thing about the Sirsa dam. The rivers and canals have dried up; all the wells have dried up because the water from the Sirsa dam is not being released by the Madhya Pradesh Government. If Joint State Statutory Councils with financial powers could be formed for the development of the backward areas, only then the improvement will be brought about without any delay. Otherwise I am giving you this warning that anything destructive could happen, I will make it clearer, if nothing is done, there will be a "Separate Bundelkhand Suba" demand on the lines of the Punjabi Suba. Sir, even last week, when I was there, I met at least 20 representatives of various communities who came to see me from various villages. They said, "We are ready to lay down our lives, but we should make this demand that there should be a separate Bundelkhand Suba, so that we may not be given a stepmotherly treatment." So, I am requesting the hon. Minister to take immediate action to see that this backward area is given enough grants and enough help. Only then he will be able to promote democracy and improve the law and order situation throughout the country.

Mr. Chairman: Shri Basumatari, hon. Members from the Congress Party would kindly speak for ten minutes, because then alone we will be able to accommodate a large number. A number of names are there.

Shri Basumatari: I hope my time has not been taken by you.

I have been listening with rapt attention since yesterday. Most of the Members have confined themselves to

[Shri Basumatari]

DIR. DIR has caused loud talk inside and outside the House. We also applied our mind to the question whether DIR should be lifted or not in places other than the border areas, and after considering all the speeches of the hon. Members here and considering the agitations outside, I have come to the conclusion, and I said so strongly in the meeting of the Executive Committee also, that DIR should not be lifted.

Why do Opposition Members object to it?

Shri Manoharan: Why should you support?

Shri Basumatari: What is the purpose of objecting to DIR. The object of DIR is to suppress atrocities and activities of anti-social elements. As it shows that DIR should prevail in our country, I do not know why our Home Minister is going to relax these rules. I strongly feel that DIR should not be lifted for the sake of the security of the country.

The other day when this question was raised, our Deputy Home Minister Shri B. C. Shukla, a promising young man, replied very effectively that under the DIR persons are arrested not on the ground of politics, but on the ground of committing some anti-social activity.

Shri Manoharan: The next chance for you.

Shri Basumatari: They could not reply to it. It proves that the rules have not been misused.

As I said elsewhere, DIR may be misused here and there, but all the laws are sometimes misused and power is also misused sometimes, but should we, on that ground alone, withdraw all the powers from the Chief Ministers, Prime Minister and other Ministers? Whenever there is some criticism, we should consider whether it is right or wrong. We

must not yield to opposition simply because there is criticism, but we must be very strong, we must consider whether DIR should be there or not.

Of course, from the Congress side also, many hon. Members have spoken against it. It only proves how democratic we are. Prominent Members of the Congress also spoke against DIR, in spite of the fact that Government is in favour of continuing it. Therefore, I want to say that I am in favour of not lifting this DIR. There I leave it.

Then I come to NEFA. We have been crying and we have been urging upon the Government of India to take the NEFA administration under the Home Ministry. It is not that the Ministry of External Affairs is not competent enough. The fact is that if the NEFA administration remains under the Ministry of External Affairs, it creates some psychological effect there, as if NEFA belongs to some foreign country or in some foreign territory and whether it is within our own country or not. Therefore, I had requested the Government of India to take out NEFA from the Ministry of External Affairs and put under the Home Ministry. Now, it has been roughly brought under the Home Ministry. The administration of this territory has been taken out from the Ministry of External Affairs and put under the Home Ministry.

I want to say one thing in this connection. I had been to all these five districts of NEFA, and I had been to all those areas, and I had a chance to meet the people there belonging to different communities. There are so many tribes there, speaking different dialects such as Abhors, Apathani, Singpho, Mishmi and so on. I found that they expressed their views in Assamese. But what I found was quite amazing: wherever the NEFA people found the officers speaking Assamese, they liked to speak Assamese; and they spoke to us also

nicely and competently; they expressed their views well in Assamese. But wherever the officers are not Assamese, the tribal people hesitate to speak in Assamese in the presence of the officers. They try to speak in broken Hindi. I asked why it was so. When I was at Zero, I found the people were speaking Assamese. When I was at Longju, I asked the reason for this. They told me privately that the officers do not like them to speak Assamese. I found later on that they created some hatred towards Assamese. Then I found it was a very dangerous thing. I spoke to the then great Prime Minister, Shri Jawaharlal Nehru, and it is gratifying for me to inform you and the House that when the Congress President, Shri Kamaraj, visited NEFA, recently, I found during my conversation with him that he also has the same impression as I have. He also told the present Prime Minister—I am told—that this is a dangerous thing, namely, that the non-Assamese people, speaking other languages, from outside who are posted as higher officers seem to be with an air of supremacy, create hatred towards the Assamese. Why is this so? It is a simple thing. They want an empire there. Why I say, 'empire'? I will tell you.

You know how many cadres are there among the officers. There is the IAS, IFS and IPS; there is also IFAS, the Indian Frontier Administrative Service. These IFAS people feel that they are superior; therefore, they want that there should be some empire where they work.

Mr. Chairman: Then hon. Member's time is up.

Shri Basumatari: I am sorry: I have to say about Mizo and Nagaland.

Mr. Chairman: Within two minutes, he should close.

Shri Basumatari: So, I appeal to the Home Minister especially to look into this matter carefully and see that NEFA may not go out of our

control as Mizo and Nagaland are threatening to go.

Why Nagaland is going out of control? For instance, what about Mizo? Mizo is a very big area, with 8000 square miles and with a population of three lakhs. It is a very vast area with very rich natural resources. Some Members were blaming the Assam Government for not developing this area. I do not think it is fair, because this area has been kept apart from the other plain area in British time. There were partially excluded areas and excluded areas in those days. The Mizo area was an excluded area. In the British days, the people of Mizoland were not allowed to come to the plains area. Therefore, after Independence, it has been found very difficult to develop this area. I must say that it is unfair to say just as Shri Frank Anthony has said: he said that the people in Nagaland, and other hill area and also minorities there have no faith in the Assamese. That is unfair. Assam is the only State where you will find people from all States engaging themselves in various activities—road-makers, builders, merchants, etc. That is why the great departed leader Shri G. B. Pant said that Assam is the epitome of India. In spite of that, if Mr. Anthony says that Assamese people cannot stand the minorities and people from outside, it is unfair. When I had been to Kerala as a member of some Commission, I was asked why IAS officers from Madras were posted there. So IAS officers from Madras even could not be tolerated in Kerala. So is the case with other States where people from other States are not found in numbers. But in Assam, it is quite different. Not to speak of the hills or plain areas, there are so many different people speaking different dialects, wearing garments of different colours. It is a colourful State. There is nothing common anywhere. Still we are one.

My hon. friend Shri Anthony the other day was referring to the demand of the hill state and he went

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on to say that whole Hill area should be united into one unit and there should be a separate State for them. But is there anything common? Punjabi Suba has been constituted on language basis. In the south also there are four States formed on language basis. In Assam, there is no area where there is anything common. Therefore, there is no basis at all for creating a separate State. There was a demand for a separate State for the Nagas and Nagaland was created. But were you able to solve that problem by that? No. Therefore, creating State after State on these lines under the advice of these elements from outside is not correct.

Mr. Chairman: He should conclude now.

Shri Basumatari: I am sorry you are not giving me more time. If you give me 5 minutes more, I can make some observations to clear the misgivings.

Mr. Chairman: No, I am sorry. He should conclude now.

Shri Basumatari: I would request the House not to think in these terms that Assamese cannot stand other. That is an unfair thing to say.

Shri J. B. Kripalani: Sir, the governance of a country is divided into foreign affairs and home affairs. Even the foreign affairs follow the home policy and they are affected by it. The very name of the Home Ministry is very important. It has various kinds of functions, the most important of which is that it is in charge of the administration. Nothing can succeed in any country unless the administration is in proper order.

What I mean by proper order is that the administration is honest and efficient. It was, therefore, natural for the Home Minister to take upon himself the task of clearing the administration of corruption in two years. I hope he has satisfied himself that

there is no corruption now after those two years have passed. The hon. lady member who spoke just before me, belonging to the Congress, said that the administration is bad, that people can get into positions by means of chits and recommendations and that only flattery pays. This is the compliment a Congress woman has paid to the Congress Government and I need not go further into that.

Another thing is, this efficiency is connected with the integrity of the services. When the services are not honest, there is bound to be neglect of duty, and this neglect has gone so far that Shri Krishna Menon, a very eminent person in the Congress, said once that the average work that the administration do in office is 2½ hours per day. This is the efficiency. And, if there is no efficiency, if there is no honesty, all our Plans will fail as they have been failing. But after every failure the succeeding Plan costs us double the money of the previous Plan.

Then, Sir, the Home Ministry is pre-eminently in charge of, what is called, the law and order situation. As a last resort, in all the States, it is the Home Ministry at the Centre that can keep law and order. It is laid down in the Constitution that a State Government can be superseded by Governor's rule if law and order has failed. Also, in the last resort, law and order depends, as it has happened in free India, on the army, and it is only the Home Ministry that can call out the army in any State. Law and order is fundamental. I suppose it is, therefore, also, that the Home Ministry has something to do with the appointment of the judges of the High Courts and the Supreme Court, and I am afraid, the Home Ministry has been doing this task not very efficiently, because the belief that the Indian people had in the judiciary has gone down. It was said that the best thing that the British had left as *

legacy to us was the judiciary. I am afraid, that has also gone down in its reputation.

Then, this law and order question is intimately connected with our civil liberty, with our fundamental rights guaranteed in the Constitution. In the name of law and order this Government has been taking away our civil liberties. There is this DIR, and such a kind of law was not passed by any democracy even while the World War was going on and democracies were threatened by Hitler and by Japan. In these peaceful days we are told that DIR is necessary. How is it used? I will give only one small significant story about how it is being used. Our revered leader, Shri Rajagopalachari, who has after independence occupied the highest position in the land, wrote an article about Kashmir, discussing the Kashmir issue, and I suppose the Government does not like the Kashmir issue to be discussed at all. It seems that there is no problem though the world thinks there is a problem. As they could not touch Shri Rajagopalachari—they felt ashamed—what they did was, they arrested the editor and the publisher. When this was done, I was reminded of the topsy-turvy kindom—*Andher nagari*—and in it there was a raja who was also topsy-turvy. A murderer was taken to him and he said: "go and hang him".

The hangman returned after half an hour later and told the king that the noose does not fit the murderer's throat. Then the wise King said: find out the man for whose throat the noose can fit and then hang him. That is how the DIR is being used. Innocent people who have talked about Kashmir are put into prison for months. It has been used for all sorts of purposes. There have been judgments of the Supreme Court and High Court saying that it is not properly used.

Now it is said that it will be used in the border areas. What is happening in the border areas? It is a fact that at least 10,000 infiltrators came to Kashmir valley and they moved

from the border to the aerodrome in Srinagar 60 miles away. 10,000 people covered 60 miles with their arms and equipment, and that too not on lorries and motor-cars but on foot and yet the Government did not know it. This is how DIR is being used in the border areas, for which we are told it is eminently required. The whole army of infiltrators came and they could not be detected; I do not know how many of them still remain in Kashmir.

Then there is the eastern border near Assam on the Himalayan region where the Mizos have collected an army and equipped it with the most modern weapons in the world. It is said that the arms are being brought from outside and yet the Home Ministry has been sleeping. This is the efficiency of the Home Ministry. It has been ceaselessly telling us that the DIR is required for the border-areas when the border areas are so neglected.

Today our very pious and saintly, God-fearing Gandhi—its Home Minister told us that he caught the people in the Naga area, who had documents with them which belonged to the so-called Independent Government of the Nagas. His police, his administration, could not arrest the men with whom were found documents that were incriminating, documents that said who had brought about the railway explosions and gave indications as to how other explosions will take place in the future. I do not understand how this Government can function. Has it any strength left in itself? I can understand a Government without brain, but a Government without strength, what can it do? It cannot arrest the thieves and robbers; it can arrest only honest people.

What is the law and order situation? I was not going to refer to what has happened in Bastar in Madhya Pradesh. But a Congressman, while saying that Bastar should not be talked about, went on talking about it. The Home Minister said that it was a matter which concerns

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the State Government. He also said that it is *sub judice* and must not be talked of. Then, he goes to the Rajya Sabha, talks about it and throws all the responsibility on the ex-ruler who was murdered.

What happened in Bastar is as bad as what happened in Jallianwala and yet the Government is not prepared even to associate a Judge of the Supreme Court with the inquiry. This is how we are being misgoverned. Then the Chief Minister, what is his name, Mishra, goes about saying: do not talk of Bastar, Bastar is finished, if somebody takes up or revives it, he will also be finished. He was boasting about it. He said that nobody should interfere with his State. Then he telephoned to the Home Minister, saying: be careful, do not touch that matter or your neck will be in the noose; and the Home Minister desisted from talking about it. Then he goes about saying that he is responsible for raising to the high eminence the present holder of power in India, the Prime Minister, that he was one of those king—or queen-makers and nobody can touch him.

Shri K. N. Tiwary (Bagaha): You are quoting the sayings.

Shri J. B. Kripalani: Please speak loudly so that I can hear and answer you.

श्री के० दे० मालवीय (बस्ती) : यह कह रहे हैं कि क्या वाकई आप सच भी कह रहे हैं ? किसने कहा आपसे ? कोई बेसिस भी है आपको इस बात का ?

Shri J. B. Kripalani: You can interfere and say what you have got to say; I will be able to answer you.

Mr. Chairman: Your time is nearly up.

Shri J. B. Kripalani: I do not care what time you give me or not.

I have got to say that something very horrible has happened and the

Government of India is sitting silent. What harm could there have been if with this High Court Judge, who was appointed, another Supreme Court retired Judge or functioning Judge were associated? Nothing would have been lost; only, people would have had more confidence. They do not want the confidence of the people. They say that every international affair in the world must be solved by non-violence and by peaceful methods excepting internal affairs, which must be solved by bullets. I am sorry that I have to refer to this matter because one Member from the Congress Party, whatever his name may be—I forget names nowadays—referred to it. I say, this is the greatest blot on the present Government, this tragedy in Bastar.

Shri J. B. Kripalani: If you want conclude now.

Shri J. B. Kripalani: If you want me to conclude, I will conclude. I have concluded. Thank you.

Shri Shiv Charan Gupta (Delhi Sadar): Sir, I want to rise on a point of order.

Shri J. B. Kripalani: Point of disorder.

Shri Shiv Charan Gupta: I am happy that the hon. Prime Minister is here. Last year we, Members from Delhi, wanted to speak on the Home Ministry's Demands. On the 15th March when there was a discussion about the disturbances in Delhi, we wanted to speak. I gave notice of it and I reminded thrice, but we were not given an opportunity. Again, on the Home Ministry's Demands this year we are not being given an opportunity of speaking. I would like to know, after

all, what is the reason that Members from Delhi are being debarred from participating in the discussion regarding these Demands.

Mr. Chairman: There is no point of order. I have looked twice towards your side but I have never found you there. If there is time, he may get an opportunity.

श्री हुकम चन्द कछवाय (देवास): मुझे भी साहब, 5 मिनट का टाइम मिलेगा ?

Shri Ravindra Varma (Thiruvella): Mr. Chairman, Sir, I support the Demands of the Ministry. As the hon. Members who have spoken before me have pointed out, this Ministry has to deal with a host of problems covering almost every aspect of our national life. My hon. friend, our distinguished colleague, Acharya Kripalani, who spoke before me, pointed out the fact that this Ministry has to deal with these complicated problems at a very critical time. Other Members who spoke before me have pointed out the fact that, perhaps, after the partition of the country and the emergence of India as an independent republic, there have been no harder times that this country has had to face.

Sir, in the course of the last year we have had to face external aggression more than once. We have had to combat moves to create insecurity within the country. We have had to deal with conditions of near insurrection in certain parts of our country. I do believe that during the year the Ministry has discharged its responsibility with considerable credit.

Sir, the task of the Home Minister in this country is not an easy task. Some can accuse him of versatility; some can accuse him of not believing in things in which he should believe and believing in things in which he should not believe.

Shri J. B. Kripalani: Muddleheadedness.

Shri Ravindra Varma: The hon. Member for Amroha, who spoke before me, for whom I have very great respect, from whom I have learnt many things, ridiculed the fact that the Home Minister who promised to root out corruption in this country in two years had not succeeded in doing so.

Shri Manoharan: Corruption is more powerful than him.

Shri Ravindra Varma: He said that perhaps the Home Minister would today claim that corruption has ended in this country because of the decree of the Home Minister. I do remember when I was much younger than I am today when I had fewer grey-hairs, the hon. Member for Amroha used to explain us how, when social reformers launch movements for social reforms, mass movements, they have to inspire confidence and hope and optimism and make people believe that the impossible can be achieved. Then he used to refer to the instance of Mahatma Gandhi—let me say here I am not equating the present Home Minister with Mahatma Gandhi by any stretch of imagination—I remember he used to refer to Gandhiji's promise, "I will bring swaraj within one year". The hon. Member for Amroha, who was then President of the Indian National Congress used to answer the critics of Mahatma Gandhi who used to point the finger of criticism and say, "Here is the old man, the simple spiritualist of Sevagram, who promised that he would bring swaraj within one year but who has miserably failed to bring swaraj within one year." Acharya Kripalani used to say that Gandhiji did not fail because he did not mean, when he said that swaraj will come within one year, that one would see the end of British domination one year by the calendar after Gandhiji started the freedom movement. Sir, he wanted to set in motion certain forces which would lead to the elimination of imperialism and the birth of national independence, the liberation of this country.

[Shri Ravindra Varma]

Now it is very clear that in a vast country like ours, where there are 400 millions of people and more, everyday the number is increasing, where there are so many millions of people, where we have to combat inhibitions and archaic institutions and attitudes, it is not possible for anyone to hope that a social phenomenon like corruption can be eliminated through democratic means in 24 months of the calendar. The way we have, therefore, to address ourselves, to this question, the way we have therefore, to examine this question is by asking whether clear and firm steps have been taken which would lead to the elimination of corruption. Now, the hon. Member for Amroha is as aware as I am of the fact that such steps have been taken. The Santhanam Committee was appointed....

Shri J. B. Kripalani: I am not aware of any steps being taken excepting a few reactions in some quarters. He is asking me a question and I must reply to that. You did not give me more time. You don't want me to reply to question that is asked?

Shri Ravindra Varma: I am sure the hon. Member knows that the vast majority of the recommendations of the Santhanam Committee have been accepted by the Government.

Mr. Chairman: Since the hon. Acharya has already spoken it may create some reaction in some quarters.

Shri Ravindra Varma: He knows that efforts are being made to implement the recommendations that have been accepted.

Shri J. B. Kripalani: I don't know.

Shri Ravindra Varma: If he does not know it, he will do well to read the reports of the Ministry. Occasionally, even a very wise man can benefit by reading these reports.

It is true that steps have been taken to strengthen the machinery for

detecting corruption, conducting investigations and taking action against corruption.

The House is aware of the fact that a number of committees have gone into the question of corruption in various departments where corruption is likely to raise its ugly head. These reports are before the Government and the Government, in the course of the last year has taken some action on these reports. The appointment of the Vigilance Commission is something which is known to most of the Members of this House, I presume, to all the Members of this House. The appointment of State Vigilance Commissions is equally well known. The Report of the Vigilance Commission has been debated by this House and, therefore, I do not want to go into the details of the report. But it is clear that in the short time during which the Commission has been in existence, it has been able to show how it is possible to deal with the kinds of reports that come up before the Commission with expedition.

Now, there was a reference to the condition of the administration in this country. It was pointed out by many Members from this side of the House too that there are inadequacies and deficiencies in our system. Everyone knows that this system was inherited by those who are in charge of Government today. Everyone knows that the administrative system has to be radically altered. There is no difference of opinion on this question. It is also known that because of the necessity to bring about radical and swift changes in the administrative system, the Government has appointed an Administrative Reforms Commission.

16.55 hrs.

[MR. DEPUTY-SPEAKER in the Chair].

The Commission consists of persons, whose integrity and whose experience are not open to question. When this Commission submits its

report, I am sure that expeditious efforts will be made and measures will be taken to bring about the administrative reforms that are necessary.

Shri J. B. Kripalani: May I ask the young man one question?

Shri Ravindra Varma: I am suffering from lack of time, from which Acharya Kripalani also suffered. I do not, therefore, want to yield.

Shri J. B. Kripalani: He said that he would root out corruption in two years or else he would resign.

Shri Ravindra Varma: I should have enough time . . .

Shri J. B. Kripalani: What did he mean by that? He did not mean anything?

Shri Ravindra Varma: I would answer him if he has something definite to say, but if he wants to carry on a running commentary, I will not be able to answer.

Shri J. B. Kripalani: I said this. He said that either he would root out corruption or he would resign, in two years. We have got it in clear words.

Shri Ravindra Varma: We know that the efficiency of the administration has to be improved.

Shri A. V. Raghavan: Recommending a Nair leader for the award of Padma Bhushan is not corruption?

Shri Ravindra Varma: We know that, apart from increasing the efficiency and competence of administrators, apart from rooting out corruption, apart from doing away with delays, it is also necessary to reorient the very psychological attitude of the administrators, so that there may be no humiliation that citizens receive from public servants. The appointment of the Commissioner for Public Grievances has already been referred to and, I do not therefore, want to deal with that question.

Sir, I shall say a few words about the Emergency. The hon. Member for Amroha referred to the Defence of India Act and said that no democracy in the world had passed such legislation. The hon. Member for Amroha is a very respected man. I have great respect for him. I am sure he remembers that, when there was a war, even in Great Britain, there was the Defence of the Realm Act, it was passed by the British House of Commons. It is not, therefore, unknown in history for a democracy to pass such a legislation.

Shri J. B. Kripalani: What I said was that such a stringent Act was not passed even during the First, and the Second World Wars. I did not say that there was no such Act; I never said that.

Mr. Deputy-Speaker: These are his comments.

Shri J. B. Kripalani: The comments must be based on what I said.

Shri Ravindra Varma: They were based on the understanding that his words created in the House.

An hon. Member: Yes.

Shri J. B. Kripalani: I created no such impression. Does he want to base his argument on a false premise?

Shri Ravindra Varma: An attempt was made to create an impression that the Government and the Home Minister are very keen to have on the Statute Book a stringent Act like the Defence of India Act. This is entirely untrue. If there is a feeling on the other side that the Emergency and the Defence of India Act should not remain for one more day than is necessary, that feeling is shared by every section in the House. Everybody in this House knows (*Interruptions*) that even in the Congress Party there has been a very severe criticism against the abuse and misuse of the Defence of India Act. (*Interruptions*) It has been reported and every Member knows that the Executive of the

[Shri Ravindra Varma]

Congress Party considered this question and many hon. members of the Congress Party have taken a very strong objection to the continuance of the Defence of India Act when it had become unnecessary. Now it is very clear that, in a democracy, sometimes situations arise in which one has to take recourse to strong measures to defend democracy. In a democracy, especially in a developing country, exploiting the fact that there is bound to be resentment and discontentment at the lack of pace in the progress towards social justice, it is possible for political parties which do not believe in democracy to make use of the rights and institutions of democracy as instruments, to destroy democracy, to disrupt democracy. Under such circumstances it becomes necessary for Government to concert measures to see that the collective security of the society and the fabric of democracy are protected against such attempts to disrupt them. I am quite aware of the fact that any attempt to defend democracy in this fashion does not commend itself to my hon. friends. from the Communist Party . . .

17 hrs.

Shri A. V. Raghavan: Did my hon. friend adopt constitutional means to save democracy in Kerala? So, let him not preach democracy.

Shri Ravindra Varma: I know how much the hon. Member believes in democracy. I know very well what other parties and what hon. Members on the other side of the House or at least many of them would have done if they were in government; and there was a war and there was fear of disruption from inside. Nobody need preach to us on this occasion. We know the philosophy in which they believe . . .

Shri J. B. Kripalani: But where is the war now? There is the Tashkent Declaration now.

Shri Ravindra Varma: Even while such measures are taken, it is certainly necessary to see that in defending democracy we do not take recourse to measures which distort democracy and make it appear as though we are defending authority in the name of democracy. But when there is external aggression, when there is evidence to show that there an effort is going to be made to disrupt communications, and to create conditions in which there can be no defence of the country, then it is incumbent on Government, under such extraordinary circumstances to give the benefit of doubt to society, to give the benefit of the doubt to the country as a whole. In the past when such a situation arose, Government introduced the Bill which the House accepted. Today, the situation is not the situation that obtained in 1962; today the situation is not the situation that obtained in 1965. Therefore, the House will find that hon. Members from this side of the House have taken the initiative, even as the Members of the other side have taken their own steps, to demand that the emergency should not stay for one more day than is necessary.

I want to conclude by making a brief reference to the hill areas to which reference has been made by other Members. Many Members who spoke before me referred to the conditions in Nagaland, in the Mizo Hill's and other areas. I shall not go into this question at length. But it is true and it cannot be gain said that in spite of the efforts of the Peace Mission and in spite of the compromising promissionist attitude of the Government, conditions have not improved in that region.

As far as Nagaland is concerned, if there is some quiet, it is not because authority has asserted itself, but it is because there has been a reconciliation with ambiguity in authority, because the Government there has been reconciled itself to ambiguity in authority.

As far as the areas bordering Nagaland are concerned, whether it be the border of Nagaland and Assam or the border of Nagaland and Manipur, the situation has become worse. Even the Chief Minister of Assam, who is a member of the Peace Mission, has had to confess in the Assam Legislative Assembly that the depredations of the Naga hostiles have increased and that the terror and violence that they are employing to harass the people on the borders has increased.

The Peace Mission has not succeeded in bringing peace. On the other hand, because of the fact that they have enabled the Naga hostiles to exploit the unilateral observance of the cease-fire by the Government of India, a situation has been created in which the malaise has spread to other areas. Three sub-divisions of Manipur which had nothing to do with this trouble before have today become areas where the Naga hostiles have entrenched themselves and where it is impossible to say that the writ of the Government runs. This has been possible only because of the weak-kneed policy of the Government in agreeing that the cease-fire should apply to these areas as well.

There has been reference to the Mizo Hills, and it was said by some Members of this House that what happened in Nagaland might happen in the Mizo Hills, and some Members even went to the extent of saying "it may happen today in Mizo Hills, and it may happen tomorrow in other hills".

Now, I submit, Sir, we have to be very clear about our policy towards the hill areas of our country. It is not possible for us to adopt double standards, one set of standards for the tribal people in the plains, one set of standards for the people in Bastar and other areas in the heart of India and another set of standards for the tribal people in the border areas of India. There must be a uniform standard for all, to both sets of people.

If therefore we realise that this problem has to be looked at from the point of view security, from the point

of view of the preservation of the integrity of this country, then we must recognise that a combination of piety and puerility will not enable us to deal with the situation. What is necessary is a strong attitude which will let people know that there would be no uncertainty in our attitude to these areas. Uncertainty paves the way for escalating demands, demands for autonomy, separation and then secession. Autonomy is autonomy for the preservation of institutions and traditions. Autonomy does not confer on any set of people the right to have a loose link with the rest of this country, the whole of this country. The unity and integrity of this country must be preserved. If the isolation of the past is responsible for the present situation, it is not by maintaining isolation that we can promote integration. If there have been mistakes in the past and if those mistakes are responsible for the present situation, it is not by persisting in those mistakes that we can correct them. I therefore hope that the Home Minister will show the vision, courage and firmness necessary to deal with the situation.

श्री न० प्र० यादव (सीतामढ़ी) :
उपाध्यक्ष महोदय, बिहार के सदस्यों को सुबह से मौका नहीं मिला है।

Mr. Deputy-Speaker: What about Shri A. P. Sharma? Is he not from Bihar?

An hon. Member: What about Shri Bhagawat Jha Azad?

Shri Bhagwat Jha Azad (Bhagalpur): I am not from Bihar; I come from India.

Shri Badrudduja: Mr. Deputy-Speaker, it is with a heavy heart that I have taken part in the debates this afternoon. After the assurances held out during the last few weeks, particularly by the hon. the Prime Minister, that the emergency would be lifted and that the DIR would be repealed, yesterday we were shocked to have that message, not of hope, but a counsel of despair, from

[Shri Badrudduja]

the Home Minister, that the emergency must continue, that the DIR must be exercised very cautiously, very discreetly, only in the border areas, because the border areas alone supply materials for sedition!

I represent a border constituency. Unfortunately, Murshidabad borders on Pakistan. I represent the Murshidabad constituency. Therefore, I have become a victim of the DIR. I do not grudge. This is my fourth round under this benign Government; a few rounds more and I shall shake off the mortal coils. As long as I am alive, I have got to face the music.

But I am concerned about those Muslims, innocent Muslims, 90 per cent of whom have been supporters of the Congress, professors, doctors, engineers, editors of newspapers government officials, advocates of the High Courts, industrialists, businessmen and business magnates, who contributed so magnificently to the Congress's Defence Fund. We have been clapped behind prison bars. This DIR must continue! Unless you continue these things, how can you crush the Opposition? How can you crush the potential enemies of the country? A felon has the right of defence. The eminent lawyer, Mr. Sen, who is here now fortunately, will give the legal interpretation and the *raison d'être*. How I wish I could make an objective assessment of the entire situation in all its bearings, implications and repercussions on the course of events. How I wish I could be dispassionate. I shall try to do that.

I have not issued any statement to the press so far lest in this surcharged atmosphere the fuse is lit and an explosion is set off. But I want to refer to my experience. I have been practically kept behind prison bars without any rhyme or reason. Not for sponsoring any movement. No. There have been even people tottering to their graves, old men of 75, limping and tottering; even old men have been

trapped, because their fault is that they are Mussalmans, no other fault, than this that they belong to a particular religious persuasion.

Shri K. N. Tiwary: Question.

Shri Badrudduja: Question or no question, that is a fact.

A felon has the right to defend himself; a robber, a dacoit, a thief, a burglar, a murderer has the right of defence, but the respectable citizens of this country have no right of defence. A man who steals my purse, steals only trash, but one who steals my faith, my honour, my idealism, my loyalty, commits the greatest robbery; it is a violation of the Constitution, it is a wanton encroachment on the fundamental rights of the citizens of the State who constitute an integral part of the Indian nation, rights that have been guaranteed to them under the Constitution.

My hon. friends on the Congress benches who spoke yesterday pleased me very much. I do appreciate their observations, observations of hon. Members like Shri Mathur. He said that the emergency must be lifted. How I wish only that he went a step further and called this bluff of secularism!

Secularism is a sneer and a delusion, it is a fraud and a deception. Critics would not spare this administration; they declare from the housetops: "Secularism! Thy name is hypocrisy, thy name is treachery, thy name is perfidy, thy name is corruption, thy name is bribery, thy name is nepotism and favouritism, thy name is dirt, filth and abomination, thy name is wanton encroachment upon the fundamental rights of the citizens, exploitation of the weaker people, using them as pawns on the political chess board by the powers that be in the land for aggrandisement, thy name is exploitation of the minorities, particularly of the religious Muslim minority, the spoliation and ruination of the Muslim

minority, all in the name of the security of the State, all in the name of the sovereignty of the State, all in the name of the integrity of the State."

I am one of those who long before most of my hon. friends over there on the other benches were politically born, was brushing my shoulders with the leading lights of the Congress and the Muslim League. Even against the demand, the irresistible demand of the Muslim League for self-determination of the one hundred million Muslims, who constituted not a minority by any stretch of the imagination or canon of reasoning, I pleaded for a united India, an India with checks and balances provided under the Constitution which would ensure the integrity, solidarity and cohesion of India and a glorious possibility in future and ensure also the safety and security of the unfortunate millions of Muslims that live in this land. But I have been disillusioned.

Shri D. C. Sharma (Gurdaspur): We will put hope into you again.

Shri Badrudduja: Sufficient unto the day the evil thereof; sufficient this indiscriminate firings by the police resorted to during these 18 years, which have far exceeded those practised during the 150 years of British rule in India; sufficient these repeated violations of the Constitution, these broken pledges and false assurances, these horrible scenes of carnage and bloodshed that occurred all over the country, the massacre of innocents in hundreds and thousands, in hundreds of thousands, that occurred all over the country during this period; of such indiscriminate firings that have gone on in the most unprecedented upheavels in Assam, in Madras and in West Bengal. Are they not a clear commentary on the character of this administration, on its tendency, on aspirations throughout the land? That is the unfortunate legacy.

I have not enough time at my disposal. I do not know the time you have allotted me; otherwise it is very difficult.

Mr. Deputy-Speaker: You have got 10 minutes more.

Shri Badrudduja: Thank you very much. Mr. Speaker wanted to allot me 21 minutes.

My dreams have been rudely shattered. I have been ailing.

Mr. Deputy-Speaker: If you want, you can sit?

Shri Kapur Singh (Ludhiana): Why should he sit?

Shri Badrudduja: If you permit, I shall sit down and speak.

Mr. Deputy-Speaker: You can sit and speak.

Shri Badrudduja: Thank you, Sir; but I shall go on till I am exhausted. I have been ailing. But I shall carry on, standing.

Now, I have been greatly disillusioned; I have been sadly disillusioned. I have never withheld my admiration for the Congress, its burning patriotism, its lofty idealism, its magnificent sacrifices and services in the past, its significant and positive contribution to the political and social life of the country, raised hopes in my drooping eyes, under the inspiring leadership of Mahatma Gandhi, and a band of patriots including among them Acharya Kripalani, Pandit Jawaharlal Nehru, C. Rajagopalachari, the All Brothers, Maulana Abul Kalam Azad and Maulana Husain Ahmed Madani, for carrying on the banner of freedom and generating forces for the emancipation of the country from the foreign yoke. I do not withhold my admiration also for the hon. Home Minister, who is not here at the moment, who during the last disturbances, the communal disturbances of 1964, in Bengal, Rourkela and Jamshedpur, rushed to the scenes of disturbances, arrested the great drift and saved the country from the crisis that threatened the extinction of Muslims in the country. I have never

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withheld by admiration for him. The facts must be stated in their true perspective.

What is the position today? What is the unfortunate position of the minorities in India? I have been talking of not only religious minorities but also of linguistic minorities and political minorities. About linguistic minorities, I have discussed at length on a previous occasion. I will be brief and I will dispose of in a minute the question of political minorities. There are communist friends. There are very serious observations. Hundreds of thousands have been arrested on the false plea that these leftists must be pursued: because the left-communists were in collusion with the Chinese, therefore, they must be put behind the bars though the people registered their verdict in their favour, in favour of the communist M.L.As; they were detained indefinitely: respected leaders like Shri Gopalan, respected leaders like Jyoti Basu, the leader of the Opposition in the West Bengal Assembly,—they must be unjustly, unfairly detained! If there were any grave charges of sedition, grave charges of treachery, perfidy, against them, why not produce them before the courts of law, and if the charges were substantiated, then pillory them; hang them, torture them with every refinement of cruelty and barbarous savagery. This is not the way to deal with them. This is not democracy. This is not by sheer force of numbers, not by superior wisdom, not by superior education and culture, not by superior reason and imagination, not by superior services and sacrifices not by superior virtues, that you want to burst the whole soul of the leaders and put those respected gentlemen behind the doors.

I am prepared to say, I am not a communist. I do not subscribe to communism or the communistic ideals. H. G. Wells, the great historian of international eminence who was a sworn enemy of Islam and the Prophet and Islam, who cast serious re-

flections upon the Holy Prophet, could not resist encomiums for Islam: He said that Islam exists in the world because it must, representing as it did the great urges of the human mind for social justice and democracy.

Similarly, I do not subscribe to communism or the communistic ideals. But it exists today because it must, representing as it does, the urges of millions of people, millions of have-nots, all over the world, against exploitation by vested interests.

Yesterday, some hon. friends over here, said, do not shut the door against settlement. I am not against any settlement. I approve and I greatly appreciate the policy of the Congress administration for a peaceful settlement of disputes on the border, its policy to explore all possible avenues of settlement. If we are prepared for the worst, and strive for the best, we should not have enemies on the border. It is not possible to carry on; all the troubles, all the miseries, all the misdeeds, all the privations, all the complexes are due to the Government's lack of any objective assessment of the growing complexities of the international situation. Despite the warnings from responsible quarters, from very responsible leaders like Rajaji, Acharya Kripalani and no less a person than Aurobindo Ghosh, we have never taken any notice of the fast developing international situation. Therefore, we have failed.

About communism, what shall I say? Communism has come to stay as a mighty force to reckon with. It is sweeping across the continents of the world. It has penetrated in the East. It has penetrated into eastern Europe; it has penetrated into Russia; it has penetrated into China and it is fast penetrating in the Middle East; and it has made up with de Gaulle's France; it has penetrated into Africa as well. Just like the elemental forces, the law of gravitation, correlation, conservation of energy and causation,

it is sweeping across the continents. Therefore, our Government must try to understand the real currents, the cross-currents, the under-currents, and the changes. With the changing circumstances, there is no longer any non-alignment today. We have no non-alignment. But there is now really a realignment of forces. Pakistan is coming closer to China. India is going closer to America. Today we are very much in the arms of America, receiving with open arms all the help, assistance, cooperation and sympathy offered to us at the present moment.

About the musalmans, I would not like to rake up the unpleasant past, the horrible scenes and the colossal devastation of muslim property during the last communal disturbances in 1964. I would refer to non-representation of Musalmans in the services even in the clerical appointments. I would refer to the discrimination made in the case of issuing licences. Musalmans have to produce citizen certificates even to transfer their properties. Even in the matter of tax-evaders, there is discrimination. My Hindu brethren will not kindly misunderstand me if I refer to one discrimination during the Indo-Pakistan conflict. The Indian Muslims are taboo; they are political lepers. They are helots in this country. They are second-class citizens as referred to by my hon. friend, Dr. Ranen Sen. They must not be touched with a pair of tongs. They are suspects. They must be condemned, doomed, denounced, pelted and thrown into the dung-heaps in the Presidency jail or in the Alipore special Jail.

We do not approve of any tax-evaders and any punishment that you think proper must be meted out to them. But why should there be discrimination between Muslims and Hindus? During the Indo-Pakistan conflict, there was something revealing which I shall place before you. Out of 54,000 Pakistani citizens who were residing in West Bengal in those days, you will be surprised

to learn that 10,000 Muslims alone were singled out for special treatment under the Foreigners Act in the interest of the security of the State. The 44,000 Hindu were not even touched. That is secularism with a vengeance. I would not like to go further and create bitterness. I appeal in the name of humanity, in the name of all that is sublime, in the name of the security of the State, in the name of emotional, cultural, political social and national integration of the State, shed your complexes; shed all these things and then alone you will rise to great heights.

On that memorable day of April 1964, on the floor of the House, I appealed to the hon. Prime Minister of India to rise to the occasion, take courage in both hands, get his feet down on the forces of darkness and destruction and sedition raising their heads all over India and go down in history as a faithful mariner steering his ship across the raging waves of discontent. I will appeal to the noble daughter of that great father to rise to the occasion. By her generous gesture, by her secular outlook, by her sweet reasonableness and magnanimity, she too should try to remove the germs of suspicion and distrust in the minds of the minority communities, and inspire confidence into the minorities, Communists and non-communists, Muslims, Buddhists, Christians and Hindus all classes and conditions of people must cooperate in building up a greater, happier, brighter and a more peaceful and prosperous India where all classes and communities, all groups and societies, would be adequately represented, each one contributing according to its own lights and convictions to the political, social and cultural evolution of our common Motherland.

One point more and I have done. Standing in Delhi amidst the faded monuments of a vanished glory, amidst the ruins of monarchs and monarchies, amidst those bright and beautiful spots that even now peep

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out of the vast debris, we are cruelly reminded of the nothingness of man and the vanity of human accomplishments. There were mightiest emperors, Hindus, Buddhists, Muslims and Christians, who held their sway for centuries together, but they have all disappeared like a dream, and crumbled to pieces like the baseless fabric of a vision. The wheels of God grind slowly, but they grind exceedingly small. Sooner than you and I can conceive of, unless the Congress administration mends its ways, unless it improves the conditions in the country, unless it responds to the appeal of hungry millions, unless it improves the situation, it will also go down in history with its accumulated sins of commission and omission, with its nepotism and favouritism, with its enforcement of the DIR and encroachment upon the fundamental rights of citizens, with its exploitation of the weaker people and spolia-tion of the minorities never to raise its head again. May God guide them along the right path.

Shri A. K. Sen (Calcutta North West): Mr. Deputy-Speaker, Sir, I was listening very attentively to my hon. friend, Shri Badrudduja, who has been working himself up to unnecessary excitement and I was getting nervous about his well-being.

Dr. Ranen Sen: You were getting nervous about his well-being after you had kept him for several months in detention without any charge.

Shri A. K. Sen: I am very happy to find Dr. Ranen Sen exhibiting more concern than myself; I do not grudge him that privilege. I am very sorry that Shri Badrudduja had found reason to work himself up to that pitch, and I think when a Member of Parliament like him expresses rather vehement ideas and feelings it should be taken notice of; not that I agree or I have reason to agree with many of the things that he has said, I do not doubt his sincerity and, granting

that, it is my earnest hope that the Government, not merely the Home Ministry, would see to it that not a single member of the minority community has any reason to feel aggrieved. That does not mean that the arrest of any member of the minority community is *per se* debarred, but every precaution should be devised to see that not the least of avoidable inconvenience may be caused to any member of the minority community. That is the principle to which we are wedded as a nation, and when Shri Badrudduja was speaking I was reminded of his own district which went under the interim partition to Pakistan before the Boundary Commission brought it back to India. And, along with that, at that time, another district went to Pakistan which was then included in India, the district of Khulna. It was a Hindu majority district and this was a Muslim majority district. After the Boundary Commission Award of Lord Radcliffe, Khulna went to Pakistan and Murshidabad happily came back to us because Murshidabad is such an integral part of India. What has happened there? The Hindu majority has been completely annihilated and it has been brought to a hopeless minority.

Shri Badrudduja: They have been always in a minority.

Shri A. K. Sen: I do not agree there. So far as Murshidabad is concerned it continues to be a Muslim majority district, and I say that with very great pride because what happened to Khulna did not happen to Murshidabad (*Interruption*). This is a very strong proof of secularism (*Interruption*). This is a strong proof of secularism if a concrete proof was needed to exhibit, not merely to Shri Badrudduja but to the whole world, the sacred trust which we have been trying to discharge faithfully, namely, the trust we owe to our minority. In this very city the memory of the partition days is not only remembered with

agony by Shri Badrudduja but by all of us, because in the midst of communal frenzy we lost the greatest leader that India had ever produced, Mahatma Gandhi, in the fight to save the rights of the minorities, their lives and their property. I wish such things could be boasted by other countries.

Our neighbour, Pakistan, had witnessed much worse, if not similar orgies of violence. I would have remembered with gratitude if any of those leaders who have been responsible for the partition of this country had laid down their lives for the security of the life and property of the minorities there. The great leaders responsible for partition in that country have not only not laid down their lives but they did not raise a single finger for the protection of the minorities.

Here, on the contrary, from the highest to the lowest, not merely of the Congress but of every party which is represented here, had taken a vow to protect the minorities. It is not enough to say that there has been riots and killings. The riots and killings have been confined to the borders of Pakistan. I belong to a State which has been burdened more by the evil effects of Pakistan than any other part of India. Every day during the last 20 years we have had these refugees trekking in their thousands to our country. I saw when I went to Tikarpara last time men, women and children carrying their last possessions on their head, trekking across the borders. Why should they be trekking across the borders?

Shri Badrudduja: 9 millions have travelled over to Pakistan. Do not distort facts.

श्री हुकम चन्द कछवाय : क्या यह पाकिस्तान के प्रतिनिधि हैं ।

Shri A. K. Sen: If I had said anything which does not fit in with the ideas of Shri Badrudduja, I am sorry.

I am saying this for the purpose of showing that when these refugees come, they bring with them their stories of troubles. Those who see them, hear their tales of woe, they get excited. I have known the strong steps which the Government of India and the Government of West Bengal have taken in recent years, even to the extent of resorting to shooting in dozens of villages, as a result of which the Congress has been blamed in many of these areas for having oppressed the very people who have been driven out of their hearths and homes. This continuous flow of refugees from a neighbouring country has certainly brought its own evil consequences here. It has certainly given rise to violence here which we all deplore. But I strongly protest against Shri Badrudduja's insinuation that either the Parliament or the responsible public opinion in this country or the Government had been party to this violence against the minorities. I make very bold to say that the minorities have received the best of treatment in this country, equal treatment . . .

Shri Badrudduja: I never said that.....

श्री हुकम चन्द कछवाय : तमाम जाति ऐसी है ।

श्री बदरुद्दुजा : गाली क्यों देते हो

Shri A. K. Sen: The decisions of the Supreme Court ever since the Constitution bear gloriously in the printed pages of history testimony to the safeguarding of the rights of the minorities in this country. Not merely their language, not merely their education but everything pertaining to their culture has received the widest of recognition, not merely from us but from the courts which set the ultimate legal rights of the people of this country. I make bold to say that I have yet to see such examples of fanatical safeguarding of rights of minorities in any other Constitution or in any other country.

[Shri A. K. Sen]

I regret that it was necessary at all for the Government to detain any member of the minority community during the last trouble with Pakistan. In fact, I was the very first to protest against large-scale arrests.

The Deputy Minister in the Ministry of Finance (Shri L. N. Mishra): Only foreign nationals, not minorities.

Shri A. K. Sen: Whatever it be, I had also given expression to the view that if in future we are faced with such a crisis, we must set up an impartial tribunal consisting of experts, who would be ready and willing and capable of going into the case of each person who is sought to be detained, belonging to the minority community, so that it can never be said that any member of the minority community and, if I may say so, any citizen of this country was detained without giving him the best of chance to show cause against the proposed detention. That, I believe, is the very fundamental concept on which our democratic government rests. It is not merely the minorities, but every citizen is really entitled to enjoy the right that his life, his liberty, his property are not to be taken away from his enjoyment unless it is sustained by a good cause and without affording him the best of opportunities to show cause against such deprivation.

Shri Mohammed Koya: Did the Home Minister agree with you?

Shri A. K. Sen: I am speaking for myself; I do not represent the Government any more.

I have no doubt that the Home Minister and every member of Government must bear allegiance to those fundamental concepts on which not merely the Government rests but on which the Parliament functions. We are wedded to this principle that no man, howsoever small he may be, whatever his religion and faith may be, will be deprived of his life and

liberty without just cause and it will be for Parliament to pass such laws as would warrant such deprivation.

I am very glad that the Home Minister had announced yesterday about the relaxation of the incidence and impact of the Defence of India Rules.

Shri S. M. Banerjee (Kanpur): Are you satisfied?

Shri A. K. Sen: I think, everybody in the country will welcome it.

Shri S. M. Banerjee: You should not be satisfied.

Shri A. K. Sen: No country can continue for ever to have emergency government resting on emergency powers. If our Constitution has shown lacunae in the sense that emergency powers cannot be applied only to a part of the country, even if that part is very badly affected, unless it is employed for the whole country. I think, it is time that we should think of amending the Constitution properly so that it may not be necessary either to apply emergency for the whole country or none at all. I can quite conceive that there may be occasions when parts of the country may be so badly affected that we must take recourse to emergency powers. I am thinking at once of States like Nagaland and our border areas where at the present moment it is impossible to carry on even normal functions of administration without emergency powers.

Only the other day I was defending certain members of the Central Reserve Police. They were carrying out their operations in defence of innocent persons in Nagaland who were attacked by Naga hostiles for days and days. Many of their members were in fact killed. Unfortunately, they have been arrested and they have been put on trial under regulations on the ground the Criminal Procedure Code does not apply to

Nagaland. Therefore, the very magistrate, the very people, who have been inquiring into their charges are now going to try them under regulations which are not the Criminal Procedure Code, as a result that these members of the Central Reserve Police are being tried in Nagaland just for discharging their obligations because an agitation has been built up by the Naga hostiles against them and they cannot even get the advantage of the Criminal Procedure Code. I think, the Home Ministry must think about it that when our army personnel, our administrative personnel, our Central Reserve Police and other police go in defence of our country in Nagaland and other areas, they are not to be subjected to such trials and they must amend the law immediately. I make a strong demand from this side of the House that our police force, our army personnel, our personnel in other branches of Government who are fighting such a grim battle against the Naga hostiles every day under so many restrictions are not to be subjected to such hardship and such travesty of justice unless it is sanctioned by Parliament. This is some old regulation of 1865 passed by the British Government and we have taken no means to see that those whom we send there to meet the Naga hostiles get the same protection as our people get here. Nothing more is needed and I say that an ordinance should be passed immediately so that they should be given the chance of fair trial outside Nagaland by proper magistrates who are judicial officers.

Shri Indrajit Gupta (Calcutta South West): Do you find out about the 1886 law only after you stopped being the Law Minister? You did not know about it earlier?

Shri A. K. Sen: If I knew, what does it matter? The position is this that this is a situation in many parts of India and we must have more powers than our normal powers required to meet with various situations which have occurred in these various parts. They have been instigated by neighbouring countries, un-

fortunately. Modern arms are being supplied from neighbouring countries so that these hostiles are armed and trained for the purpose of carrying on sabotage and hostile activities against our Government. We have taken every necessary precaution with the purpose of seeing that in these areas, democratic Governments are set up. The State of Nagaland has been set up with their own Government, with their own Legislature. Notwithstanding that, these hostile activities are going on. How can they be curbed? Our police and our armed personnel have been restricted in every possible way. They have not been allowed to function. Even the powers that we have are not being used. I was surprised to find that throughout all these truce periods, when the so-called peace talks have been going on, they have not been allowed to move out more than a dozen yards of the posts.

Shri D. C. Sharma: The External Affairs Minister does not think like that.

Shri A. K. Sen: These hostiles are moving about. They collect taxes, arms, everything. They are moving about openly. Yet we have not been able to use any power whatsoever. What is the use of taking Emergency powers if the ordinary powers have not been used, if the powers which are available under the Armed Forces Regulation Act, which are capable of being used by the reserve police force or an other police force, have not been used? I am really surprised when I hear that Emergency powers are being extended to these areas. The normal powers have not been used. As I said, under the guise of peace talks, these hostiles have been moving about openly with arms, collecting taxes, killing people, blasting trains, attacking public property, and we have done nothing about that. Therefore, my suggestion is that while we think of lifting Emergency, we should also at the same time think of making necessary provisions for meeting situations which can only be met by extraordinary powers so that

[Shri A. K. Sen]

for the purpose of meeting them in these select areas, the rest of the country need not be brought under any Emergency regulation or Emergency administration. That is not necessary. I have not really studied that matter as carefully as I should have. But I take it that the advice of the Government is correct that Emergency cannot be lifted from select parts unless it is lifted from the whole country. If that is the position, then we must think in terms of making necessary changes in our Constitution so that the whole of the country may not have to suffer for the peculiar situation obtaining in certain areas.

I have one more point on which I thought it was necessary to speak and that is about the question of our Judges and our judicial administration. It has been our experience that the salaries which you have fixed under the Constitution, in 1950, have become very unreal having regard to the rise in prices, the increase in the level of taxation, as a result of which it is the experience everywhere that the best members of the legal profession are not anxious to join the Bench. There have been in recent years many instances where able members of the legal profession selected for being appointed to the Bench have declined the offer, a thing which was not experienced very frequently in olden days. The reason is not very far to see. Let us recall that in 19th century, when the High Courts were established, the salary was fixed at Rs. 4,000 for every Judge. Imagine the price level that was obtaining in the 19th century. There were no direct taxes and as a result of that, we could attract the very best talents in the country to the High Courts and as a result of that, the tradition of the judiciary was so well established that it continues to command the confidence of the public and it will be a very sad day if that confidence of the public is shaken and the best talents from the

profession are not attracted to the Bench. Therefore, I think the time has come when this problem has to be studied; I do not say that immediately a decision should be taken, but the matter should be studied at very high levels. I am not always enamoured of commissions being set up, but whatever will be the method of informing the Government, I think this matter should be studied immediately, so that we give our judges a living salary. At one time I heard a suggestion from many quarters that they should be given the salary that they get now, but that should be free of income-tax, so that it will possibly be a reasonable inducement for the talented members of the bar to leave the profession and come to the bench. But it is unnecessary to go into the question as to what salary should be considered reasonable or what emoluments should be considered as necessary for purpose of attracting the best talents from the bar. I should, therefore, say, and I hope, that the Home Ministry would initiate a study and inquire into this matter immediately. They must see that the conditions of service of our judges are improved in such a way that the High Courts again start attracting the best talents from the profession. That is the only way by which the tradition of the High Court, its independence and fearlessness, can be maintained.

These are all that I wanted to say. I am very thankful for the opportunity that you gave me. I would not have normally thought of joining this discussion but for the rather grievous attitude from which Mr. Badrudduja seems to have been suffering.

श्री प्रकाशबीर शास्त्री (बिजनौर) :

उपाध्यक्ष महोदय, भारत में कुछ ऐसे मुस्लिम परिवार हैं जिनका कुछ भाग पाकिस्तान में रहता है। कानून की दृष्टि से इस में कोई आपत्ति शायद न हो कि कोई भारतवर्ष का

रहने वाला व्यक्ति पाकिस्तान के किसी परिवार की लड़की से विवाह करे या वहां के रहने वाले किसी व्यक्ति का विवाह पाकिस्तान में हो परन्तु दुःख उस समय होता है कि जिस समय कोई भी व्यक्ति अपने इन पारिवारिक सम्बन्धों को राष्ट्रीय हितों से ऊपर मान कर कुछ पर निर्णय लेता है।

अभी पूर्व वक्ता मीयद बदरुद्दुजा का जो भाषण हुआ उनके बारे में मुझे यह जान कर आश्चर्य हुआ और कुछ थोड़ा दुःख भी हुआ कि इनके अपने ही दो पुत्र जिनमें से एक का विवाह पाकिस्तान के एक जज की लड़की से हुआ है और दूसरे का पाकिस्तान के एक व्यापारी की पुत्री से हुआ है कानूनन शायद इसमें कोई आपत्ति न हों कि पूर्वी पाकिस्तान के गवर्नर समय समय पर उनको भोजन पर निमंत्रण दें लेकिन इस में आपत्ति अवश्य हो सकती है कोई इस प्रकार का निर्णय या कोई इस प्रकार की बात इस संसद् में कही जाय कि जिससे पाकिस्तान को बल मिले या पाकिस्तान को प्रचार के लिए भ्रवसर मिले। लैफ्ट कम्प्युनिस्ट्स और कम्प्युनलिस्ट्स में कुछ दिनों से पैकट हो गया है। जब से चीन और पाकिस्तान में संधि हुई है तब से यह दोनों पर्याप्त निकट आ गये हैं और इन दोनों के सोचने के ढंग में भी परिवर्तन हो गया है लेकिन एक बात का आश्चर्य मुझे जरूर है कि सैयद बदरुद्दुजा के भाषण के समय सरदार कपूर सिंह क्यों तालियां बजा रहे थे। इस पर मुझे आश्चर्य जरूर हुआ कि सरदार कपूर सिंह ने सैयद बदरुद्दुजा के भाषण की क्यों सराहना की ?

श्री कपूर सिंह (लुधियाना) : बहुत अच्छा रहा था।

श्री प्रकाशबीर शास्त्री : मुझे प्रसन्नता है कि सरदार कपूर सिंह ने स्वयं खड़े होकर सराहना उनकी अब फिर की है इससे उन का मन जानने, उनका दिमाग जानने में सदन

की आसानी हो जायेगी। दूसरी बात मैं विशेष रूप से यह कहना चाहता हूं कि कल सरदार कपूर सिंह ने अपने भाषण में पंजाब के धर्माग्यपूर्ण विभाजन के लिए जब 1961 की मतगणना के आधार मानने का विरोध कर रहे थे तो उन्होंने साथ ही साथ यह भी कहा कि 1961 की जनगणना का आधार भाषा न होकर साम्प्रदायिक है। मैं सरदार कपूर सिंह से बड़ी नम्रता के साथ आप के माध्यम से एक बात कहना चाहता हूं कि पंजाब के अकालियों को या पंजाब के उन लोगों को जो 1961 की जनगणना के आधार पर पंजाब की सीमा रेखा नहीं खींचना चाहते क्या वह इस बात के लिए तैयार हैं कि फिर से पंजाब के अन्दर भाषा के आंकड़े ले लिये जायें ? और फिर से उन आंकड़ों को आधार मान कर पंजाब की सीमा रेखा खींची जाय ? यदि वह तैयार हों तो पंजाब के लोगों को फिर से इस पर निर्णय लेना चाहिए और गृह मंत्री को भी सोचना चाहिये।

Shri Kapur Singh: May I answer this question?

Mr. Deputy-Speaker: The hon. Member has had his say already.

Shri Kapur Singh: The question has been put to me whether or not the Akalis are prepared to accept the new census operation on the question of language. My reply is that so long as those who follow the leadership of Shri Prakash Vir Shastri or people of his way of thinking, see no harm and no sin and no illegality in making false statements, the question does not arise of my acceptance of the proposition which he has offered.

श्री प्रकाशबीर शास्त्री : मुझे प्रसन्नता होती, अगर सरदार साहब मेरे प्रश्न का उत्तर सीधी भाषा में देते। अगर उनको 1961 की जनगणना को आधार बनाने का विरोध है, तो उसका दूसरा विकल्प यह हो सकता है कि पंजाब में नये सिरे से जनगणना करा कर भाषा के आंकड़े ले लिये जायें। अथवा फिर

[श्री प्रकाशवीर शास्त्री]

जैसा कि कांग्रेस पार्टी के एक वरिष्ठ सदस्य ने कुछ दिन पूर्व कहा था, एक विकल्प यह भी हो सकता है 1961 के बाद 1971 में भी जनगणना होनी है इसके लिए उस समय तक संतोष कर लिया जाये और उस के बाद पंजाब की सीमा-रेखा खींची जाय।

इस बारे में आपके माध्यम से मेरा कहना यह भी है सरदार कपूर सिंह और उन के समर्थकों से जिन में मास्टर तारासिंह भी सम्मिलित हैं, जो जगह जगह यह कहते हैं कि इत कमजोर गवर्नमेंट से अगर अब हम कुछ नहीं ले सकते तो शायद हम बाद में कुछ भी नहीं ले सकेंगे। मेरी मातृभाषा क्या है, मेरी मां कौन है, यह लिखाने का अधिकार केवल मुझे ही है। 1961 में कुछ लोगों ने अपनी मातृभाषा हिन्दी लिखाई थी और कुछ ने पंजाबी लिखाई थी। उपाध्यक्ष महोदय आप ही बतायें कि अपनी मातृभाषा चुनने का अधिकार, मेरी मां कौन है, इस का निर्णय करने का अधिकार मुझे है या किसी दूसरे व्यक्ति को।

Shri Kapur Singh: It is a question of fact, not a question of preference.

Mr. Deputy-Speaker: The hon. Member has had his say already.

Shri Kapur Singh: He is referring to me, and, therefore, I am entitled to reply to him.

श्री प्रकाशवीर शास्त्री : सरदार कपूर सिंह या उन के साथी कुछ इस प्रकार की बातें कर सकते हैं, जिन के आघार पर वे अपनी मातृभाषा के बारे में निर्णय करने का अधिकार किसी दूसरे को दे दें। लेकिन कम से कम मैं, मेरी मातृभाषा क्या है, या मेरी मां कौन है, इसका निर्णय करने का अधिकार किसी दूसरे को नहीं दे सकता हूं। यह अधिकार मेरा ही होगा।

Shri Kapur Singh: Nobody can be permitted to make a lie in census

operations. It is a crime to make a lie.

श्री प्रकाशवीर शास्त्री : मैं एक और बात आपके माध्यम से गृह मंत्री से निवेदन करना चाहता हूँ और वह यह है कि अगर सरकार की यही दुलमुल नीति रही और सरकार 1961 की जनगणना को आधार न मान कर फिर से अकालियों के सामने झुकी, सरकार ने आज पंजाब का यह दुर्भाग्यपूर्ण विभाजन जिस ढंग से माना है, फिर से उस से आगे जा कर कोई नई बात हुई, तो अभी तो पंजाब में कोई रक्तपात नहीं हुआ है, लेकिन आगे चल कर वहां पर विषम स्थिति उत्पन्न हो सकती है। इसलिए सरकार इस बारे में कोई ऐसी गलती न करे जिस का परिणाम सीमावर्ती प्रदेश पंजाब, के निवासियों को और पूरे देश को किसी दूसरे रूप में भुगतना पड़े।

Shri Kapur Singh: The hon Member is openly preaching Blood-shed.

Mr. Deputy-Speaker: Shri Kapur Singh has had his say already. Now, Shri Prakash Vir Shastri is making out his case.

Shri Kapur Singh: Can you permit him to preach blood-shed?

Shri A. P. Sharma: Nobody interrupted Shri Kapur Singh when he spoke yesterday.

Shri Kapur Singh: I did not preach blood-shed.

श्री प्रकाशवीर शास्त्री : उपाध्यक्ष महोदय मैं आज के अपने भाषण को केवल पंजाब तक ही सीमित नहीं करना चाहता। क्योंकि इसी सदन में पंजाब के ऊपर एक और विस्तृत चर्चा होने वाली है। अगर मुझे अबसर मिला, तो मैं उस समय सारे तथ्यों और सारी पृष्ठभूमि को सदन के सामने उपस्थित करूंगा और बताऊंगा कि भाषा के आधार पर ही यह विभाजन की मांग नहीं चली और सर स्टैफर्ड क्रिप्स मिशन के

समय से इस विभाजन का आघात क्या था ? और किस प्रकार से यह मांग बढ़ती चली गई । आज तो मैं केवल इतना कहना चाहता हूँ कि सरकार अपनी दुलमुल नीति में आ कर सीमावर्ती मजबूत प्रदेश, पंजाब, के साथ खिलवाड़ और शलती पर शलती न करे ।

जहां तक राज भाषा का सम्बन्ध है, मुझे इस सरकार से एक बहुत बड़ी शिकायत है । गृह मंत्रालय की अपनी 1965-66 की रिपोर्ट में प्रमुख विषयों के शीर्षक दे कर यह बताया गया है कि उनके सम्बन्ध में इस वर्ष के दौरान सरकार ने क्या किया है । लेकिन हिन्दी को गृह मंत्रालय ने इतना व्यर्थ सा विषय मान लिया है कि उस ने इस रिपोर्ट में हिन्दी के विषय को "अन्य विषय" में रख दिया है—उस में हिन्दी और मद्य-निषेध दोनों रखे हुए हैं ।

हिन्दी के प्रश्न पर सरकार ने अपनी जो रिपोर्ट दी है, उस में और जो लैंग्वेज एक्ट है उन दोनों की भाषाओं में भी अन्तर है । लैंग्वेज एक्ट में, जिस को सरकार ने इसी सदन में पास किया है, इस बारे में स्पष्ट लिखा हुआ है, "दि इंग्लिश लैंग्वेज में—कान्टीन्यू टू वि यूज इन एडिशन टू हिन्दी" । लेकिन गृह मंत्रालय ने अपनी रिपोर्ट में लिखा है : "26 जनवरी, 1965 से द्विभाषी काल आरम्भ होता है, जिस में हिन्दी और अंग्रेजी दोनों भाषायें संघ के राजकीय प्रयोजनों में प्रयुक्त होंगी ।" इस का स्पष्ट अर्थ यह है कि गृह मंत्रालय उस एक्ट की भी अवहेलना कर रहा है, जो इसी सदन के द्वारा पास हुआ है । गृह मंत्रालय और यह सरकार किस प्रकार संसद् और देश के निर्णयों की अवहेलना कर रहे हैं, इसका मैंने एक प्रत्यक्ष उदाहरण आप के सामने रखा ।

मैं अपने उन मित्रों से सर्वथा सहमत हूँ, जिन का कहना है कि जिन राज्यों में हिन्दी नहीं चली है या जो राज्य केन्द्र का काम हिन्दी में नहीं कर सकते हैं, उनका भी ध्यान रखा जाना चाहिए । इस सम्बन्ध में देश को तीन

भागों में विभक्त कर दिया जाय : एक वह जिस की मातृभाषा हिन्दी, दूसरा वह जो अर्द्ध-हिन्दी या सम-हिन्दी कहे जा सकते हैं और तीसरे अर्द्ध-हिन्दी-भाषी राज्य । इन तीनों भागों के लिए एक ऐसा कार्यक्रम बनाया जाये, जिस से नियत समय में सारे देश में केन्द्र की भाषा अंग्रेजी के स्थान पर हिन्दी हो सके ।

1965 के बाद इस देश की भाषा हिन्दी हो जाना चाहिए थी, लेकिन दुर्भाग्य से गृह मंत्रालय की शिथिलता से अब उल्टी गंगा बहने लग गई है और अंग्रेजी का बाहुल्य होता जा रहा है । उपगृह मंत्री, श्री विद्या चरण शुक्ल, ने पीछे कहा कि हम ने इतने लाख लोगों को हिन्दी सिखाई है । लेकिन क्या श्री शुक्ल इस बात का उत्तर दे सकेंगे कि जिन लोगों ने हिन्दी सीख ली है, क्या उन से कहा जा रहा है कि वे हिन्दी में काम करें ? हिन्दी सीख कर अगर वे हिन्दी में काम नहीं करते हैं और इस लिए अगर वे कल को हिन्दी को भूल जायेंगे और इस गरीब देश की कमाई के लाखों रूपयों पर पानी फिर जाये, तो उस की जिम्मेदारी गृह मंत्रालय पर होगी या उन पर होगी, जिनको हिन्दी सिखा कर उसके प्रयोग का अवसर नहीं दिया जा रहा है ?

जहां तक डी० आर० आर० के प्रयोग का सम्बन्ध है, मेरे सोचने का स्तर श्री सैयद बदरुद्दुजा जैसा तो नहीं है लेकिन मैं इतना अवश्य कहना चाहता हूँ कि अभी कुछ दिन पहले संयुक्त सोशलिस्ट पार्टी के एक सदस्य ने कहा था कि महाराष्ट्र के एक मिनिस्टर ने एक लड़की को इस लिए डी० आर० आर० में एरेस्ट करवा दिया कि उनका लड़का उससे विवाह करना चाहता था और वह यह नहीं चाहते थे । अगर यह बात सही नहीं है, तो मैं यह जानना चाहता हूँ कि सरकार इस प्रश्न पर मौन क्यों है ।

इस सदन में संविधान के अनुच्छेद 370 को हटाने सम्बन्धी विधेयक उपस्थित करते हुए मैंने बताया था कि काश्मीर की जिन

[श्री प्रकाशवीर शास्त्री]

पुस्तकों में चीन-समर्थक पाठ्यक्रम है, उस के विरुद्ध काश्मीर के स्टुडेंट लीडर, श्री भीमसिंह, ने धान्दोलन किया और काश्मीर सरकार को चेतावनी दी कि भ्रमूक तारीख तक इन पुस्तकों में से उन पाठों को हटा दिया जाये जिन में चीनी नेताओं की प्रशंसा की गई है जो भारतीय नौजवानों पर बुरा प्रभाव डालते हैं। अन्यथा मैं उन पुस्तकों की होली जलाऊंगा। चूंकि उस व्यक्ति ने राष्ट्रीय हित में काम किया, इस लिए वह आज डी० आई० आर० के मातहत गिरफ्तार है। क्या डी० आई० आर० का प्रयोग ऐसे कामों के लिए किया जाना है?

मैं इससे भी अधिक और बुरी एक बात बताना चाहता हूँ और मैं चाहता हूँ कि गृह मंत्रालय और यह सदन उस के बारे में भी सोचे। मुझे यह देख कर शर्म आती है कि काश्मीर के एक मिनिस्टर के सम्बन्ध में अखबार में लिखा है: "काश्मीर मिनिस्टर, हू कूड नाट कंट्रोल हिमसैल्फ"। इस सम्बन्ध में और भी आठ दस समाचार पत्र, मेरे पास आए हैं। मैं नहीं चाहता कि मैं इस बात को खोल कर कहूँ। लेकिन अगर एक अल्पसंख्यक परिवार की औरत एक हैडमिस्ट्रेस के साथ, हुई यह घटना सत्य है, तो मैं चाहूंगा कि गृह मंत्रालय इसकी पूरी जानकारी ले।

एक माननीय सदस्य : अखबार का नाम क्या है ?

श्री प्रकाशवीर शास्त्री : अखबार का नाम धार्गनाइजर है, जो दिल्ली का प्रमुख पत्र है। इसके अतिरिक्त भी काश्मीर के लगभग सभी पत्रों में यह घटना घा चुकी है।

एक माननीय सदस्य : मिनिस्टर का क्या नाम है ?

श्री प्रकाशवीर शास्त्री : मिनिस्टर का नाम माननीय सदस्य मुझ से न कहलवायें। श्री हाथी को सब बातें पता लग चुकी हैं।

लेकिन मैं चाहूंगा इन सारे तथ्यों का पता लगाने के बाद सरकार इस बारे में उचित और कड़ी कार्यवाही करे। आज स्थिति यह है कि जो काश्मीर में राष्ट्रीयता का झंडा खड़ा करना चाहते हैं, उन को डी० आई० आर० में गिरफ्तार किया जाता है, उन से शत्रुता निकाली जाती है। लेकिन जो वहाँ पर राष्ट्रीयता के शत्रु हैं और इस प्रकार के दुर्व्यवहार के अपराधी हैं, उन को आज प्रश्रय मिला हुआ है और आज वे मिनिस्ट्रों की कुर्सी पर बैठे हुए हैं। क्या यह डी० आई० आर० का दुरुपयोग नहीं है ?

काश्मीर में हज़ारों की संख्या में घुसपैठिये आए, जिन के द्वारा हिन्दुस्तान और पाकिस्तान का संघर्ष प्रारम्भ हुआ। लेकिन आज तक भारत सरकार यह नहीं बता सकी है कि इस में काश्मीर सरकार की गलती थी, गृह मंत्रालय की गलती थी अथवा रक्षा मंत्रालय की गलती थी।

18 hrs.

मैं आज जानना चाहता हूँ कि हमारी कमाई का करोड़ों रुपया जिन पर व्यय किया जाता है उनमें कितनी की असावधानी से यह घुसपैठिये आये ? लड़ाई में सीमावर्ती काश्मीर के कुछ लोग पाकिस्तान चले गये और वहाँ से लाखों की संख्या में ट्रेंड हो कर आ रहे हैं। किस प्रकार से वे काश्मीर की रक्षा कर सकेंगे कल को यह स्थिति आपके सामने आयेगी, इसका और समाधान क्या हो सकता है ?

श्री फरूद्दीन अली अहमद यहां पर बैठे हुए हैं, अभी पटना में उन्होंने एक भाषण में कहा अगर समाचारपत्रों में सही रिपोर्टिंग हुई है तो भारतवर्ष के पूर्वी प्रदेश के इलाके में अनुमान है कि 10 लाख पाकिस्तानी वहाँ पर आकर बैठे हुए हैं। अगर यह रिपोर्टिंग सही है और यह सत्य है तो हम कितनी कच्ची रेत

की दीवार पर खड़े हुए हैं और इस तरह हम किस प्रकार देश की रक्षा कर सकेंगे।

सिचाइ और विद्युत् मंत्री (श्री फरूद्दीन अहमद) : जब मेरा नाम लिया गया है, तो जो मैंने पटना में कहा था, बेहतर होगा उसको बाजा कर दूं। मैंने यह कहा था कि 1961 में जो सेन्सस हुआ, आबादी में एग्ज इन्कीज को ध्यान रखते हुए यह मालूम होता है कि 10 लाख मुसलमानों की आबादी हिन्दुस्तान में ज्यादा है और 10 लाख मुसलमानों की आबादी पाकिस्तान में कम है और इसका डिस्ट्रीब्यूशन इस तरह से है कि 4 लाख के करीब बंगाल में, 3 लाख के करीब बिहार में, ढाई लाख के करीब आसाम में और पचास हजार के करीब त्रिपुरा में। लेकिन इस से यह हम नहीं कह सकते कि बंगर पासपोर्ट डाक्यूमेन्ट लिये हुए और पासपोर्ट लिये हुए कितने पाकिस्तानी हिन्दुस्तान में हैं। उस के लिये सेन्सस करना चाहिये और उस के बाद ही हम कह सकते हैं कि कितनी इललीगल इन्फिल्ट्रेशन हमारे मुल्क में हुई है।

श्री हुकूम खन्द कछवाय : 10 लाख पाकिस्तान में कम हुए और यहां बढ़े हैं।

श्री प्रकाशचौर शास्त्री : मैं श्री फरूद्दीन को धन्यवाद देता हूँ कि जो बात मैं कहना चाहता था, वह बिस्तार के साथ उन्होंने बतला दी, उस से मेरे कथन की पुष्टि में मदद मिली है। मैं यह कहना चाहता था कि इस प्रकार की जिस देश की सीमाओं की स्थिति हो गई हो, उस देश के गृह मंत्री से अगर देश यह पूछे कि गृह मंत्रालय इस देश की सुरक्षा के लिये क्या कार्य कर रहा है और किस तरह से इस देश की स्वतन्त्रता की रक्षा हो सकेगी,

तो क्या यह न्यायोचित न होगा मैं उम्मीद करता हूँ श्री जयमुखलाल हाथी पूर्वी सीमावर्ती प्रदेशों के सम्बन्ध में ही नहीं, बल्कि राजस्थान, कच्छ, गुजरात और दूसरे जितने भी सीमावर्ती राज्य हैं, इन के सम्बन्ध में जो स्थिति गंभीर हो रही है, इन सब के सम्बन्ध में भी गम्भीरता से निर्णय करेंगे।

गृह मंत्रालय का दुर्भाग्य यह है कि इस नई कैबिनेट बनने के बाद, श्रीमती इन्दिरा गांधी के प्रधान मंत्री बनने के बाद, गृह मंत्रालय को कौन सा सांप सूँघ गया है? क्यों उसमें दुर्बलता आती चली जा रही है? जो राष्ट्रीय निर्णयों पर दृढ़ता के साथ कदम नहीं उठाता। इसी तरह की गृह मंत्रालय की यदि स्थिति रही और इस केन्द्रीय सरकार पर मुख्य मंत्री इसी तरह से हावी बने रहे तो मैं समझता हूँ कि गृह मंत्रालय हो या कोई और मंत्रालय हो, देश के लिये उतना उत्तरदायी नहीं हो सकेगा, जितना उसे अपने उत्तरदायित्व का पालन करना चाहिये। मुझे विश्वास है कि इन बातों पर आप और श्री गहराई के साथ विचार करेंगे।

18.04 hrs.

*INTER-STATE RIVER WATER DISPUTES

Mr. Deputy-Speaker: Half-an-hour discussion. There are some more speakers who want to speak on the Demands. After the half-an-hour discussion is over, if the Members want to remain, and quorum is there, we can go on up to 7 O'Clock.

Shri Sivamurthi Swamy (Koppal): I am obliged to raise this half an hour discussion of inter-State water