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**CHAVAN**

SELECTED SPEECHES IN PARLIAMENT



EDITOR : R. D. PRADHAN

**Y. B. CHAVAN**

SELECTED SPEECHES  
IN PARLIAMENT

VOLUME I

**DEFENCE  
&  
HOME MINISTER**

Editor  
**R. D. Pradhan**

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## FOREWORD

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Shri Y. B. Chavan, who as a young man participated actively in the freedom struggle, emerged as one of the prominent leaders of independent India.

He spent almost half his life in the Legislature, Sixteen years between 1946 to 1962, in the Legislative Assembly of the erstwhile Bombay State and later of Maharashtra. On November 21, 1962, he was called to take over as Defence Minister of India. Till his death, 22 years later on 25 November 1984, he remained a Member of the Lok Sabha.

Y. B. Chavan was a great patriot, perspective thinker and a true democrat. He also proved himself an able administrator in all the high positions that he occupied as Chief Minister, as a Minister for Defence, Home, Finance, External Affairs as well as Deputy Prime Minister of India. He emerged a great Parliamentarian as well. With his strength of character, sense of fair play and ability to engage in repartee, he established for himself a unique place in democratic India.

Y. B. Chavan Pratishthan has undertaken a project to publish his selected speeches. His speeches in the Legislative Assembly in the State have already been published in two Volumes. Now, the Pratishthan has great pleasure in offering in two volumes Y. B. Chavan's Selected Speeches during his tenure as Defence Minister and Union Home Minister. It is proposed to make available his other speeches in the Parliament in due course.

I am confident that Shri Y. B. Chavan's Speeches will serve as useful reference material to students of politics and constitutional authorities. It should also prove useful to future historians.

August 1, 1995  
Mumbai.

**Sharad Pawar**  
President,  
Y. B. Chavan Pratishthan

## EDITORIAL NOTE

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Y. B. Chavan Pratishthan has undertaken a project to publish selected speeches of Shri Chavan in the Parliament. First phase of the Project includes publication of his speeches as Defence Minister of India and as Union Home Minister in two Volumes, covering a period between November 1962 to December 1970.

Volume I contains speeches as Defence Minister and selected speeches concerning the law and order as the Union Home Minister. Volume II contains speeches as Home Minister on constitutional matters, mainly those covering the role of office of the Governor and imposition of President's Rule under Article 356 of the Constitution.

Shri Y. B. Chavan became Defence Minister on 21 November, 1962 at a time when the Indian Army was facing a major debacle in the North-east. During his stewardship of Defence Ministry upto November 1967, his main achievements were to expand and reorganise the Armed Forces, modernise their equipment and establish new productive capacities for Defence.

Shri Y. B. Chavan's contribution to India's Defence is well covered in the three speeches that he delivered for seeking budgetary grants for the Defence Ministry. During those, speeches, he shared with the Parliament and the country his perception of the nature of threat on borders and his own approach to reorganising and reestablishing proper relationship between the political system and leadership of the Defence Forces. These speeches also represent development of Shri. Y. B. Chavan from a State level politician to a national leader and therefore these represent his evolution as the Defence Minister.

The handling of the Report on the debacle in NEFA popularly known as the Henderson - Brookes Report was a challenge that he ably faced in the Parliament. The Statement that he made

and the spirited manner in which he defended the Government, represent a high water mark of his Parliamentary career. With his masterly handling of the debate, he put an end to the witch-hunt into the NEFA debacle and reaffirmed proper relationship between the political authority and the Defence services.

As Union Home Minister, Shri Y. B. Chavan assumed office after a serious law and order incident near about the Parliament House following which his predecessor had to resign. Shri Y. B. Chavan with this vast administrative experience and skills in management, firmly reestablished law and order. He also proved himself a forward looking Home Minister by reorganising and giving legislative basis to the functioning of several Central paramilitary forces, including the Border Security Force. He handled complex problems in the South arising out of the reorganisation of States on linguistic basis. He ably handled the legislation to provide for three - language formula to establish proper balanced relationship between the South and the Hindi speaking States of the North and at the same time reaffirming the role of Hindi as national language. He made a great contribution in handling the problems of the reorganisation of Assam in a sensitive manner.

1967 General Elections represented a water mark in Indian politics. The Congress Party in power at the Centre had to deal with non-Congress Governments in several States. The role of the Union Home Minister as the king-pin of the Centre- State relations thus became crucial. Shri Y. B. Chavan excelled in performing that role. Many of his speeches in the Parliament connected with the office of the Governor, the role of the Central Government and imposition of the President's Rule under Article 356 have become constitutional precedents. His approach to complicated legal issues and the manner in which he shared his own perception of the problems, constitutional as well as political, established him as a national leader. By his readiness to engage in verbal duels and sharp repartees he soon won recognition as an able Parliamentarian.

All the above aspects of Shri Y. B. Chavan's personality namely as a political leader, an able administrator and as a Parliamentarian are brought out in these two volumes.

It has been possible for me to undertake this task thanks to the encouragement and spontaneous help offered by Hon'ble Shri Shivraj Patil, Speaker of the Lok Sabha. He very readily made available to me facilities of Parliament's Library. At his initiative, name of an able official, who had recently retired, was suggested to me. Shri Rup Chand, former Deputy Secretary of the Lok Sabha Secretariat worked tirelessly and meticulously and got all the material photocopied and arranged methodically. My selection is based on that material.

About the editorial task, I ought to mention that I have selected only those speeches, especially during Y.B. Chavan's tenure as the Home Minister, which are of relevance and of interest to the future. In editing the same, I have retained the interventions and replies - often sharp repartees - that bring out the skills of Y. B. Chavan as an able Parliamentarian. Also while maintaining the substance of the speeches I have deleted certain repetitive portions and long wordly duels that are part of Parliamentary debate and add flavour to the same. However, this editing has been undertaken so that a reader does not lose sense of continuity.

The 'Selected Speeches' have been compiled in different Sections, each one under a subject heading. Each speech has been presented in a different Chapter, under the relevant Section.

I have also given brief editorial notes to each Section and also to some Chapters to recall the events, circumstances or the context in which the debate took place. This may prove of some use to a reader since most of the speeches included in these two Volumes are over three decades old.

I am grateful to the office bearers of the Pratishthan for all the co-operation extended to me. I am specially appreciative of the assistance that was given to me by Vidyadhar K. Kandalgaonkar by

working for long hours in giving a shape to these publications.

I take this opportunity to thank Pratishthan, in particular, its President Shri Sharad Pawar, for having entrusted this task for me. For me it has been a labour of love and my tribute to one who gave me his trust and affection.

August 1, 1995  
Mumbai.

**R. D. Pradhan**

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**Y. B. CHAVAN**

SELECTED SPEECHES  
IN PARLIAMENT

**DEFENCE AND  
HOME MINISTER**

PART I

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**DEFENCE**

## SECTION - 1

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# EVOLUTION AS DEFENCE MINISTER

### EDITORIAL NOTE

Shri Y. B. Chavan assumed office of the Defence Minister of India on 21 November 1962.

The circumstances in which he assumed office were both dramatic as well as gloomy. The Chinese had attacked Indian defence forces deployed along the Nam-Ka-Chu in the Kameng Sector of the North East Frontier Agency (NEFA). On 20 October 1962, a fine brigade of the Indian Army had been routed. In the beginning of November, Chinese launched fierce attacks both in Ladakh as well as the NEFA. Under pressure of events and political pressure exerted by his own partymen, the Prime Minister Jawaharlal Nehru had to relieve Shri Krishna Menon first of the Defence portfolio and later of the Defence Production.

Shri Y. B. Chavan who was the Chief Minister of Maharashtra thus became the Defence Minister of India at a critical time. He was totally new to the Defence as well as working of the Central Government, but very soon with his vast administrative experience and ability to manage men and matters, he settled down to his new task. He remained there till he became the Home Minister of India in the beginning of November 1967

During his tenure, Shri Y. B. Chavan presented Demands for Grants for the Defence Minister for four years beginning 1963-64. These four speeches in a way represent the evolution of Shri Chavan from a relative novice to the Ministry to become a highly knowledgeable, forward-looking and inspiring Defence Minister of India. These speeches also established him as an able Parliamentarian.

SECTION 1

CHAPTER 1

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DEMANDS FOR GRANTS 1963-64

*Lok Sabha 8 April 1963*

At the outset, I must thank the hon. Members who participated in the discussion on the Demands for defence, not only for the participation, but for the unanimous support for the Demands that they gave. Members from all sides of the House, belonging to different political parties, though they defined the task of defence in different ways and emphasised different aspects according to their own views, were in complete unanimity as far as the necessity about the size and nature of the Demands for defence were concerned.

I must also thank the hon. Members for another reason; for the general goodwill that they have shown towards me. I should not have brought this personal note in my speech, but I think it is my duty, when I consider this is a unique honour for me to make my maiden speech on these historic Demands for defence, looking to its size, looking to its time

when it is introduced and looking to the conditions under which it has been introduced. Therefore, Sir, I am very grateful to the general sense of confidence that they showed about me.

I would like to explain the scheme of my speech, because I would like to finish as early as possible. I do not propose to go into the details of some of the administrative type of questions that were raised, but certainly I propose to deal with some major issues that were tried to be raised in the course of the debate. But I can assure those hon. Members who have raised questions of the nature of details that I will apply my mind very carefully to them, consider about them and, if at all, I come to any conclusions about them I will try to inform them individually and if, I consider they are of some importance, I shall certainly inform the House also.

One point that I must immediately mention is about the criticism that was made about too much secrecy and the lack of information. That was mentioned by some hon. Members. I would like to give a word of assurance to this House, that there is no question of having any attitude of mistrust in this hon. House, because this is the sovereign House of the country, a fountain of power for everyone who sits here and we all owe allegiance to it. When we do not give any information here, it does not mean any mistrust. It is only on the advice of those concerned with the information, that it is not considered to be in the public interest to disclose it, that such information is not given. But, at the same time, I do not want to make not any dogma about this " public interest " matter. I propose to give certain information in the course of my speech that will possibly show that there is no question of trying to hide anything from this hon. House. Certainly, some items of information do appear in different Press, sometimes they are whispered from ear to ear, but certainly it makes all the difference when there is an official confirmation from the Government. I think it is much better that those who are interested to get the information about our country, from an adverse interest, are allowed to go on guessing about it. So, even though sometimes information is published in the Press, it is not necessary that it should be confirmed or contradicted officially from Government benches. At the same time, I am not trying to explain it away or decry the necessity of giving information to this House. So we

will certainly try to supply as much information as possible, consistent with the security of the country and public interest.

Here, I would like to make a mention about the size and significance of the demand for defence this year because, as I just mentioned, this figure of the defence demand is not only big, it is also very significant; significant because it is not just an accident, and it is not going to be, if I may venture a guess or venture to predict the trend of things or shape of things to come, the last one; it is just a beginning of our defence effort in this country. I think we will have to prepare ourselves, not only this House but the entire country, for the size of this defence effort has come to stay for the defence of our country. I do not mean to suggest that this type of taxation will come from year to year—I have not the authority to say so and an authoritative statement like that on finance cannot come from me— but I have no doubt in my mind that this type of effort will have to be made continuously from time to time, from year to year, and possibly this type of confidence in our defence efforts will have to be permanently created in the minds of the people of our country.

A reference was made to defence planning and it was said that there was nothing like defence planning in our country. I may say that it is rather an erroneous statement. I hope you will permit me to give some details on this point, not exactly concerning the defence but, to a certain extent, concerning the political angle of the question also.

Defence planning, as any planning, has always two aspects, short-term aspect and long-term aspect. When we think of a long-term aspect, it is always based on certain principles. There are always certain governing principles when we think of any planning which is long term planning in the case of defence planning also there is something like long-term aspect, and that long-term aspect is governed by the foreign policy of the country. Here I am speaking not about the foreign policy as such, but the major planks of our foreign policy. The foreign policy, besides serving other objects, also serves as a basic stratagem, basic mechanism, for the defence of the country. The foreign policy of any country, besides serving the other ideal objectives, also serves as a mechanism; it serves as some sort of arrangement of working of world forces, making a proper assessment of them and indirectly though not

directly, affects the defence of the country. This country has realised that during the crisis in a limited sense, when we had to make a huge defence effort. I know some people have a sense of frustration, some people have a sense of despair and anger; I know that. I do not say it is always justifiable but I admit the fact that it is there. During the crisis it has been proved that our basic approach to the world problems has contributed something effective for the defence of our country. I would like to mention about it only from the defence point of view, its significance on the defence stratagem how our defence functions or works. Here I will refer only to one or two points.

By emphasising this, I do not want to underestimate in any way the effort that this country has to make to strengthen its own defence forces; that will have to be done. When we look at the world today, we see some new trends as compared to the position obtained many years back. The year 1962 seems to be a year of significance. That year produced two very significant events— one was in Cuba and the other was the Chinese aggression on India. I think the world has started appearing rather different, in very clear terms; not that it has started changing from that moment onwards, the forces were already working in that direction, but it started making a little different turn from the time of those two events. How? May be it is my personal assessment of the problem, may be, it is my impression of the problem, but I say that after these two events one can very clearly say that despite the conflict of ideologies, despite the historical enmities, many countries are coming together to save the world from war. It is a very important thing, and it has created a very fundamental issue for us— I will come to that point and I will also try to explain how this point is connected with our own problem of defence— because, even countries believing in the principles of Communism and countries which are, really speaking, dead set against the principles of Communism are thinking on the same lines that it is necessary to co-exist. That has created a problem in the world in the form of China, because that seems to be the only country today which ideologically believes that there should be a war. Here I am talking of ideological beliefs— a country which is fundamentally emphasising the need for war and other countries, though they may believe in the same ideology, having come to the conclusion for all practical purposes

that they must avoid war. Unfortunately, as geo-politics have placed us, the country which believes in the fundamental principle of having war happens to be our next door neighbour. That has given some sort of inevitability to the necessity of preparation of defence of our country. That is the only point which I wanted to mention.

There is no escape from making a conscious effort and being alert in order to safeguard the integrity of this country from this neighbour. It started with the border trouble. Let us hope the Chinese Government will accept the Colombo proposals and some solution will be found. In that case, our Government will be very happy about.

But, apart from that, there appears to be something, an inherent defect, which we have to be aware of. Therefore, I am one with the feeling that this House has expressed, that feeling of concern about the defence of country, that new awareness, that new alertness, that new consciousness about the defence effort. It is something good for our country that such a big war effort, I would rather say defence effort, is getting unanimous support of this hon. House, in spite of the fact that there are very heavy taxation proposals. Though there may be individual grumbings, the country as a whole has given unanimous support to these proposals, because it knows that it is a very desirable and necessary effort for the defence of our country. Once we accept this position, that defence efforts of this size have to be continued, then certainly, we have to think about how to do that.

I would confine myself to certain factors about planning and the efforts that we propose to make. In the coming years— when I refer to planning, I am not only confining to this year— we will have to make efforts in three or four directions. I am now talking about the short-term planning —I am not now mentioning about the long term planning — but the short-term planning is also to be spread over a certain number of years. The immediate effort that will have to be made is four-fold. Firstly, we will have the expansion of the army. Secondly, there has to be necessary expansion and modernisation of the air force. Thirdly, there will have to be a sufficiently strong base of production looking into consideration the new capacities of consumption that we are producing in the defence sector. Fourthly, ancillary facilities like communications and transport also; that will need to be expanded. These are generally,

four directions in which we will have to make efforts. I can say that it is our intention, I should say it is our decision and determination, to expand the army in the coming two years nearly to double the size of the present army. I know some Members may just say, why not three times or four times. It would become just a wishful thinking, because, an army is not just a collection of people, not even a collection of trained people. An army is trained people lead by trained officers with necessary powerful equipment and many other things. I am coming to that. This is certainly a very, if I may use the word, somewhat, ambitious programme, but we want to accept the ambitious programmes as our targets and fulfil them with your support, with the country's support and the friendly gestures of friendly countries. Though our emphasis is on the production to which I am coming a little later, naturally, we will have in the immediate future to depend upon the support and aid of friendly countries. At this stage, I must make a grateful mention about spontaneous gesture made by many friendly countries like the United States of America, the United Kingdom, Canada, Australia and many other friendly countries in the world, because the way they came to our help has some good quality about it, a friendly quality about it. That only shows that the dynamic non-alignment policy has succeeded without committing ourselves to any group or alliances.

Now, coming back to the army again, I would like to mention a few things about the army itself. Some Members mentioned about the concept of Mountain Divisions that were to be raised as to what are they like etc. I find from the questions put by- them that some of them have a rather wrong notion about it. They feel, Mountain Divisions mean Divisions which would consist of only mountain people. I would like to explain the distinguishing features about the ordinary Divisions and the Mountain Divisions. According to me, as far as I can see, there are two or three distinguishing features between the standard army Divisions and the Mountain Divisions. So far as the strength is concerned, it is practically the same. But on two points, it differs. One is mobility, the other is the fire power and, thirdly, which is also very essential, it also requires some sort of a special training, some sort of a special acclimatisation, some sort of a special use of special vehicles, etc., a special training for the particular terrain. I am sure that by the end of this year we will be completing five Mountain Divisions that we have planned to raise this

year.

I would like to mention one or two points of detail here. Some Members mentioned the question about this NEFA inquiry. I am going to refer to it a little later. But some Members said, " Are we still waiting to make our planning till the decisions of this NEFA committee are out ? What are we doing in between ? " I can assure the honourable House that we are not just idly waiting for these recommendations to come and then to take lessons and then start learning them or learning them by heart etc. The Army Headquarters have already from their observations—there are competent people there, professionally very able persons—certainly made their own studies about the problems and they have drawn certain lessons and the efforts are being made on the basis of those lessons that are learnt. I would like to take this honorable House and the people into confidence because I do not want them to feel that we are not just letting them know what exactly we are doing about it. Certainly, this new experience of ours in the last campaign has something to teach us. There is no doubt about that. I am not speaking on the merits. I am not trying to judge the campaign, because some experts will have to do that. But the rapidity and the suddenness with which those events happened in those days have certainly some good lessons to teach us. We found that it will be necessary to improve the quality of planning for campaigns and those well-thought-out plans will have to be backed by logistic support, rather well-prepared in advance. Practically, every expected campaign, wherever that is going to be—I cannot say because that forms a part of the operational programme—but wherever it is, it will have to be well-thought out in advance, those logistic supports will have to be worked out in detail and I can assure the honourable House that such a planning has not only been undertaken, but in certain respects it is completed.

The other important point about the army is, the principles which are guiding us, that there ought to be some sort of a close understanding and collaboration and co-operation between the army and the air force. They have also to tally their own plans for that purpose. Much detailed thinking has been done in this respect as well. The question of acclimatisation on which much emphasis was given, that programme, has been undertaken in the mountain areas. Our troops have to go and

stay there before they are sent there. Gradually, they are acclimatised from one height to the other height and so ultimately led to the areas where they will have to function. The standard of fitness is a very important factor because, traditionally, possibly, our army was trained and was taught to think in terms of fights on plains. When this difficult task has to be undertaken, naturally it will require a different training the basis of which will be physical fitness. So, much emphasis has been given to physical fitness.

The other important question is about the closest relationship between officers and men. That point also was mentioned by some Members. This is also very important. As we all know, as one great General said, there is no good army or bad army. There are only good officers or bad officers and the goodness or otherwise of the officers depends upon the confidence that he can create, the confidence that he can germinate in the men that he wants to lead. Therefore, it basically depends on the relationship of the men and the officers. Much care has been taken. I cannot say that it has been taken in all respects - much care has been taken to see that this tendency is cultivated and encouraged.

Nobody can deny the importance of intelligence. But, the machinery for intelligence cannot be created overnight. It requires very thorough planning. It is a very complicated process. I can certainly assure the hon. House that more and more methods have been found to collect information, collate that information, disseminate that information and make it useful, as far as, it can be made. This process will continue for some time to come, and I am sure that if these efforts are made continuously for some considerable period, we will certainly have a reasonable good intelligence system. There is already an intelligence system. There is a feeling that there is no intelligence system in our country. Possibly this is a misunderstanding. A very effectively working intelligence system is in place in India. I do not think it will be wrong to have a good intelligence. It is like claiming to have our own eyes. I can assure hon. Members that they need not come to any conclusion that we have no eyes of our own only because certain things happened. It is not so.

I would like to mention here the other question about promotions of officers. Somebody said, if I am right, the hon. Member Shri Nath

Pai said that there are certain murmurs reaching us. I can tell him, through you and the hon. House, that there is a very, I must say, full proof arrangement, for this promotion of officers. Above the level of Lieut. Colonels' postings are made by selection. Above the rank of Major Generals that is, appointment of Lieut. Generals and Generals are made by the Government by selection. Appointments of Brigadiers and Major Generals are made by the Chief of Staff with the approval of the Defence Minister. I can tell the hon. House that in my experience of the last-four months, I have not many experiences of difference of opinion on this question. Possibly I can say very few. In certain categories practically none. Of course, there are cases of supersession. There will be case of supersession. Why I mention this is because unhappily, perhaps, there murmurs reach Members by some disgruntled rejected persons. I think that happens everywhere. There is the human element in it. I can tell you, when promotions to the ranks of active officers are to be given, naturally, one has to go by the capacity of the man concerned, about his leadership. It is not merely by seniority you can kick people upwards and sometimes hang yourself. You cannot take that risk. Therefore, these qualifications are certainly examined by the Selection Board. In some cases, the Boards of Selection are presided over by the Chief of the Army Staff himself. I would certainly say, there would be cases of supersession. We must have faith in the people who are doing it. Here, I would like to mention, unfortunately, some reference was made by one of the Members about some unhealthy trends. I can assure the hon. House that from my personal experience of the last four months, I have seen the closest co-operation between all, the three Services and their Chiefs of Staff, and also with the Civil authorities and also with the Government. I must say about the leaders of the Army. They are professionally very competent people and I can assure hon. Members that they are as patriotic as you and I and everybody is. Unless we create a condition wherein all the three services who have got a distinctive role to play can work and they are trained to work together themselves and also with the civil authorities and the Government - the Army will not be able to fulfil the function that it is expected to fulfil. Therefore, I would like to emphasise this particular aspect that we should have this confidence in the team spirit that prevails in all matters concerning defence.

I would like to make a few points about the Air Force. Much has been said about the Technical Aid Mission that visited India. Those particular points, and the discussions, will be followed further by my hon. colleague Shri. T.T. Krishnamachari who is visiting the United States in a few weeks. Because we cannot afford to produce the types of aeroplanes or the machinery or the equipment that we need immediately. I am sure, if these efforts succeed, we should have a reasonably strong air arm to support our army, if there is an aggression.

Naturally, as the Air Force is going to expand, problems of necessary manpower, training facilities for pilots, training facilities for ground engineers and training facilities for other airmen also become very important. Steps have been taken in the last few months to start new schools for these training facilities. I am very glad to inform you that there is good response as far as the pilots are concerned. Generally in the case of the Army and also the Air Force, I must make mention of one point. There is not a sufficient response for technical personnel. I think this is a matter that should make us think. I should like to make an appeal through this hon. House that we must make all efforts in the different States and different institutions and try to see that we create a sufficient number of technically trained personnel to make our Army a very competent and a very efficient Army. In the case of officers, I must say there is certainly sufficient response to the call for joining the Army though it was rather slow in the beginning. But, I must also mention one point. There is generally a feeling that every State should have its own share in it. I do not want to mention the States. There are some States which are making a very poor response. I think it is much better that those States consider this question. Because this class of officers, which is going to provide leadership to the Army, is a very important factor and should really be of a national character. Every State should have its own contribution to this cadre of leadership of the Army. Therefore, more energetic steps have to be taken. These energetic steps will have to be made in different ways. Because, there is a feeling that the undue importance attached to the knowledge of English language is possibly one of the reasons which comes in the way of recruitment of people. Partly it may be true. I cannot say it is not so at all. But, this question was mentioned by the Prime Minister himself in the National Defence Council and after that, this question has been taken up. Army

Headquarters have issued orders to see that more and more emphasis is being given to the professional knowledge of the person concerned. For that matter, another thing could be done, and that is being done, namely to give more facilities for the junior officers themselves to get the promotion because they have got the necessary training for it, and they have got a sufficient fighting temperament for it, and possibly if they get the chance of becoming officers themselves, it would be much better for the country and the Army. And I am glad to tell you that in the present recruitment, nearly 24 per cent of the recruitment is from these junior officers, NCO's etc.

In the form of answers to questions, one information was given to the House, but I would like to repeat it here. A chain of air-fields has been constructed in strategic places, because somebody said 'Are we still without the necessary airfields?' They are being constructed, and, I am sure that the expanded air force, that we have in mind will be working effectively immediately when it becomes available.

One Member concentrated his entire speech on the importance of the Navy. Nobody has any doubts in his own mind about the importance of the Navy, but certainly, there are priorities of high and low, looking to the possibility and availability of resources. In the present context of things, naturally, the Navy does stand lower down to a certain extent. But it does not mean that we have got an assessment, to discard the Navy, for all time to come. Naturally, the Navy takes a long time to be constructed and built up. I can assure the hon. Members, some of whom have mentioned about the problem of submarines, that the submarine is not necessarily an offensive weapon; it is also a defensive weapon. And we have made a beginning by having some training facilities for submarine, and, if we can afford and if our efforts succeed, possibly we may have submarines, but I do not want to commit myself at this stage about that particular aspect.

About defence production there are other more important things but I should say what really forms the very basic principle of our defence effort. There is some misunderstanding about these things. I do not understand how a big Army that we propose to have or a big Air Force that we propose to have can always depend upon the process of imports; it just cannot be done. Your Army cannot be made to depend upon the

arms and ammunition to be supplied by somebody. The rate of combat consumption is so heavy. It is just not possible to think of fighting any defensive action without having your own defence production base. In the case of the Air Force, and in the case of air production too, naturally, we shall have to depend upon our own. When we can do that, our efforts must be to do that. Our efforts must be to train our people to do that, if it comes to that.

Somebody mentioned about the MIGs, for example. Some Members said 'if you get the MIG's possibly, after two or three years, it will go out of fashion. Then, what will you do about it?' But even then, the MIG's will keep flying. There is no doubt about it. Supposing we import from some other country what happens to that also ? If we import some machine from some other country, in the course of two or three years, that also becomes rather out of fashion for that country. How do you maintain those things ? The maintenance line becomes rather very difficult. These arguments can be made against each item. Therefore, one must be very clear in one's own mind that in these matters we shall have to depend upon our own technological development, and our scientific progress and the training of our own people. Suppose we have got a type of machine, possibly, we can produce that in hundreds and try to make use of it. What really matters is the will to fight, the determination to resist. The Prime Minister has said many times, and rightly so that if it comes to that, we may fight even without our lathis also. In that case, if we have got our own production, possibly, a little backward machine will be there, but instead of fighting with lathis, we shall be fighting with that machine. So, about defence production, we must have some clear ideas in our own minds about certain basic principles about our defence effort. And there is no doubt that we must continuously and watchfully and energetically make efforts to see that we try to broaden and deepen and strengthen the base of our own defence production.

In regard to the efforts that we made, at present, I must say that nearly the 21 ordnance factories that we have got, and some air production factories too, that is, aircraft manufacturing factories, are really doing especially very good work. Whether they have produced immediately what we need is certainly a different question. I can certainly make a very appreciative reference to the work done by the ordnance factory

workers. I must salute them for the way that they have worked. In fact, not only have they worked in the factories, but in addition to that the generous way in which they have donated to the defence fund shows their patriotic feelings. Naturally, there is gap between production and our needs today. That is because our ordnance factories are rather antiquated. I think that it is better that we are realistic and know what the whole thing is about. Sometimes, somebody says that nothing is happening. We do not think that nothing is happening. The production is going up because of these efforts, the whole-time efforts made by the patriotic workers.

But the first thing that we have to undertake and we have undertaken—I must say, it was undertaken since 1960—is a big programme of modernising and expanding the present ordnance factories; that was undertaken and now it is gradually materialising.

In addition to this, we propose to have a new complex of production. It is intended, rather, it is planned, and the planning has begun, to have six new ordnance factories for the arms and ammunition. Much depends upon the quickness or the rapidity with which we shall be able to complete them. It depends upon the efforts of my good friend Shri T.T. Krishnamachari who is going abroad for these efforts. But certainly, we are not waiting for that. Our planning efforts are there, and we have already begun them here. And I am hopeful that if these efforts succeed in good time, these new factories should be able to go into production within two or three years. I am making a rather cautious estimate of the time that is required.

In order to streamline the administration for the production effort, we have recently reorganised our administrative set-up to a certain extent by delegating more powers to the people on the spot, by starting some new training centres at different ordnance factories, and so on and so forth, and one officer who is a great expert in that line has been made solely and specially responsible for the development of the new complex of factories that are going to come into existence soon.

Now, I would like to mention some other detailed points that were mentioned by my hon. friends. A very important point that was mentioned was about the NEFA enquiry. I gave on the floor of this House the terms of reference that were given for the enquiry. As I said, it is

my considered opinion that the terms of reference are comprehensive enough to make the necessary enquiry, which it is intended to make. The intentions certainly are to make a sort of military appraisal and to draw some military lessons from it.

I may try to argue with the House or some of the Members, if they are in a mood to listen to me on this point, that, if at all, we have to make this serious effort for the national defence should we still go on in that mood of a witch-hunt ? Supposing there are mistakes, should we not be ready to forget some mistakes and come together to look to the future?

I do not want to discuss any individual here. I do not want to discuss my predecessor because I shall also be predecessor to somebody. And let us all remember that we shall all be predecessors to somebody else. It is just like taking a dig at each other. I am reminded of the story of 'farman' issued by Akbar Badshah or some Badshah to hang all sons-in-law. When he issued the order, that the sons-in-law should be hanged, somebody reminded him at the last minute that he was also someone's son-in-law!

So let us all remember that we are predecessors to somebody. This type of feeling that 'somebody is withholding some information', 'somebody is trying to cover somebody else' creates a very undesirable atmosphere in the country must be given up.

I would only add one more thing because I consider that point of importance for this country. With apologies to the Prime Minister, who is not here, I wanted to mention one personal thing. You cannot understand the history of a country by merely looking at the material facts. Unless you know- I am not disputing any dogma, but certainly I am trying to mention one thing- unless we know the working of the mind of the man, the central figure of any nation or country- we cannot fully understand it. I remember the day when I reached Delhi on a call from the Prime Minister. Those were the darkest days for our country. It was the 20th of November. I came just like an adventurous person not knowing what I was going to do and I reported myself to the Prime Minister on the night of the 20th. I saw him. I was rather afraid to meet him because conditions in the country were very difficult. I saw, however, a very

cool-headed confident person sitting under the light. I said, 'I have just come to report to you'. Then we talked about something. I suppose I must have asked as if 'what next'. He just uttered one sentence that sums up what should be our attitude. He said, 'I easily lose my temper, but I never lose my nerve.' What this country requires today is the determination not to lose nerve.

Difficulties are there, without difficulties you cannot make a nation. Difficulties are there. Those difficulties will have to be overcome. We are all there for that. This Parliament is there to overcome the difficulties, the people are there to overcome the difficulties. No individual, no single person, can overcome difficulties. If we, really speaking, want to achieve what we really want to achieve, we must have that cool, stubborn, stout confidence in our hearts. Unless we have great confidence in our minds, I do not think we will be able to reach the great destiny that we are destined to reach. I know that the road to that destiny is rather long, rather hazardous. There are perilous precipices on the way. But unless with smiling face and with head high, and with courage, we walk that difficult road, we shall never reach that destiny. I have no doubt in my mind that whatever the difficulties, whatever the deficiencies, we will be able to do so. Deficiencies are there. Even today, there will be some deficiencies. Let us not think that because we have made efforts, the deficiencies have been removed. Now we are expanding our Army and our Air Force. There will be deficiencies. But certainly, we should see that those deficiencies do not reach the people on the front but that they are taken by people at the back or at the training centres.

Unless we are prepared to face this problem with courage, we cannot do it. I have no doubt in my mind- I do not think there is anyone who has any doubt in his mind: all of us are determined in that respect—that we can do it. The way our country has lived for the last 5,000 years is such that this country must remain an independent country, and will remain an independent country.

So if we continue with these efforts that we are beginning in the form of a defence effort that we have started, the time will come when any potential aggressor will think twice, ten times, a hundred times, before thinking of any aggressive intentions against India.

I have done.

SECTION 1

CHAPTER 2

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DEMANDS FOR GRANTS 1964-65

*Lok Sabha, 23 April 1964*

I am grateful to the Members of this House for discussing the Defence Ministry's Demands in a dignified and objective manner and offering constructive criticisms on defence policy and defence preparedness. I find from the notes I have taken of the points that there are two categories of criticism. One is of a broad type, of a general nature, partly political and partly concerning defence problems directly or indirectly. The second deals with specific aspects of defence policy and defence preparedness.

I propose to deal with the first category first. What are these criticisms? I might give out a few of the phrases which possibly will represent the content of the criticisms: there was a feeling that there is a lack of realism; there was a feeling that a certain reorientation of defence strategy is called for. One hon. Member said that the idea

of self-sufficiency in defence production is a dangerous illusion—alright if I am quoting him alright : there was a demand for unification of command and integration of services: there was also an incidental remark, very vaguely argued, that non-alignment has resulted in some sort of isolation as a result of certain interpretations put on it— that was the argument made by Shri Frank Anthony.

Taking the first point of criticism, namely, that there is lack of realism, I would certainly take a review of what is, really speaking, the reality today. What is the reality of the situation as it prevails as far as our northern borders are concerned ? Here I am reminded of the situation last year when we were discussing the Defence demands under similar circumstances. Today when we are discussing these Demands, the situation fundamentally remains the same; possibly it has become a little more complicated. But certainly, it is necessary to take a clear view of the situation if we have to find the solution.

The new factor that has arisen between last year when we discussed the Demands and today when we are discussing these Demands, is the situation that has arisen between China and Pakistan. The growing association between China and Pakistan appears to have certain, dangerous implications and we will have to take a very clear note of this one important factor. After we take note of this, let us see what is happening on the Chinese border. This time last year— I am trying to give a clear idea and trying to explain the basic .thinking that has promoted Government to proceed with defence preparations today in comparison to what were the compelling reasons that induced us to take the decisions that we did last year— this time last year we were wondering what the Chinese might do after the melting of the snows in the Himalayas. A large number of prisoners of war were in their hands and we were thinking what China was going to do that day, the next day, that week, the next week. Those circumstances prevailing at that time compelled us to plan for the immediate future, to take decisions and make plans to meet the problems that the emergency would throw up in the immediate or near future. Today, when the situation has become a little more complex, and at the same time made itself very clear, we were in a position to take a little longer view of the problem. We can think for this year, for the next year and the year after that. I can tell this

hon. House in confidence that this year we are working on the basis of a sort of a five year plan for defence preparedness of the country.

As I said, we are taking a longer view. That does not mean that we are not thinking of the immediate future. We have to make plans for the immediate future and also take a long-term view, but I am saying this, that certainly our thinking about defence preparedness has entered a second phase, if I may say so, that we are now trying to plan for live years.

That is so far as China is concerned, and so far as the defence of India is concerned, from whatever corner the danger may come.

This defence plan is based on what ? I am trying to meet the point that certain reorientation of strategy is necessary. What is, after, all, the strategy of a country ? I am not talking about the tactics of a particular battle on a particular front. What they should do is a matter for the Commander in charge of that particular corps or theatre to decide and implement. The general strategy of the defence of a country certainly depends upon a very realistic assessment that has to be made of the threat - that may be threat from China or some other corner too -and it is on this assessment that we to have to take decisions as to what must be our preparations so far as the Army is concerned, so far as the Air Force is concerned, so far as the Navy is concerned, so far as defence production is concerned. It is these decisions, really speaking, that constitute the general strategy of the country as a whole.

So, it is much better that we try to understand what the nature of the threat is. As far as China is concerned, besides the military threat, - if at all we are to understand the nature of the military threat, it would be necessary to understand their political and economic motivations too - it seems that China is following the very classic method of having a chain of satellites around it for its own safety. India has a big land Power as its neighbour. When they thought it was not possible for them to make a satellite of India, they tried to militarily humiliate her. But at the same time, we see that there is also another objective in their mind, and they can disrupt our whole life, our whole progress, by disrupting our economic development too. So, along with this military threat, we must also take into account their objective of economically disrupting the progress of our country. So, when we have to decide about our defence

preparedness, we have, at the same time, to see that these preparations of defence do not come in the way of our economic development as well. That also then becomes part of the strategy of defence of the country.

The strategy of the defence of a country is never exclusively a military affair. It is, really speaking, some sort of military-political-economic doctrine or theory, and our entire defence preparedness and our concept of defence preparedness are based on meeting the threat, the military threat; at the same time, our strategy must be to see that our economic development is not only not disrupted, but that it goes ahead with the same speed that we have in our mind today, because a developing economy would certainly add some new points of strain, even for the direct defence preparedness.

Taking all these things into consideration, we have also to take note of the Pakistan problem, because, naturally, the friendship of Pakistan with China certainly means that the entire northern border, including the international border with West Pakistan, the border with East Pakistan and the entire northern border, become a live problem for us. That means, we get our army and our defence preparedness committed everywhere. But we had taken risks, we had taken note of the threat of China, and we were, really speaking, taking steps towards that direction for the last year or so. But, Pakistan, in the last few months, has tried to make the cease-fire line and the international border more hot and more alive by undertaking more acts of encroachment, more acts of firing and more raids both in the Western sector and the Eastern sector. I am only mentioning this position because when we are planning, we have to take all these factors into consideration. And when this problem becomes a long-term problem, we will have to prepare ourselves for continuous progress, progress and preparedness in phases. If anybody just gets up and asks me solutions for all the problems for all time to come, possibly I may not be able to give all the answers, but that does not mean that we are not making any preparations. When we say that we are trying to plan for a certain thing, the very concept of planning is a process of fixing up priorities: Naturally, we have to have certain priorities.

I must admit here, before I go to the other aspects of the problem that in the present preparations for this year or a year or two, naturally

the Navy has to take lower place. I am trying to invite the attention of Shri Raghunath Singh, who is some sort of specialist on the problems of the Navy. Naturally, the Navy has its own importance, and its own role in the defence of the country, taking into consideration the long coast line of the country and also the development of other navies around us. We will no doubt have to take note of that, and see in course of time that we develop our Navy as a balanced force. We will do that. Certainly we are trying to replace our ageing ships, and to reach some sort of agreement with a foreign company to build frigates in our own country. Also, we are trying to secure a submarine for our training purposes. But, at the same time, we must reconcile ourselves to the situation that in the development of the three services, the Navy will have to take a lower place.

That is obvious. Sometimes it is necessary to emphasize the obvious to make the whole position clear. In the case of the Army, as mentioned in my speech last year, our commitment was for its expansion and for its modernisation. I then gave the information to the House that we wanted to raise six more mountain divisions. That is the reorientation of strategy when we said that we not merely wanted to expand the Army, but we wanted to introduce certain new methods of tactics; when we said that we wanted to raise mountain divisions, it meant that we wanted to introduce an element of mobility in the divisions and at the same time introduce training so that our troops would be able to fight at high altitudes and in mountainous terrain more effectively. At the same time we wanted to provide higher or more fire power to the troops. This could be done only by introducing new weapons. By modernisation of the army, I meant providing them with new types of vehicles, weapons with higher fire power, and better communications system.

As regards expansion, we have raised nearly three lakhs of other ranks last year and in the last 14-16 months, about 10,000 officers. The number possible may look small but the tremendous efforts that they represent is not small. To recruit three lakhs means screening of nearly 10-12 lakhs of people; recruiting 10,000 officers means screening and examining nearly 4-5 times that number. It is a commendable work done by our recruitment organisation, it is a tribute to the nation also, as that means that in one year there were nearly 14-15 lakhs of men

and nearly 40-50,000 young men who offered themselves voluntarily to join the Army. This country never thought of any conscription because we always depend upon the patriotic urge of the people to come forward and join the Armed Forces. We have only started the process of modernisation. Some hon. Members referred to the report. In order to introduce new weapons, we have to identify them and standardise them and if necessary develop them further. That is another aspect of strategy. The production system also becomes part of the national strategy. When we want to introduce a particular type in our Army and when it is not produced in the country, we go to the international market and we find possibly that it is not produced anywhere because other's defence production is related to their defence strategy and defence requirements. Possibly, very advanced countries do not think in terms of producing guns to be used in infantry; they have gone to more sophisticated systems of weapons.

.....The problem of expansion and modernisation of our Air Force is a serious problem and the House will excuse me for not giving more detailed information about the nature of planes, the number of planes we propose to have, etc. but we have decided on a certain size of our Air Force taking into consideration the nature of the threat that will have to be faced.

The major points that guide us about the composition of the Air Force strength is; firstly, giving some sort of a close support to the fighting formations of the Army, secondly, to intercept and attack the incoming enemy aircraft, thirdly, to provide for movement of troops and cater to logistical requirements and fourthly, to provide communications. These are the guiding tasks. The production of Gnat is on. Two other planes, HF 24 and Mach-1 have reached the stage when we can establish their production in case of Mach-2 we have yet to find out an engine which could give the desired results and our efforts unfortunately have not been successful. We had decided to get some engines from Soviet Russia but that also has not the desired power. Our efforts have reached 1.4 or 1.5. We are now trying to collaborate with the UAR Government who are developing a very good engine. Possibly they can take our air frames and we can take their engines. This is still at the stage of proposal and we are going to negotiate this matter with the UAR Government.

We reached this situation because we have to depend upon other people. When we take a particular type of aircrafts from somebody, we have to depend upon them for spares and by the time we want spares, possibly they have given up production of that aircraft and have gone on to something else. That is the difficulty that we come across every time. How are we going to meet this difficulty ? If we do not have spares for aircraft after five or six years of their purchase, we reach a stage which, Shrimati Sharada Mukerjee described the other day, was : some aircraft without spares and some spares without aircraft. If at all we have to meet this situation, the only thing that we can do is to establish production of our own in this particular matter.

.... About MIG 21, he (*Reference to matter raised by Shri H. V. Kamath*) himself made a suggestion, he threw a hint. I think he was rather misinformed about it. Many times on the floor of this House we have given the information that we have decided that on three projects, on three units: one for the air-frame; the second for the engine and a third for electronics. One will be established at Nasik; the other at Koraput and the third at Hyderabad. I must say that a certain amount of progress has been made. A company has been formed and the project has been handed over to the company. A project report from Soviet Russia has been received and it is being examined and implemented. The civil works have started in a big way in Nasik. A small beginning has been made at Koraput. In Hyderabad, the preliminary works are being examined. But the other important step that is being taken about the development of this factory is to train our own skilled personnel for this. And for that purpose, a training institute has been started at Nasik. For the requirements of the units at Koraput, a training institute is being started at Bangalore, HAL. For the first year for two or three terms, this institute will function at Bangalore, but later on it will be located on the site itself. This is the progress made about MIG.

**Shri Frank Anthony:** May I ask why the Tata Committee condemned the MIG Project.

**Shri Y. B. Chavan :** They possibly said that but it was not found acceptable to the Government.

**Shri Frank Anthony :** They said it is unsuitable here.

**Shri Y. B. Chavan :** But the Government have also decided, for very good reasons. Certainly, if they appoint a Committee, that does not mean that they should accept all the recommendations of the Committee. Instead of appointing a Committee, to make recommendations, one can appoint a committee to take decisions. But that is not the way the Government functions: leaving the matter of decision to someone else.

Really speaking, our important requirement is that of all-weather fighter planes. That is our requirement, and for that very purpose, the Joint Air Exercises came to our help technically, because at the technical level, the need and the requirement of such a plane was established. It was found necessary that as far as the technicians were concerned, the Indian Air Force does need some sort of supersonic fighter, and we have projected our requirements from where we can get, and it is in this connection that I would like to make a reference to certain remarks made by the hon. Member Shrimati Renu Chakravartty. She said that some representative of Lockheed came to India and met a certain Minister in the early hours of the day. I can tell her that I found out from the Finance Minister himself personally, who told me that nobody saw him. But certainly the representative was in India and he met the Secretary, Shri Boothalingam, and the Defence Secretary, Shri Rao. There is nothing wrong about it. And I can tell her that he met them during office hours. at 10.30 or 11 O'clock. It was not in the early hours of day. Now, when we need a particular type of planes, I think it is better that we try to acquire them, if certain financial arrangements are possible, and feasible. And that is what is being done.

Certain offers are there. We have to consider them; whether they will be within our reach or not is a matter that will have to be gone into but certainly there is nothing wrong in trying to get it. As the hon. Member herself stated, let us get them if we can get them.

I would like to come to the specific points. I have dealt with the first category of criticisms. I would now like to go into some of the other specific criticisms that were made. The first criticism in this respect was about the large surrenders on sanctioned amounts. I would like to take a few minutes of this House on that point, because this hon. House is entitled to know the facts. When it sanctions a certain amount for some important work and if it is not spent, naturally they are entitled

to seek an explanation for it, and I owe an explanation to this hon. House. If we see the estimated budget, we will find that really speaking, the surrendered amount comes to about Rs. 58 crores. Out of this Rs. 58 crores, Rs. 14 crores is on the revenue account and nearly Rs. 44 crores on capital account. First of all, I would like to invite the attention of this hon. House to the fact that attempt this year was of a very tremendous size. This year, practically we had doubled the budgeted amounts compared to the last year. That means our efforts at defence preparedness are trying to absorb 100 per cent more money. In this, the money which is not spent comes to about five to six per cent. It is not a question of percentage, but sometimes percentages also are useful to know the size of the problem.

As I said, Rs. 14 crores could not be spent as far as the revenue account was concerned. Rs. 44 crores was on the capital account, out of which Rs. 33 crores or Rs. 34 crores come under the new factories. I would like the hon. House to see the difficulties. This effort at establishing the new factories was carried to the possibility of getting aid from other countries. It was not merely a question of spending the rupee element of it in this country, because we cannot start spending the money on the construction of factories in anticipation of the type of machinery that we are likely to get. With all our efforts fact is that we could not succeed in getting aid for this production effort except one factory unit St. Louis unit, which is going to be established at Varangoan for the small arms ammunition.

It was not a question of our declining. It did not materialise, I should say. I do not want to put it negatively because it is not a question of blaming anybody, because they may have their own difficulties possibly. Perhaps it would be necessary for us even now, this year to depend on aid, but suppose, if we do not get aid, the question is whether we have to forego some of our other things in the planning division and try to have this production base. It will be a rather important decision for the Government as a whole. As I said, we have to take into consideration the strategic, economic development also. But certainly we would like to take further efforts in that direction. But why is it that large amounts on capital expenditure could not be spent? The reason was, it was for certain uncertain factors, over which neither I nor the Defence Ministry

or the Government or this hon. House had any control. This particular fact has to be taken into consideration. I am merely trying to explain things. I do not say that I am satisfied with this, I am not satisfied.

I can assure the hon. Member Shri Tyagi that the revised estimate amounts will be spent. Whatever check that one can make— as the hon. Member himself is aware how these checks can be made— will be made and I have come to the conclusion that the revised estimate amounts would be spent.

Approximately about Rs. 600 crores were spent. Naturally the bulk of the expenditure comes in the last three months. For example, the salaries and pay are always accounted for on the quarterly basis. The pay etc. of the entire services will be credited in the month of March. I gave this point just to illustrate my argument.

The money will be accounted in the month of March for January, February and March. This is just one point for illustration.

The other important point is about the unification of the command. I would like to go into the history of the problem. It is better—that we analyse this; possibly in doing so, I will also try to grasp the problem more effectively. It is better to go into the history of the position. Normally in this matter, we go by what is prevailing in the other countries, particularly I would like to refer to the United Kingdom. What was the position in our country? There was very rigid unification before independence, because their Army Commander-in-Chief was supposed to be the Commander-in-Chief of all the services. But after independence, we have deliberately changed this position. We have now put every Chief of Staff in charge of his own service. There can be that type of integration which prevails in America, if we have got the balance development of all the three services. We cannot say that that situation prevails in our country today. If we had taken that sort of attitude and made the Army Commander-in-Chief as the supreme person of all the armed services, possibly our Air Force would not have made the same progress as it has made in the last 10 or 15 years in our country. I must point out that our integration is rather more logical and more perfect than what they have tried to do now in U. K. Till last year they were having three Ministries functioning independently of each other. We have no such thing, because all the three services function in an integrated way under one Defence Ministry

here.

The most important committee that we have is the Committee of the Chiefs of Staff. That Committee is the highest technical advisory body of the Government. One point made by Mr. Anthony was about the chairmanship of the Chiefs of Staff Committee. The rule prevails there that the senior member among the Chiefs of Staff would be the Chairman of the Chiefs of Staff Committee. I do not think there is anything wrong about it.

Let us not try to make it so absurd. Let us see what is the function of the Chairman of the Chiefs of Staff Committee. He is not the operational head. Really speaking, he is the Chairman who co-ordinates, who presides over the meetings of the Chiefs of Staff Committee. He is not the chief operational head, as is the Chief of Defence Staff in England, for example. We can certainly have it; I do not say we should not have it. But we can have it when we reach that stage when we have developed all the three services in a balanced manner; at that stage certainly one can think about it. A particular type of organization would be good for a particular type of situation. It would be wrong to say that what is good for England today is good for us, or that the type of organization which prevails in the Pentagon is good for us. Possibly it is not so. I can certainly say that we have not come to the stage when we can take a final view about it and say that we can have a Chief of Defence Staff as in England or we can have the type of organization which prevails in America. From my own experience, I find that our system is more elastic. For example, in 1963, out of 365 days in the year, I met all the three Chiefs of Staff together on 169 days. We could review the situation, discuss and assess matters. They have direct approach to the Defence Minister, with whom they can sit and discuss matters. Really speaking, we should evolve systems and institutions according to our own requirements. If experience shows us that certain modifications will be necessary in this organisation, I would not be hesitant to accept those modifications.

There is nothing wrong in this. But it did not function in this particular case for reasons which I have explained in my assessment of the NEFA Enquiry. It does not mean that that particular system was wrong. That type of operation cannot be run from Delhi— that was exactly the

criticism. Really speaking, it must be in the hands of those people who are there.

Shri Ranga and certain hon. Members referred to the recruitment from the mountain regions of the hilly people. In the very large recruitment that was done last year, I have got figures to show that nearly 17 per cent of the people were recruited from those very regions. So, it should not be sought to be conveyed that in the recruitment effort, these regions were neglected or were not taken note of.

At the same time, there was another very pertinent point raised by Mr. Tyagi on some other occasion. He asked, what are we doing about the training of people in the border areas? I must say that that is a very important point. I do not say it is not important. But we have got certain priorities in this matter, which the hon. Member would try to realise. When we are raising such a large army and making such large commitments, can we give priority for arming them and finding the equipment for this large army which we are raising or can we try to go on arming the border people? Certainly efforts will be necessary for that, but that will have to be taken up at a later stage. But the very concept of taking the help of the local people is accepted as part of our preparations. For his information, I may tell him that in U. P. in certain sectors, scouts— not boy scouts, but the word `scout` here really means some sort of trained personnel— will be helping the army in case of operations. Similar training is being undertaken in Himachal Pradesh and U.P. Certainly the idea has taken birth and it will grow from time to time as conditions become favourable.

The other point that was raised was about the military assistance programme. We have given some more information on this point many times on the floor of the House.

Sir, the assistance programme falls under two broad groups. One is the programme agreed to at the Nassau Conference and the other is the post Nassau programme. The understanding between the Government of India and the Government of USA, UK and Australia was that the supplies would be made under certain conditions. Those conditions are: (i) the weapons, ammunitions and other supplies provided will be used only for the purpose of resisting the Chinese aggression—this point was made by the Hon. Member Shrimati Renu Chakravartty- (ii) that' the

Government of India will offer necessary facilities to the representatives of the Government concerned attached to their Missions in India for the purpose of observing and reviewing the use of such articles; and, that the Government of India will offer for return to the respective Governments such articles furnished by them which are no longer needed for the purpose for which they were originally made available. I would like to say that we have accepted these conditions and we want to honour those conditions. But, Sir, I know what the people have in their mind. Suppose tomorrow there is some trouble from Pakistan what do we do? They will say, have we resources enough? I must say that without these equipments that we receive from these countries, we can certainly resist them.

I do not propose to under-estimate the assistance that we have received. But it is better we understand the size of the equipment that we have received in respect of our own requirements. We wanted to raise six new mountain divisions. It will be very interesting to note what will be the cost of raising such a mountain division. I find that the cost of equipment required for raising a new infantry division is estimated at Rs. 25 crores per division, and the combat reserves, equipments and ammunition for a period of three months would amount to Rs. 7.5 crores per division. That means, for six divisions, to raise six divisions with these equipments and reserves, the cost will come to nearly Rs. 200 crores. What we feel is, really speaking.... (interruption). It is a question of simple arithmetic. It is 25 plus 7 multiplied by 6 which comes to nearly Rs. 200 crores. The army equipment and ammunition promised under the Nassau programme amounts to Rs. 30 crores which comes to nearly 15 per cent of the actual cost of the equipments that we need. I am trying to give this information not in any way to under-estimate the assistance that is given. We are very grateful to the prompt and timely help given to us. But it should not be asked, if we do so, if we want to accept these conditions, what will happen if the difficulty comes from another corner. In order to assure the hon. House, I have tried to give this information.

Now, I mentioned about six factories. I do not want this hon. House to go away with an impression that nothing is done on the production front. I must say, the existing units of our defence production are doing an absolutely wonderful work. I am entirely one with Shrimati Renu

Chakravartty in giving my heartfelt thanks to the workers in these factories. They have produced nearly from a minimum of 80 cent to a maximum of 100 per cent more in quantitative production. Apart from that, the modernisation of existing units have gone very well, and the most important point that matters is that these units have established the production of 26 new items which our own requirement projected. Admittedly in the course of one year, this development is something very encouraging. Because if we just say that the production side is not doing well, really speaking we are trying to demoralise the people who are working on that front. That is why I am making a mention of this particular aspect.

I would like to come to another point, and that is the point about air accidents. The hon. Member, Shri Kamath, during the course of this debate and even previously had raised the question of appointment of some sort of a Parliamentary Commisison to go into this.

I did give my serious thought to this problem, but I must inform the hon. House that I cannot accept that recommendation or suggestion. I will give the reasons. First of all, I want to let the hon. House know that my idea is not to evade any enquiry. The usual type of enquiry which was held by the Air Force officers is not enough. I have come to the conclusion that some sort of an enquiry by persons not entirely connected with the Air Force should be held. Therefore, I have decided to appoint a committee under the chairmanship of Shri Khera, our Cabinet Secretary, with which will be associated as member, Shri Katju, Director General of Civil Aviation and also Air Vice Marshal Arjan Singh, Vice Chief of Air Staff, there will also be another Member-Secretary. The terms of reference to this Committee will be to examine the existing regulations and arrangements for flying and flying safety, for clearing an aircraft as fit for flying and the standards of training of a pilot in relation to the tasks he is entrusted with; secondly to examine the adequacy of the above regulations and arrangements and their implementation; and thirdly to recommend remedial measures; if any, to minimise accidents.

There are two points on which I do not want to accept suggestion to appoint a Parliamentary Committee. Our idea is not to demoralise the Air Force. I would like to tell hon. Members, unfortunately, in the recent few months there were a series of accidents which created an anxiety in everybody's mind, which I do share. But, at the same time, we must

not forget, during the NEFA campaign, the wonderful work our air force did without a single accident. That is something which we should take note of.

We have to see that ultimately we do not demoralise them. Some sort of a Parliamentary Commission would create a sort of feeling in their mind, as if something is being done, to find fault with them.

Again, such a committee will have to deal with a large amount of operational data. I think this is a compelling reason which kept me out of the consideration of this type of an enquiry. This is a very important argument. I would like to say that demoralisation comes the other way too. If we just try to create that psychology that in the Air Force they have always to play for safety, that also is not good. There is a difference between civil aviation and the Air Force, because they are supposed to take the risk and fulfil their mission.

Everybody has to take a calculated risk. Sometimes even knowingly he is supposed to take an uncalculated risk. He has to be trained for that purpose.

Again, I must say- again I may be told that I am using statistics to prove something the flying hours in the Air Force has increased nearly 2 1/2 times more than what was done in 1954 or 1955. I cannot give the flying hours because it will be rather an important information. They have the method of calculating the accident rate per 10,000 flying hours. According to the statistics that is made available to me, they say that compared to other countries the rate is certainly within limits. Therefore, I must put on record the fine work that has been done by our Air Force and the tremendous training commitment that they have done. We must not give an impression that by opening this enquiry we are trying to express any sense of censure.

Our idea is to strengthen them. We cannot afford to lose such trained valuable lives. That is, more important for us. Life of the aircraft is also very important for us. But we must try to find out whether there are any defects which are unconsciously there and which we can try to eliminate. That really speaking is the purpose of this enquiry.

The last point that I want to make is about the Canteen Stores Department, CSDI as it is popularly known, to which a reference was

made by Shri Trivedi. The CSDI is essentially a welfare organisation. As we all know our troops are stationed in far-flung forward areas, where marketing facilities are not available. For a large number of requirements of the army personnel outside the issue of rations, which are supplied by the Government itself, they have to depend on some sort of supplying agency. In order to provide this facility, during the British days some agency started functioning. First of all, it was the Contractors' Syndicate, which was replaced by the Canteen Stores Department in 1942. The present CSDI came into existence in 1947. It is not making use of any Government money. Though the former CSDI had taken some Government loans, the CSDI have repaid them with interest. At the present moment, of course, they enjoy certain concession and special privileges like military credit notes for movement of goods and certain concessions in the matter of accommodation, transport etc. These facilities are reasonable and necessary, because a purely commercial organisation may not provide such facilities where they are most necessary, namely, in the forward area. This type of agency is now contemplated and accepted in principle even in the case of civilian employees. There we think in terms of consumer co-operatives. The CSDI is doing practically the same work. The profit that it earns is used for welfare purpose of the army personnel.

It is true that some objections have been raised and Audit has pointed out that the accounts of this organisation should form part of Consolidated Fund of India. This matter is being examined. We have to ensure ultimately that while the personnel of the armed forces do not lose the benefit of this organisation, at the same time, it becomes part of the Consolidated Fund of India.

These are some of the points that have been raised during the course of the discussion. In conclusion, I will say that I have found during my visits to the training centres and forward areas that the morale of the armed forces is something of which we can legitimately be proud. I am grateful to this hon. House for paying very good complements to the personnel of all the three services. I am sure it will give them courage, strength and a great sense of patriotism and make them equal to the task that they will be asked to face if any invasion comes from any quarter. I am sure these people, with their courage, patriotism and capacity as trained personnel, will save India in times of emergency.

SECTION 1

CHAPTER 3

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DEMANDS FOR GRANTS 1965-66

*Lok Sabha, 30 March 1965*

I am very grateful to the Members who have participated in this debate. This is the third debate which I have had the privilege of participating in and I must say that I have seen a marked change as the years have gone by, in the tone and content of the debate. I find the debate becoming more and more constructive, it is becoming somewhat more pleasant, if I may say so. But at the same time, the most important part of it is that it is becoming more realistic.

In this debate, many points have been raised, but with your permission, I would only deal with the main lines or main arguments of the criticism or the major topics of the criticism.

Before I come to the points made by Members who participated in the debate, I must give my own assessment of the situation in the country from the point of view of defence. I feel that in 1962, when the

Chinese invaded our country, some sort of a new era dawned in the life of our country. It was certainly a rude shock to us; we did not expect that type of attack from that corner. But new realistic thinking started functioning more effectively since then. I have no doubt about that in my mind.

An hon. Member referred to an article by an expert on strategy. I entirely agree with one argument in that article. Recent trends in international thinking are also changing in relation to the importance of the problems of security. Naturally, more and more importance is being given to the problems of defence and security in different countries today. This is more particularly true in the case of our own country. I have no doubt in my mind that the central theme of political thinking at least for a decade, if not more, will have to be the consideration of national security. Other topics and other matters will have to be related to this. I do not want to underestimate the importance of other matters, particularly economic development which is equally important; but certainly economic development also will have to take into account the problems of national security and defence.

It is from this point of view that the remarks made by the hon. Member, Shri Nath Pai, become more relevant. He mentioned the percentage of expenditure on our national defence. He made a reference to India's own expenditure. I would like to correct him slightly. It is 5.3.

Since we are giving the figures, I think we should be rather more accurate. Then he compared the figures of our expenditure with those of Canada and Australia. I would consider that comparison to be rather unrealistic because the problems of Canada and Australia are completely different from those that we are facing in our own country. If at all we want to compare— at least have an assurance of comparison of figures with any other countries— I would recommend the figures for UK and USA. Of course, their problems are different : their development is different. Naturally, they will have a bigger slice of a bigger cake to borrow the words of Shri Nath Pai himself. The UK figure is 8.3 and the US figure 10.6.

Compared to these, our slice, of our small cake is still smaller. Naturally, we will have to go further and further in this matter. How far that will be will naturally have to be related, again, to our other problems in the

country.

I must say that this country has accepted the challenge in a more realistic manner. I was very glad indeed that in all the three debates I have participated, nobody complained about sanctioning money for defence expenditure. That means the country as a whole, the nation as a whole, has accepted this challenge.

Why do I say 'challenge'? Really speaking, why did China attack India? According to my analysis of the problem, apart from the military objectives,— certainly they had military objectives, there was a major political and economic objective in their mind. By posing a military threat, after attacking and withdrawing, and putting some sort of pressure on our economic resources they know that certain difficulties would arise in our economy. Really speaking, the military techniques of the Chinese are frightening and dangerous.

But I am more afraid of their political techniques, because these internal economic conditions help them in their techniques of political subversion. Despite this, this country has accepted this challenge and decided to spend more and more on defence preparedness, I cannot say that everything is all right. It will be absolutely dishonest to say that. I do not want to make that mistake. It would be the last thing I would like to say. But, certainly, I would like to tell this hon. House, and also through this hon. House. I would like to assure the people that the preparations that we have made quietly in the last two years have certainly created confidence in the defence services and the country at large that they are in a position today to strongly defend the country if any adventurist tries to commit aggression.

When our country has accepted the challenge, the other political fact of life that we have to accept today and take into account rather more carefully is this growing association between China and Pakistan. China is sitting there. On many occasions I gave information in reply to questions on the floor of the House that the Chinese are sitting there in a sort of threatening posture. At the same time, we find that basic hostility towards India is driving Pakistan into the folds of China. Now, we will have to watch carefully who uses whom. Possibly, Pakistan may be thinking that with their clever foreign policy, they can make use of the Chinese for their ultimate political ends, but I am afraid that the

Chinese are cleverer and are bound to make use of Pakistan.

I would like to make it clear that we want friendly relations with Pakistan. We do not want any tensions with Pakistan. The defence preparedness in this country has nothing to do with our relations with Pakistan. It is something in reply to the danger that we have to face as far as China is concerned. At the same time, we cannot afford to forget this growing association between the two. I think we will have to be rather watchful, and I can tell you we are watchful about it.

Coming back to the other criticisms, which are very constructive criticisms, I would like to take up first the issue of the Air Force. Naturally, the criticisms offered were about our Air Force. Army, Navy and defence production. Some Members did make mention about the Border Roads organisation too.

The most important fact of last year, 1964, for me was the preparation of the defence plan, because when we have to prepare our country for any eventually, we will have to think for the coming decade or possibly a longer period, and in order to do that, we thought of certain areas in which we should have in a planned manner. So, we decided to modernise and expand the Army, we decided to expand and modernise the Air Force. We have certainly taken note of certain problems of the Navy. I will go into these details a little later and also about border roads and defence production. I will mention each point and the point referring to each area separately.

I will take up the Air Force first, because many Members have tried to touch it. Here I must make mention of one point. Hon. Member, Shri Nath Pai, reminded me of a certain statement that I made last year when I returned from the Soviet Union about non-alignment. The point that Shri Nath Pai made was that for purposes and for the considerations of national security we should not care from where the aid comes. This is exactly what I meant when I made a reference to non-alignment. I was not doctrinaire about that. Non-alignment, in its very essence, means freedom to choose from where you want your help. We do not want to be guided by doctrines or ideologies in this matter. We certainly want to be guided by friendship, not friendliness. At the same time, if we bind ourselves to any particular groups, when really speaking, this inhibition starts asserting itself. Yesterday, I heard a very interesting speech of

the hon. Member who is not present here now. He went to the length of suggesting that if we had gone into some sort of an alliance possibly we would not be required to make defence preparedness. That would be the saddest argument if we ever accept it. The idea of going into an alliance is an argument not to prepare yourself. That is a dangerous aspect of it which we must take into account. Really speaking, defence preparedness is in a sense preparing yourself so that you will have faith in yourself. You can have faith in yourself when you have got the capacity to fight, capacity to manufacture the equipment that you want and to develop technical capacities in our country and it is only with the help of these things that you will ultimately succeed in the real defence preparedness. There is nothing wrong in this particular matter because as I said in the beginning the central theme should be national security. I must say that the central theme of national security has much to do with the principle of non-alignment and loyalty to world peace. I have no doubt about it. I am prepared to argue this point, not, on the floor of this House, but somewhere else if Members want to argue that point. My idea is not to go into that point at this stage.

Somebody made fun about the idea of having an engine from one country for our Air Force, the air-frame from somebody else and electronics from somebody else. One of my colleagues on this side tried to make use of the idea of marriage. I will tell him that this is not an era of feudal marriages. At least in the field of technological development, not only international but continental marriages must take place. Even today we find this. For instance the Boeings in which most of us must have travelled is a plane whose air-frame and other equipment from the United States and the engine in it, the Rolls Royce engine, comes from the United Kingdom. There is nothing wrong there. I do not understand why we should have this type of inhibition. About the idea of development of capabilities of Mach H in HF 24, we want to give a trial to this Egyptian engine. What is wrong therein ? Here is a friendly country; it has the possibilities of developing engine. We have got the possibilities of developing our air frame. What is wrong if we marry the ideas ? If we are afraid of this idea, we have no place in the modern world. If ever we want to prepare the nation for national security in the modern concept we must completely clear ourselves of these wrong ideas.

It is not a question of engagement. Possibly engagements sometimes have to wait for maturity too. I do not want to go into that aspect now. Apart from that, there was one main criticism from Mr. Dandekar. I must say it was a very useful speech and a constructive speech. I liked that speech. He said that our Indian Air Force consists of varieties of machines. I would like to explain why it is so. The Air Force has to play different roles. Sometimes people have got some wrong ideas about them, it is not that Shri Dandekar has got those ideas. The Air Force planes have got different roles in the sense that it has to have fighter planes for interception role; it has to have fighter planes for the ground support role: they have to have plane for transport purpose, for reconnaissance purposes, for bomber squadrons, for helicopter purpose, training purposes and so on. These are the different roles for which we have to have different planes. You cannot afford to do without these. When the Air Force took its birth, it had naturally to depend upon the supply that it got from the other countries. And beggars are not choosers when one has to get it from somebody else. It is not one's own capacity to purchase. Sometimes the political reasons also come in our way. Sometimes you like 'A' plane of '1.3' country, but even if one is prepared to pay for it, the political attitude of 'B' country comes in our way, whether they want to give it or not.

I entirely agree that there should be standardisation. The main theme of the hon. Member was that there should be standardisation in the types of planes that we have, so that our problems of maintenance and supply become a little more rational. I entirely agree with that view. But when we are trying to get more and more planes, what are we getting them for? We are not getting them to add to the already existing varieties. We are getting them to get the existing one replaced, some obsolete things, as he himself mentioned, such as the Toofanies, the Vampires and the Mysteres of which he made fun saying they are mysteriously obsolete planes or something like that. The Mysteres are getting old and we will have to replace them. That is why we are trying to get some good planes from the United States of America; if we get them, we will certainly try to replace them.

Now, really speaking, we can achieve standardisation in the planes only when we succeed in setting up the production of planes in our country. That is the ultimate answer for this. As long as we have to

depend upon the supply of modern weapons and modern aircrafts on someone else, we are not our own masters as far as organisation and the composition of our own Air Force is concerned. It was thing that was planned years before, and I must say it was a very wise thing.

I said this criticism is becoming more and more realistic. I would take for illustration the criticism about MIGs. I remember two or three years ago, there was lighthearted criticism about them. Today, everybody has accepted that MIG is the most modern aircraft that we have in our country. Shri Dandekar had some doubts about the schedule of production that we have before us. I can assure him that the schedule of production is as realistic as is possible, as he himself may realise, since he is a seasoned person in matters relating to the process of production.

I can tell him that the production of two types of planes there are two quite different propositions. In the production of HF-24, we have to develop a plane and then produce it. In the case of production of MIGs, no development is involved. We are taking a well-developed plane for production purposes. So, I have no doubt that we will keep up the schedule and produce these planes in the scheduled programme.

The hon. Member then made some fun about three squadrons of MIGs that we have ordered. He was wondering whether we will use bullockcarts to bring them. This is the first time I find he was wrong on facts. He was very weak in respect of that criticism. These three squadrons of MIGs were contracted for during my visit in September or October, 1964. The Russians will fulfil that contract according to which the three squadrons will be received by the end of this year, which is the contracted period. Let him not have that wrong idea only because they are Russian planes. Let him not have that idea.

Some criticism was made about the Avro. I can tell him that the Air Force has no longer any doubts of the Avro, because the Air Force has got those for the role of training purposes - the first group. The IAF has accepted them and we have contracted for the other type of planes which is the military freight version. The first prototypes, I think, will reach here for tests sometime next month. I can tell the hon. Member for his information that that plane has been accepted by the RAF. So, has it been accepted by the IAF. I can tell him that from my personal

information. So, there should be no doubt about that particular matter.

Again, the hon. Member pointed out five or six types of helicopters. That is not so. We have got some different types of helicopters, but some of them are in the wasting category. Really speaking, we have got two types of helicopters—MI-4 and Alouettes – which are meant for different roles in different regions. They will have to be there, there is nothing wrong in that.

I quite agree that we have yet to go a long way to have a very powerful Air Force in our country. But this is the way we will have to go; there is no other way I can think of. We try to get it from friendly countries, from wherever we are likely to get them. Fortunately, Russia and other countries are trying to help us. At the same time, we must not forget our responsibility to establish production of these things. Naturally it will take more time, because development takes more time. For example-, regarding the British supersonic fighter-Lightening- he can verify those facts- really speaking the production programme was accepted sometime in 1949 and the first production plane came in 1960 or 1961. This is the position in a country like UK, where technical development has gone much ahead. Naturally in our country, where we are quite new in the fields of designing and manufacturing techniques, we will take more time. We must show more patience and be more realistic about it. There is no use taking some example of some country and trying to make fun about these things. It would ultimately amount to creating a feeling of defeatism in our country. That would be rather unfair to ourselves.

About HF 24 or MIGs, Mr. Nath Pai made one statement. He said, what is the use of getting this plane because it is going to become obsolete after some time'?

.....I think that is true about every plane. Aviation development is going so fast that by the time any' plane reaches the stage of production, it is obsolete because somebody has gone ahead. Does it mean that we should not do anything ? Ultimately we have to accept something and as long as the plane that we have accepted for production is going to meet our own requirements and fulfil the role it is expected to fulfil, I think that answers the question. I have no doubt that if MIGs meet our requirements at least for a decade, they have done their job. The

MIGs 21 that will be ultimately produced will be a modified version, which certainly fits in 100 per cent as far as the role of interception is concerned, for our air defence. So, hon. Member should not have any misgivings about these things and we must take these things in as right perspective.

It would be wrong to order new planes, unless we have not only spare parts, but facilities to train our people. Even training our people forms part of the agreement. Briefly I have referred to some of the arguments about the Air Force.

I now come to the Navy. Shri. Raghunath Singh is very particular about this. When I took over in 1962, even then I felt that the strength of our Navy was certainly not adequate for our purpose. Naturally in the last two years, if I had come to this House asking for more funds for the Navy, that would be at the cost of the army and air force. I think I would have done the greatest disservice. But certainly now we have come to a stage that we cannot any longer neglect the development of our navy. I have no doubt about it. How we do it is a great challenge for us. I think I must take the House into complete confidence in this matter. It is a very difficult task, because the army can be developed in a short period; perhaps even the air force can be developed, but navy cannot be developed in such a short time.

Sir, I am making this statement because of certain new developments that took place in this month. Just round about Andamans-Nicobars a submarine had made its appearance twice in the last month. In one of the flights of the Indian Air Force dakota, our people sighted a submarine in our territorial waters. When the submarine saw that air force plane, it immediately dived.

They saw it at a distance. At the appearance of the plane on the horizon they dived. But our people saw it. Again, after ten days or so, this submarine was sighted. This is the information that we have. We are making assessment as to what type of submarine it can be, whose submarine it can be, and so on. I do not think it can be a Chinese submarine. Why I am mentioning this thing is that submarines are making their appearance in our Indian waters. So we cannot be gullible about this matter, about this problem of naval development. I may tell you that I realised the importance of this problem and, therefore, in all

the three visits to different :countries last year USA, United Kingdom and USSR- I took up this problem of naval supplies.

But, Sir, the facts as they are we must accept them and find some other way about it. I quite agree that we should not depend upon any particular country and give it a monopoly of supplies to us. Theoretically I accept this proposition. But there are certain realities also that you and I will have to accept. For example, the USA has got a navy which is not built taking into consideration the requirements of a country like India. They have their own strategic needs for which they have built their own navy. So have the Soviet Russia and the United Kingdom built their navies. Naturally, therefore, we will have to take into account these realities and then go ahead on this question.

The most important thing that has happened in the matter of naval development is the agreement about frigates. I know it is a time-consuming affair and it will take some time. But there is no other way of doing it. That is the speed at which frigates could be built and delivered: We have also an assurance of technical co-operation for building submarines from the United Kingdom. Well, it depends upon whether we get the necessary financial arrangements or not. But one good thing has certainly emerged out of that. They are going to give us a submarine, two months a year, for training our people. That is also an important thing. What steps will have to be taken, we will consult them. I can assure the House that the Defence Ministry, myself and the Government are quite aware of this problem of naval development, but we must take into account certain facts of life as they are and make a concerted and energetic effort to gradually develop the navy as well.

Coming back to the problem of the army, the hon. Member Shri. Dandekar went into the details of some of the problems. I think they are very realistic problems. The only thing that I am trying to tell him is that we in the army headquarters are also very much aware of these problems. I can tell him that in the last year and a half or nearly two years, many staff studies were undertaken about this organisation of the divisions. He spoke about the ratio between fighting and non-fighting groups in the division. I can tell you, they call it in the army parlance `ratio between teeth and tail`. As was rightly pointed out, formerly the ratio of teeth-to-tail was rather different because the whole thing was

based on the British model and the British model was different because they had different ideas, they had different roles or functions of the army. Their main base was England and their units were functioning in different parts of the world. For them the tail was rather more important than the teeth. The teeth was not important because the people were rather backward; the people were 'unawakened people and it was not very difficult for them to deal with those people. So far the role they had in different parts of the world they did not need very sharp teeth. But in recent months we have made attempts about re-organisation. This is the information that the Chief of Army Staff gave to the National Defence Council 'only last month and I think it is better that this House also knows this. This is the result of certain re-organisation schemes introduced in the army. I will give only a few comparative figures. These figures are the teeth and tail ratio with Pakistan. Teeth 78; tail 22 for standard infantry division. For the Chinese infantry the figures are : teeth 86; tail 14. As a result of our own re-organisation of the Indian army now our figures for Mountain Division, teeth 75: tail 22; for infantry division the figures are: teeth 83 and tail 17. I know it is somewhat less than that of the China's. But there we will have to take into account different methods of calculation and different methods of organisation. The rear organisations of defence service which we have to organise are of different types than they have in their country. The engineering and medical services are organised in a different way. They do not possibly calculate them in the organisation of the type of the army. Possibly that explains why our teeth and tail ratio becomes a little more than that of the Chinese. But I can assure the hon. Members and the House that we are very much aware of this position because, as he has very rightly pointed out as was also stated by Shri Nath Pai, we have to make very effective utilisation of the resources that this hon. House is pleased to keep at the disposal of the Defence Ministry. We are very much aware of this and we are pursuing the matter from that point of view.

He also referred to the other aspects of promotion, moral, discipline and training. I will first take up promotion, because that is more important. Possibly, he is still hearing complaints. Perhaps, some disgruntled officers are carrying tales to him. I am prepared to accept it. But I can assure this hon. House and I have made this statement before also in this House- that up to the level of Lt. Colonel promotions are

generally made on the basis of seniority. After Lt. Colonel, which really-speaking becomes a very important cadre of leadership, the promotions are made on the basis of selection. And the selections are made on the examination of their annual confidential records. The selection boards or committees consist of very high officers. They sit together, assess the capacity of officers and then make a recommendation about the promotion of the officer concerned. It is only on very rare occasions that I had an opportunity to differ from the recommendations of that board. Normally, I find, they go very scrupulously by the merits of the officers concerned. So, really-speaking, there should not be any ground for complaint. Certainly, some officers are superseded when others are promoted and at higher levels the posts are few. So, some people might be feeling disappointed, but possibly unjustifiably.

..... Then I come to another aspect, training. I have made it my business to go to different parts of our forward formations. Very often I see how exactly the training is given, particularly the training about battle inoculation to which the hon. Member made a reference. The type of training that is given to the new officers, particularly the officers recruited during the emergency, is absolutely first-rate. The hon. Member made a mention of live grenades. Standing within a few yards of the exercises, I have seen with my own eyes live grenades being used. The way in which the young officers were facing the situation indicated that the training which was being given was very praiseworthy. This particular aspect of the training is undertaken with a view to make our army a fighting force, and I have no doubt that the training that they are getting now will certainly be put to better use, if any opportunity arises. I know the morale of the men and the officers, whenever I have an opportunity to meet them, and it is something very wonderful. They are really speaking, waiting for an opportunity to avenge the injustice and the humiliation suffered by them. Of course, they cannot do it on their own. We do not have to think in a personal way about these matters. But the idea of self-respect and the idea of patriotism, the feeling of patriotism, in them is something very, very, admirable. I can tell the hon. Members that if some of them are willing to come and see this training programme. I am prepared to arrange for that.

I will personally invite Mr. Dandekar to come and see it sometime.

The money that we are spending is being spent well and for better purposes of making our young recruits tough fighting soldiers.

He also mentioned another point about the ratio of vehicles. I have got some figures with me in terms of infantry divisions. Chinese division has got about 1209 vehicles whereas our mountain division has got 1362 vehicles. I must concede that with the type of terrain that we are using and its length, this additional number of less than a hundred is not much.

Incidentally, I must make a reference here to another point made by Shri Indrajit Gupta and that was about the policy of discarding the vehicles. He made a point that we are, even before reaching the first overhaul stage, trying to sell a large number of vehicles. Yes, this is a policy that is accepted after full consideration. Firstly, the area, the terrain, in which our vehicles have to go, is more difficult than we usually used to have before. We do not want to take chances about taking the type of vehicles which at the eleventh hour are likely to fail. Therefore, we have accepted a standard that either the vehicle has run for 35,400 miles or 7 years, after that period, it will be sold.

Most of the vehicles are wanted for the divisions and, apart from this, there is another argument. By making these vehicles the responsibility of the Army to maintain them, the problem of their maintenance and their occupying the space becomes so very difficult and so wasteful. So, it is found in the interest not only of the efficiency but also of the economy and the economics of the divisions concerned to discard these things. The army has welcomed this decision more than anything else. I know that by this way there is not going to be a national loss because these vehicles will certainly be available for the civilian purposes and they will also get, more and more, better types of vehicles for their use. There is nothing wrong in this.

Another small point that Mr. Dandekar mentioned was about the pension to widows. He said that they are getting about Rs. 8 or something like that. I would like to tell him for his information that very recently we have increased the quantum and the minimum is Rs. 25.

Well, nothing is enough but certainly this is what we have done to them and it is certainly an improvement.

Here, I must make a mention of certain remarks made by the hon. Member Shrimati Sharada Mukerjee. She expressed her anxiety for the welfare of the, services and I entirely share her anxiety. But I must say that I do not accept the other part of her arguments. She will forgive me for not agreeing on that point. What does she expect in the Report of the Defence Ministry in regard to the framework of the United Nations ? What else does she want us to do ? Does she want us to declare to the world that we want to have aggression, that we have nothing to do with the United Nations ? Does she want us to follow China or does she want us to follow her own ideas about it'?

As far as the border road development is concerned, during the last two years, this has occupied an important place; this was the most important factor in the defence preparedness. As we all know, ultimately these battles in the Himalayan terrain are going to be battles of logistics. And the logistic capability of any Army depends upon the system of communications that we can develop. During the last year and a half or two years, this organisation has made a tremendous progress, at great risk, I should say. In order to see the risk that they are running in developing these roads, it is better that some Members go and see the thing for themselves; some of the Members had gone and seen those border roads, and they have come back with praise for those people. I know that this programme has still to make a long progress yet and it has to go through a long way yet. But I am sure that if we proceed at the speed with which we are proceeding now for a few more years, this question of communications will be solved satisfactorily.

The last point was about the ordnance factories.

I would like to assure Shri Indrajit Gupta, Shri Banerjee and Dr. Melkote that what has happened during the last few months was not any proposal of retrenchment of any regular workers. Some casual workers who had been taken for some specific jobs for temporary periods had to be discontinued. There is no proposal now, nor do I think there is the likelihood of any proposal in the near future, to retrench the employees. But I must say at the same time that the work that the labour in the ordnance factories have done during the last two years is something worthy of national pride. The way they have functioned is really remarkable. Naturally, Dr. Melkote and Shri Banerjee and other

also have written to me about it, asking me, in what way we could appreciate the work done by these people. I do not want to take the time of the House in going through the benefit schemes and welfare schemes that we have got for labour. But we have taken into consideration many schemes, and many schemes are already being implemented. But we shall keep this in mind while dealing with the problems that they' will have in the future also. Before I conclude, I must thank this House for the fact that they have shown a great appreciation of the work that is being done. I must also thank the members for the good-will that they have shown in the speeches because I know that the type of task that I am entrusted with is something which is rather a difficult one.

One hon. Member made a personal reference to me. He made a mention about my place in the Cabinet. My place in the Cabinet has something to do with my age, and I cannot help my age. But I can tell him that I have got the fullest faith and confidence of my Cabinet colleagues and the Prime Minister in this work of defence preparation or defence efforts; and the good-will that hon. Members here have shown me will also go a long way to sustain me in this task.

SECTION 1

CHAPTER 4

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DEMANDS FOR GRANTS 1966-67

*Lok Sabha, 30 March 1965*

Mr. Deputy-Speaker, I must express my gratitude to the hon. Members who participated in this debate in a constructive way, and I am sure the way the defence debate was conducted here, is certainly a tribute to the Parliament and a tribute to the armed forces too. I join all the hon. Members who have paid tribute to the valiant armed forces of this country who stood the test of the time last year when they had to face the Pakistani aggression.

Sir, 1965 will go down in the history as a critical year which provided an opportunity for the armed forces to face the crisis (Interruption). And, it would certainly go down in the history in a glorious way. It also provided a test for the political leadership of this country, and here I must, in all humility and gratefulness, make a mention of our departed leader, Shri. Lal Bahadur Shastri, who provided that necessary

determined leadership to the country faced with crisis.

As far as the debate is concerned, I would go into some of the detailed points a little later, but I must say the context in which the debate has taken place is certainly somewhat significant. I have been replying to the defence debate for the last four years. This is the fourth occasion when I am standing in this hon. House to meet some of the arguments and explain the defence policy of this Government. This year the context is somewhat different. In the first place, there is the atmosphere of confidence in the armed forces. Both the army and the air force had to face difficult time, but the valiant manner in which they gave account of themselves is certainly a tribute to them. Certainly it was an opportunity for them too.

Looking back to the development of the defence forces in the last 18 or 19 years, normally we had to depend upon the experience of the Second World War and the knowledge of wars fought in history in different parts of the world. This certainly was an occasion to draw our own lessons in terrain of our own country and a country which is nearer to us. As one of the hon. Members, Shri Indrajit Gupta, asked yesterday, have we availed of this opportunity to learn lessons out of this experience? I would like to assure the hon. House that this opportunity has been well availed of by the armed forces. We have learnt our lessons.

We have certainly tested our army leadership, we have tested our equipments, we have tested our leadership, we have tested our training methods. And, generally, I should say, our training methods have stood the test of time. That certainly has strengthened our confidence in our training methods as well. At the same time, I must say, we found certain deficiencies. It will be wrong for me not to mention that we did find some deficiencies and we will certainly try to remedy those deficiencies in times to come. This is going to be a continuing experience and a continuing process of learning things.

The other thing, which is very important and which has certainly some sort of long-term bearing on our plans and thinking in this matter, is where, we had to face certain political attitudes of friendly countries during this crisis.

When the aids were stopped or suspended, naturally we had to think as to what should be our attitude in this matter. I must say that some

of the hon. Members did make a mention that if the aid had stopped and war had continued we would have had to stop fighting within a few weeks possibly. Possibly they are misinformed about the strength of our country. I do not say that we would have been able to fight indefinitely in all the sectors, but the policy that we have adopted in this country in defence production and the building up of industry in our own country has certainly given us some basic strength which would have helped this country to carry on this struggle, if called upon to do so.

But one lesson we have learnt, and I think that will be a permanent lesson for this country. As far as defence production is concerned, as far as production of weapons and necessary equipments is concerned, ultimately we will have to depend on ourselves and nobody else. Therefore, the strategy of production, which is part of the general defence strategy in our country, which was laid down before, has been vindicated by our experience. I know that it is very easily said than done that we must be self-reliant.

Self-reliance has been accepted. But, at the same time, we ought to think about modernisation of the weapon system, standardisation of the weapon system. Some of these catch words are very easily and very frequently used in this debate. Some hon. Members say that we are still having a khichri of different types of aeroplanes. I must admit it; yes it is true. But I do not see any other alternative to this. Really speaking, the principle of standardisation can be practised and implemented only if you are self-reliant in the field of production, you can produce what you want, you can produce what you need and what you require. If you want to standardise a particular weapon system in a certain manner, then you must be in a position to produce all those elements in your own country. Therefore, modernisation and standardisation ultimately depend upon the diversification of the industrial and further modernisation of the industrial base on this country. The aeronautics industry, in our country is still in its infancy. We have to develop it.

May I say why we have got different types of planes? This vast country has got to be defended in different sectors. The terrain is different, the climate is different and the problems of defence are different. When you take into account these different problems, the roles differ and when the roles differ the plans have to be different. A variety of planes have

to he introduced. Even in the case of transport aeroplanes I do not go into fighter planes; the type of aircraft that you would need for transport purposes in Ladakh will necessarily be the type of transport aircraft that you would require in Rajasthan, for example, or possible it may not he the same type of aeroplane that will be used in the hilly terrain of NEFA for example. Indeed, the roles differ and, therefore, the types of planes will have to he different.

Then again, some hon. Members have referred to the frigate that we are building at Mazagon Docks and MIGs that we are producing with Russian collaboration and said that they are going to be obsolete by the time they are ready. I must say that they are misinformed about it. Of course, what they basically think is right. Technological development is proceeding so fast in the world that any new development in the manufacture of aeroplanes by the time it is incorporated and the plane reaches the production level, it becomes obsolete in the sense that somebody else has gone ahead. In that sense, yes, we may' be lagging behind. But we have to accept that modernisation of planes in this country has ultimately to he judged by our own requirements in this country. Therefore, the MIG 21 that we are producing in this country is going to stay in the seventies in this country. I have no doubt about it. By that time, somebody may produce Mach-3 or Mach-3 plus, but the type of aircraft we are producing, MIG 21, I have no doubt will remain in this country for the purpose for which we produce it for at least a decade. I say that it will remain in use in the seventies in this country.

So, in the case of frigates too, it is true that at the rate at which we are going, the first frigate will he in our hands sometimes in 1970 or 1971. While deciding to go in for this types of frigate we have taken into account the type of technological development that is going on in this particular line and how long this will be able to do the necessary service to Navy. I have no doubt that these frigates will also remain in service in the seventies. What will be the requirements in eighties will depend on what developments take place in seventies.

The weapon system also changes over a period of time. We find the different forces in the world, in different countries, that there is some sort of change in the weapon system practically every ten years, and to establish that change in the' weapon system takes further

time. People sometimes feel or ask why is it that we are not buying or getting these things. I would like the hon. House to recognise one basic fact. The sophisticated weapons required for the defence force are not just available anywhere in the market. Even if you have got the necessary foreign exchange you just do not go and purchase these things in the market. You do not just go and take them off the shelves of those countries. There are certain political aspects that are taken into account before deciding whether to give those equipments or not. It is not enough that you ask for it, it is not enough that you have got the capacity to purchase it; is necessary' that the other party must be willing to give it to you. Therefore, while talking of those equipments and modernisation all these political factors have also to be taken into account. After the experience of the last war, it is not enough that the army alone becomes realistic in these matters. I would like this House also to be a little more realistic in these matters. We must know what is feasible, what is possible and what is necessary.

All these things have to be taken into account while offering suggestions or offering criticisms, Criticisms are welcome. Looking at all these factors and the steps that we have taken for the last two or three years—while I do not want to create a false sense of security, at the same time, I do not want to create a false sense of panic either in this House—Realistically speaking I should say that we have added to the striking capacity—Of the air force, and we have added some more fire power, striking power in the different branches of the army also. And if the army is again called upon to face any aggression from whichever side, I have no doubt in my mind that it will again repeat and give a good account of itself.

Sir, I would just like to give a sort of analysis of the defence budget. I am sorry, we could not give these in the Report itself. We ought to have given them in the Report. I accept some of the criticisms made by the hon. Member, Shri. Nath Pai. It sometimes happens that we become conscious of some of the difficulties when some fresh mind is applied to the problem. Being 24 hours in it we sometimes do not see some simple mistakes. We will try to give this analysis next year.

There are two aspects of the defence budget. If you look at the total figure for 1966-67, it is Rs. 918 crores. If you go by the services, the

army's requirements would be about Rs. 600 crores. Navy's about Rs. 30 crores and Air Force's about Rs. 144 crores; non-effective, that is, pensions etc. about 23 crores, marking in all Rs. 797 crores. The capital outlay on defence comes to about Rs. 121 crores. This is the Service-wise distribution of expenditure. But if you go and combine all the three services together, according to the different types of requirements I have got this analysis made and it comes to this the expenditure on pay and allowances for all the three services comes to about Rs. 235 crores; rations, which is in addition to the pensions etc., cash allowances that are made, come to about Rs. 64 crores. Clothing and fuel, not the fuel for transport purposes, comes to about Rs. 9 crores. These are the items of the general recurring expenditure.

The other amenities domestic accommodation, medical services, pension and miscellaneous amenities come to about Rs. 75 crores, of which I must say it is rather difficult to classify the medical services because the medical service is not really an amenity as such; it is also necessary to keep the armed forces fighting fit. So, this is not purely an amenity but it is also a service requirement as such.

The expenditure on movement, which is necessary for deployment as also for training purposes, comes to about Rs. 57 crores. In this, supplies which is a more important thing, capital investment, plant and machinery for factories etc. comes to about Rs. 294 crores. Supplies, that is, equipment, necessary machinery for production etc., comes to about Rs. 294 crores.

So, if you see generally pay and allowances, rations, clothing come roughly to one-third and supplies, that is, capital investment for equipment, come to one-third.

Research and development and inspection comes to Rs. 19 crores. I know, it is a small amount, it works out to a very small percentage of the total expenditure, but there again there is no unwillingness on part of Government to offer money. In the case of scientific the development and research work it is not merely the money that helps. We must develop gradually the capacity to absorb the expenditure also. Sanctioning money and merely building new buildings for research work is not research expenditure. You must have the necessary technical personnel and we must also provide them the necessary technical

development to make use of those funds. I would like hon. Member, Shri. Indrajit Gupta, who offered this criticism to find out whether there is that healthy growth in this particular expenditure or not, whether we had reached a stage where we are not giving the additional amount that is required or whether they are growing. The growth will have to be very gradual; otherwise, it cannot be a growth, it will be something wrong. So, this expenditure is gradually growing. We are taking more and more projects and more and more important proposition for research work. Personally I have reason to believe and to be satisfied that there is that natural rate of growth in development and research work.

Maintenance of installations is Rs. 38 crores and capital works— new construction of airfields, dockyards, factories, depots etc., is about Rs. 93 crores. I am giving this general expenditure for the information of the House so that they can know what exactly is the composition of the expenditure of the Defence Budget; not merely on the manpower.

Really speaking, normally in most of the modern armies, if you see the modern armies of the more advanced countries, the expenditure on supplies is bigger. That is how they become more modernised and I find, in our own expenditure also, there is that trend, namely, that the expenditure on equipment and supplies is growing. This is a sign that the army is becoming a little more advanced, more modernised, more mechanised, more scientifically thought of and organised. That is one point that I am trying to make. My purpose in giving this analysis of the expenditure is to emphasize this one particular aspect of the problem.

Having said so much, I would like to go into some of the criticism that was offered. That is very welcome criticism because that provides me an opportunity to explain the Government's point of view in this particular matter. One of the very constructive speeches I heard yesterday was from the hon. Members, Shri. Krishnapal Singh, and Shri. Indrajit Gupta, I remember to have replied to some of the points that they have made in my previous speeches also, but repetition is sometimes good for my purpose or possibly for those who have made this criticism.

The point made was that there should be a unified command. People think on these lines because they have heard that a unified command is introduced in the UK by the recent reforms that they have introduced in their administrative matters. May be, it is accepted by some other so-

called advanced countries.

Our own experience shows— at least I can go by my own personal experience in this matter— that we have not yet reached in this country a stage when we can have the luxury of imitating some other country in this particular matter. In those countries all the three services are developed in a balanced manner. There is some sort of balanced development of all the three services—Army, Air Force and Navy—in those countries and perhaps it would be good to have one person selected from any service and to make him the Chief of the Defence Staff and leave the matter entirely to him.

Political conditions also differ from country to country. In our own country it is a patent fact that all the three services have not yet reached an equal stage of development. The Army is the oldest service— naturally, it has to be the oldest service— because traditionally it was the army that was considered to be the real armed force. Our Air Force is a recent service, but I must say that it has made very rapid growth and it has justified its growth also in the last 16 years. The Navy, though it is an old service, is still lagging in its growth. I was very happy yesterday and today when I heard very able speeches from hon. Members who advocated the cause of the Navy. I was happy that there was somebody to look after the Navy in this House. I will come back to the question of the Navy again.

I am only mentioning that the development of the three services is rather in an unbalanced way and, therefore, this idea of a unified command is something which we cannot just think of now and, maybe, for a few years more. If from the development point of view and also political considerations we can reach this stage, possibly we can think of it.

At the present moment, are we handicapped because there is no unified command? That is another aspect which has to be thought of. Is there any handicap in carrying out the defence policy only because there is no unified command? The highest technical advisory body that the Government has, is the Chiefs of Staff Committee, which is presided over by the senior most member of the service. At present the Chief of the Army Staff is the senior most member who presides over the Chiefs of Staff Committee which advises both the Defence Minister and the

Emergency Committee of the Cabinet. It is also serviced by other Sub-committees and expert committees. It is not just in an academic manner but we have seen the functioning of these bodies in the crisis of the last war and I must say that it has worked well. If the experience is some test, then I must say that I do not think that at the present moment, not only at the present moment but under the present circumstances any change in the present set-up is called for.

The other point that the hon. Member made was about the intelligence system and equipment etc. Intelligence is very often discussed in this honourable House and from time to time I have had occasion to give some of the explanations. As I said, certainly there is an improvement in the intelligence work and in the intelligence system; but I can say as we do in the case of other equipment and other services, the that intelligence system also is very delicate instrument and it takes a long time to develop. I cannot say that I am hundred per satisfied with what we have done. It will be a dishonest statement to make to this honourable House; but I can only say that we are trying to find out What better methods we can introduce and how we can better or improve our intelligence system. In the light of the experience that we had in the 1962 campaign and in the light of the experience that we had in the 1965 campaign, we are certainly taking some steps. I hope if we pursue this matter with the same energy and vitality that we have been showing during the last three years, probably we may reach a stage, not in the far distant future, when we can say with certainty that we have got a fool proof Intelligence organisation in our country. But I must say we have to be very watchful and careful in this particular aspect to develop this intelligence system.

The other point that the hon. Member, Shri. Krishnapal Singh, made was that there were a number of more casualties. I should say " yes ". But when we use the word " more" or " less " it is always a comparative statement. When this statement was made, I tried to find out what it was being compared with. I find that these comparisons are made with figures and percentages arrived at during the Second World War. The Second World War was fought for long period of four to five years. It was a prolonged war consisting of battles in different parts of the world under different conditions. Those figures and those percentages are

now being compared with the War which was fought very intensely in 20 to 22 days.

I have got some study made of this and I can say, yes, certainly, as far as Officers' death-rate is concerned, it is some-what more. But that is the proof that our Officers this time led the army. We had a feeling in previous times that we have got the Officers' cadre but ultimately it is the jawans who do the job. But it is the officers who make the army. Higher casualty of Officers is the proof of the capacity of the Officers to lead the army in difficult times and the youngmen of this country who offered themselves as their career for army commissions, etc. They did a marvellous job and you and I have every right to be proud of this. I do not want to burden this House with all the details of percentages and other things. The rate of recovery in the hospitals, the rate of invalidment, all these things, are being looked into. We find that we have certainly greater percentages even when compared to the Second World War. Let us not forget again that this war was not fought in that sort of a luxury, fight for two hours and rest for four hours. It was an intense fight on all fronts, day and night. It was a sort of continuous war. Therefore, some casualties are there, more casualties perhaps, I do not want to hide that fact because it is there. I thought an impression will be created as to whether there was any weakness for casualties. But I should say that there was an attitude to sacrifice and to fight valiantly.

Now, I would like to go to the question that was raised by Shri. Indrajit Gupta. He had mentioned about the use of army in aid of civil authorities.

...It is a painful duty for me when we have to agree to do that. Normally, the army is to be used against the enemy. But I would also, at the same time, say that civil authorities consist not only of Government but the civil authorities consist of the leaders of civil political parties too. It is the responsibility of both these forces. I am not talking in a party spirit.....

Ultimately, even those who are in opposition are potential governments. What is the meaning of General Elections? It is an invitation by the ruling Party to the Opposition to defeat them. This is an invitation to them.

Of course, I know this point was raised in all sincerity and, therefore,

I am, as a lover of democracy, raising this question. I can tell you I am the most unhappy person when the army has to be called to deal with our own people.

It is the most unhappy task. It is a very painful duty but it is a duty ultimately. Certainly, you can have agitation by all means, it is your fundamental right; nobody can object to it, but let us observe the rules of the game, the game of running a democracy in this country. That is all I can say.

One or two other suggestions that were made were that we should not have any sort of complex as to from where we get the aid and, that we should always have alternatives. As far as the aid is concerned, both in the economic field and in the military field, we are looking to all sides. We are not suffering from any complex in this matter. From wherever we can get from friendly countries, we are always willing to do that. We are not misguided and we have no complex in this particular matter.

I have referred to the question of R & D budget which was raised by my hon. friend Shri. Indrajit Gupta. The question that was raised was about Navy. It is quite true that we have not been able to do as much as the hon. Members of this House wanted us to do. But I can tell them the general formula, the general timetable for building up the army, the navy and the air force. You can perhaps build an army within two years if you get the necessary equipment for it. You can build an air force within five years. In order to build your navy, you will have to think in terms of decades. It is a very slow growth in the case of navy. I can tell the hon. House that we have certainly taken definite essential steps in this matter of acquiring more ships, of acquiring submarines and of building ships. But this is just the beginning. This is only the first step towards the second step and to a further step and further progress will take some time. The expenditure of this year does not reflect all the efforts that are made because that expenditure is spread over a longer period. So, the hon. Members may not be guided merely by this fact that the expenditure on navy has gone from Rs. 20 crores to Rs. 30 crores and therefore, we are not doing anything. That is the easiest conclusion to reach and that will be misleading. I quite agree as I have myself said in this House that our navy consists of a large number of older ships and they need to be replaced. But here again we went on

begging from different countries and we did not get what we wanted. It is not a question of unwillingness on our part. It is a question of making a systematic effort for a long time and that sustained effort is going to help to build the navy.

I must make a mention here that I am not trying to reply to every point that is made by the hon. Members here. I am only touching important points and some of the good suggestion that have been made. About other points that were made by individual hon. Members, as my usual practice is, I will try to communicate with them and tell them what steps we are taking and I will ask them also to further communicate with me. Now, I am only trying to meet some of the important points which affect the fundamental policy of Defence.

I heard with interest the speech of Dr. Ram Manohar Lohia. I am glad that he is present in this House. I am not trying to reply in the spirit of replying only. I try to be some what frank about it.

He is one of the farsighted minds of this hon. House, not only of this House but of the country, I have got all respect for him. I have looked to him as our leader in the 1942 days.

Unfortunately my complaint is that - I would request his indulgence to take note of that- the farsighted mind is so much absorbed in itself that it does not take notice of other minds.- (Interruptions).

My point is this. Yesterday he made a very interesting speech which should catch very fine sentiments of patriotism. He says, "What is the function of a Minister; really speaking, the Chief of Staff can function; the President can give some signals from the Rashtrapati Bhavan and the Army and Air Force can go on. ". I am not arguing in a legalistic manner or in a constitutional manner. Really speaking, I understood what his implication was: are we making any efforts in the political orientation of the Army; are we giving the necessary patriotic motivation to the Armed Forces? This is what I have understood him to have meant. He was not criticising a Defence Minister or he was not criticising the Cabinet system as such. His suggestion was : are we doing anything to give the necessary political motivation for the Army? In that context, he mentioned one very popular name, Jumbo Majumdar. It is very respected name in the Air Force. I can tell the hon. Member that it is a very respected name. I was just discussing this with an Air Force officer

this morning; he said that he was a very respected man; he was a very good pilot, etc. He was a good pilot, but there were many other good pilots too; probably they did not meet Dr. Lohia.

I like that man. I want to tell the hon. Member from my own personal experience that, when he was functioning as a worker, as a volunteer at the district level. I know some of those boys who worked with me then and who are now officers in the Air Force. What I am trying to say is that the hon. Member's categorical statement, the blanket statement that the Army of today is the same that was there eighteen years before, is fundamentally wrong.

My only point was this. Maybe, it is the same; from the social angle, things have not changed. If that is the suggestion, I may accept it. But that is also a reflection not on the Army itself. Army again is a reflection of the country as a whole. Really speaking, the most important point, which Mr. Indrajeet Gupta made yesterday was this: a new bond has been created between the Army and the country today. What does it mean? It means that the Armed Forces of this country have become the real representatives of the people. If there are certain deficiencies in the social life of this country, probably they are reflected in the Army, but the Army is not to be blamed for that. I can certainly assure the hon. Members that, in order to provide the necessary national orientation, the patriotic orientation- I cannot say political orientation because if I say political orientation and if I try to orient, I might try to do Congress orientation which is a bad thing today....

That is why I say national orientation, a patriotic orientation which is more essential...

I would like to assure this hon. House that the Army Headquarters, supported by the Government, have undertaken an intensive programme of providing this motivation and orientation. In what way those people who fought in the last war are less patriotic than the so-called other patriots of this country? They are equally, patriotic. People do not easily go and give up their lives for the country, in a way in which they did.

As I said, I am not trying to reply in a controversial way. The hon. Member has made certain points and I thought that I must make my own points. Nothing more than that. We can still differ. I think we are in this hon. House because we differ.

I have no capacity to convince. I am not trying to convince anybody. I am trying to put my point of view. (Interruptions).

There were other points made. Another good speech that I heard yesterday was that of Mr. Nath Pai. He made a mention about nuclear force. He used a very picturesque phrase, nuclear Brahmacharya. I do not want to go into the meaning of Brahmacharya and other things. I would generally mention that aspect. As far as China is concerned, I am coming to the immediate task of this country, the immediate threat the country has to face. What type of weapons we should have naturally depends ultimately on what is our assessment of the threat the country is going to face. Ultimately what you propose to do must have some relation to the troubles or threats you have to face in days to come. I cannot say that there is no Chinese nuclear threat in a long range. It is there. But this question of nuclear threat has country, some relationship with the world peace problem as a whole. It has also that angle; that dimension has to be taken note of.

... I have no doubt in my mind that the immediate and urgent threat to this country from the Chinese side is by the conventional weapons. That is the immediate threat. Whatever resources we have must be used and utilised wisely. When I have an urgent and immediate threat from conventional weapons, how can I come to this hon. House and say, "Well, spend your money in other fields. ". (Interruptions).

This is an important branch of science and we should see whether we are making efforts to build up the technical competence in this field. I must say that this country is very well aware of that. The Atomic Energy Commission and other allied organisations are doing necessary researches in this field to build a technical competence in that branch of science.

Naturally it has to be used for peaceful purpose. So there is no Brahmacharya as far as science is concerned. As far as the technical competence is concerned, as far as the knowledge in that field is concerned, it is being built up. I can humbly state that I have no doubt in my mind that the Government's policy about nuclear Weapons is a wise policy, a correct policy, a policy which we should honestly pursue.

(Interruptions).

What is the present position that we are facing in this country? We had this conflict with Pakistan. Then, there was the Tashkent Declaration or the Tashkent agreement. There are certainly sortie conditions after the Tashkent Declaration. The Chinese threat also continues and continues in a rather more menacing way.

What is our assessment about Tashkent ? We Must look to some conditions before Tashkent. What had happened was that the relationship of Pakistan and India had become so tense that it had reached a stage when the Armed Forces of both the countries were fighting with each other. It had reached a point of no return in the relationship between both countries. Tashkent has given an opportunity to both the countries...

...to turn their backs to the armed conflicts, an opportunity to keep up peaceful relationship; I have no doubt that if this opportunity is willy-nilly or deliberately thrown away by any country, the consequences of it on both the countries will be terrible, and I have no doubt about it. No country plans for war. I think in the modern world every country plans for peace but peace with preparedness. So, naturally, when this opportunity came, we had to accept the position.

But at the same time we cannot forget what is happening after Tashkent today. Certain new realities are appearing on the horizon. We know that China never liked Tashkent because Tashkent was a sort of reversal of the policy that they want to follow in the world, and particularly in this part of the world. If I may say so, the Tashkent Declaration was a sort of slap in their face. But today what we find is that they are trying to incite Pakistan. From the statements and speeches that we hear from some of the leaders of Pakistan, it seems that there is a growing element in Pakistan which does not like Tashkent.

That may be so. The Chinese are, really speaking, trying to fish in troubled waters and trying to interfere in Kashmir which is entirely our own internal question.

It is in the interest of Chinese policy to weaken the forces which led to Tashkent, and it is, therefore, that they are trying to take to weaken or trying to take away or persuade or tempt Pakistan away from Tashkent. I hope and trust that the Chinese do not succeed; I hope and trust that the Pakistan leadership sees the truth of the game does not fall a victim to this thing, because peaceful relation between our two countries is

in the interest of both the countries. What both the countries need is economic development. What both countries need is the development of the human material in their countries, and this can be done only on the basis of peaceful relations between these two countries.

As far as we are concerned, I have no doubt in my mind that we want to stand steadfast to the Declaration of Tashkent.

But, I must say at the same time that we cannot be complacent; if there are any forces which are going to attempt to cow us down to any position, possibly, they are 'counting without the hosts' as they say. This country would not be forced into accepting any position which it cannot accept. That position will have to be maintained. But we shall have to keep in mind that the threat of the Chinese does continue, and it continues in a more menacing way, as I have said, because they are, and their tendency to fish in troubled waters was repeated again in 1965 when the Pakistan aggression was on. They made a childish attempt at sending us an ultimatum, and a further childish effort to withdraw that ultimatum. The second attempt is going on at Rawalpindi today. It is a very tragic thing that the Chinese Armed Forces, the Chinese weapons and the Chinese tanks and the Chinese aeroplanes are paraded on the streets of Rawalpindi, but the comedy of the tragedy is that some of the American weapons which were used, and which were manufactured to contain the Chinese are also paraded along with them. Unfortunately, that is the comedy of the tragedy of it.

But, apart from that, we have to take a realistic picture of this thing, and quietly; I would request this House that after the experience of the last conflict with Pakistan, after the brave work that our soldiers did, after the confident and able manner in which our Army was led last time, we should watch these developments with wide awakesness and I agree there. But we should not allow any excitement or any panic. We should behave as a great nation, a dignified nation and a powerful nation. That is the only request that I can make to this House.

## SECTION - 2

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### NEFA ENQUIRY & DEFENCE PREPAREDNESS

#### **EDITORIAL NOTE**

Following the debacle of Indian Army in Kameng Sector of the North East Frontier Agency (NEFA), the Prime Minister had assured the Parliament that he would institute an enquiry into the debacle.

Shri Y. B. Chavan had to take the initiative to determine the type and the nature of enquiry to be undertaken. He very soon sensed that such an enquiry could rebound on the political leadership because ultimately, in a Parliamentary democracy, the political leadership in the Government had a responsibility to direct the Armed Forces. Considering the sensitivity, he asked the Chief of Army Staff to set up a purely military appraisal of the debacle in NEFA with a view to drawing lessons for future. This enquiry known as the Henderson-Brooks committee was thus a purely internal enquiry. The results of this enquiry were briefly summarised in a Statement which was presented to the two Houses of the Parliament on September 2, 1963 and debated along with another Statement on 'Our Defence Preparedness'.

The handling of the NEFA Enquiry including the Statement that was presented to the Parliament and the spirited and able defence of Shri Y. B. Chavan put up in both the Houses of the Parliament are a high water mark of his Parliamentary career.

SECTION 2

CHAPTER 5

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STATEMENT REGARDING THE NEFA ENQUIRY

*Rajya Sabha, 2 September 1963*

EDITORIAL NOTE

*On 2 September 1963, Shri Y. B. Chavan made a Statement on NEFA Enquiry in Rajya Sabha and on the same day laid a Statement in Lok Sabha.*

*On the same day, he made a Statement in both the Houses on 'Our Defence Preparedness.'*

*He replied to the debate in Rajya Sabha on 20 September 1963 and Lok Sabha on 21 September 1963.*

Sir, I wish to inform the House of the results of the Enquiry to investigate our reverses in the operations occasioned by the Chinese aggression across our Northern borders during the months of October-November, 1962.

Though the Officers appointed to enquire into these reverses were asked to examine the operations with particular reference to the Kameng Division of NEFA, they quite rightly came to the conclusion that the developments in NEFA were closely correlated to those in Ladakh and their study of NEFA operations had to be carried out in conjunction with developments and operations in the Ladakh Sector. Thus, the enquiry made and the conclusions emerging from it are results of study into the entire operations on our Northern borders.

As I had informed the House on 1st April, in reply to a question in Lok

Sabha, with my approval the Chief of Army Staff had ordered a thorough investigation to be carried out to find as to what was wrong with

- (i) our training;
- (ii) our equipment;
- (iii) our system of command;
- (iv) the physical fitness of our troops; and
- (v) the capacity of our Commanders at all levels to influence the men under them.

While conveying to the House the terms of reference of this Enquiry, I had made it clear that the underlying idea in holding this Enquiry is to derive military lessons. It was meant to bring out clearly what were the mistakes or deficiencies in the past, so as to ensure that in future such mistakes are not repeated and such deficiencies are quickly made. Consequently, the Enquiring Officers had to study in great and intimate detail the extent of our preparedness at the time, the planning and strategic concepts behind it and the way those plans were adjusted in the course of operations. This also necessitated the examination of the developments and events prior to hostilities as also the plans, posture and the strength of the Army at the outbreak of hostility. In the course of the Enquiry a very detailed review of the actual operations in both the sectors had to be carried out with reference to terrain, strategy, tactics and deployment of our troops.

The conclusions drawn at the end of the Report flow from examination of all these matters in great detail. In these circumstances I am sure, the House would appreciate that by the very nature of the contents it would not be in the public interest to lay the Report on the Table of the House. Nor is it possible to attempt even an abridged or edited version of it consistent with the consideration of security that would not give an unbalanced or incomplete picture to the House.

I have given deep thought to this matter and it is with great regret that I have to withhold this document from this august house. The publication of this Report which contains information about the strength and deployment of our Forces and their locations would be of invaluable use to our enemies. It would not only endanger our security but affect

the morale of those entrusted with safeguarding the security of our borders.

Before I turn to the main conclusions of this Enquiry, may I bring to the notice of the House that I had already made clear that this Enquiry is the type of enquiry which the Prime Minister had in mind when he promised such an enquiry to the House in November 1962, into the state of military unpreparedness to meet the Chinese invasions. I would like to assure the House that we had at the outset made it clear to those who were entrusted with this Enquiry and they in turn made it clear to the persons whom they found necessary to examine, that our main intention was to derive lessons to help in our future preparedness and not in any way undertake a witch-hunt into the capabilities of those who were concerned with or took part in these operations. This is absolutely essential to get a full factual picture of the situation as it obtained in October-November, 1962. I may specially mention this to remind the House that in considering these matters, we should never miss the 'proper sense of perspective or say or do things which could only give heart to the enemy and demoralise our own men. I have no doubt that the House would wish to ensure this spirit to be maintained.

The enquiring officers submitted their Report to the Chief of Army Staff on the 12th May 1963. After obtaining some complementary information, the Chief of Army Staff submitted this Report along with his comments to me on the 2nd July. Considering the enormous mass of details that had to be gone into with meticulous care by the enquiring officers, as I have myself seen, I would consider that the Report has been completed with commendable speed.

The first question in the Terms of Reference was whether our training was found wanting.

The Enquiry has revealed that our basic training was sound and soldiers adopted themselves to the mountains adequately. It is admitted that the training of our troops did not have orientation towards operations vis-a-vis the particular terrain in which the troops had to operate. Our training of the troops did have a slant for a war being launched by China. Thus our troops had no requisite knowledge of the Chinese tactics and ways of war, their weapons, equipment and capabilities. Knowledge of the

enemy helps to build up confidence and morale, so essential for the Jawan on the front.

The Enquiry has revealed that there is certainly need for toughening and battle inoculation. It is, therefore, essential that battle schools are opened at Training Centres and formations, so that gradual toughening and battle inoculation can be carried out.

It has also revealed that the main aspect of training as well as the higher Commanders' concept of mountain warfare requires to be put right.

Training alone, however, without correct leadership will pay little dividends. Thus, the need of the moment, above all else, is training in leadership.

The second question was about our equipment. The Enquiry has confirmed that there was indeed an overall shortage of equipment both for training and during operations. But it was not always the case that particular equipment was not available at all with Armed Forces anywhere in the country. The crucial difficulty in many cases was that, while the equipment could be reached to the last point in the plains or even beyond it, it was another matter to reach it in time, mostly by air or by animal or human transport, to the forward formations, who took the brunt of fighting. This position of logistics was aggravated by two factors :

(i) The fast rate which troops had to be inducted, mostly from plains to high mountain areas; and

(ii) Lack of properly built roads and other means of communications.

This situation was aggravated and made worse because of overall shortage as far as vehicles were concerned and as our fleet was too old and its efficiency not adequate for operating on steep gradients and mountain terrain.

Thus, in brief, though the enquiry revealed overall shortage of equipment, it has also revealed that our weapons were adequate to fight the Chinese and compared favourably with theirs. The automatic rifle would have helped in the cold climate and is being introduced. The

enquiry has pinpointed the need to make up deficiency in equipment, particularly suited for mountain warfare, but more so to provide means and modes of communication to make it available to the troops at the right place, at the right time. Work on these lines has already been taken in hand and is progressing vigorously.

The third question is regarding our system of command, with the Armed Forces. The enquiry has revealed that there is basically nothing wrong with the system and chain of command, provided it is exercised in accepted manner at various levels. There is, however, need for realisation of responsibilities at various levels, which must work with trust and confidence in each other. It is also revealed that during the operations, difficulties arose only when there was departure from accepted chain of command. There again, such departures occurred mainly due to haste and lack of adequate prior planning.

The enquiry has also revealed the practice that crept in higher army formations of interfering in tactical details even to the extent of detailing troops for specified tasks. It is the duty of Commanders in the field to make on the spot decisions, when so required and details of operations ought to have been left to them.

The fourth question is of physical fitness of our troops. It is axiomatic that an unacclimatised army cannot be as fit as one which is. The enquiry has revealed that, despite this our troops both officers and men stood the rigours of the climate, although most of them were rushed at short notices from plains. Thus, in brief, troops were physically fit in every way for their normal tasks, but they were not acclimatised to fight at the heights at which some of them were asked to make a stand. Where acclimatisation had taken place, such as in Ladakh, the height factor presented on difficulty. Among some middle age group officers, there had been deterioration in standards of physical fitness. This is a matter which is being rectified. The physical fitness among junior officers was good and is now even better.

The fifth point in the Terms of Reference was about the capacity of the Commanders at all level during these operations to influence the men under their Command. By and large, it has been found that the general standard amongst the junior officers was fair. At Unit level

there were good and mediocre Commanding Officers. The proportion of good Commanding Officers and not so good was perhaps the same as obtained in any army in the last World War. At Brigade level but for the odd exception, Commanders were able to adequately exercise their Command. It was at higher levels that shortcomings became more apparent. It was also revealed that some of the higher Commanders did not depend enough on the initiative of the lower Commanders, who alone could have the requisite knowledge of the terrain and local conditions of troops under them.

Apart from these Terms of References, the enquiry went into some other important aspects pertaining to the operations and I would like to inform to the House about this also. This relates to the following three aspects.

- ( i) our intelligence;
- (ii) our Staff Work and procedures; and
- (iii) our " Higher Direction of Operations."

As regards our system and organisation of intelligence, it would obviously not be proper for me to disclose any details. However, it is known that in the Army Headquarters, there is a Directorate of Intelligence under an Officer designated as Director of Military Intelligence, briefly known as DMI.

The Enquiry has brought out that the collation of intelligence in general was not satisfactory. The acquisition of intelligence was slow and the reporting of it vague.

Second important aspect of intelligence is its collation and evaluation. Admittedly, because of the vague nature of intelligence evaluation may not have been accurate. Thus a clear picture of the Chinese build-up was not made available. No attempt was made to link up the new enemy build-up with the old deployment. Thus field formation had little guidance whether there were fresh troops or old ones moving to new locations.

The third aspect is dissemination of intelligence. It has come out that much faster means must be employed to send out processed and important information to field formations, if it is to be of any use.

There is no doubt that a major overhauling of the intelligence system

is required. A great deal has been done during the last six months. The overhauling of the intelligence system is a complex and lengthy task and in view of its vital importance, I am paying personal attention to this.

Now about our staff work and procedures. There are clear procedures of staff work laid down at all levels. The enquiry has however revealed that much more attention will have to be given, than was done in the past, in the work and procedures of the General Staff at the Services Headquarters, as well as in the Command Headquarters and below, to long-term operational planning, including logistics as well as to the problems of co-ordination between various Services Headquarters. So one major lesson learnt is that the quality of General Staff Work and the depth of its prior planning in time is going to be one of the most crucial factors in our future preparedness.

That brings me to the next point which is called the higher direction of operations. Even the largest and the best equipped of Armies need to be given proper policy guidance and major directives by the Government, whose instrument it is. These must bear a reasonable relation to the size of the Army and state of its equipment from time to time. An increase in the size or improving the equipment of Army not only costs money but also needs time.

The reverses that our Armed Forces admittedly suffered were due to a variety of causes and weaknesses as stated above. While this Enquiry has gone deeply into those causes it has also confirmed that the attack was so sudden and in such remote and isolated sectors that the Indian Army as a whole was really not tested. In that period of less than two months last year, only about 24,000 of our troops were actually involved in fighting. Of course, those in Ladakh did an excellent job even when overwhelmed and outnumbered. In the Eastern-most Sector though the troops had to withdraw in the face of vastly superior enemy strength from Walong, they withdrew in an orderly manner and took their toll. It was only in the Kameng Sector that the Army suffered a series of reverses. These battles were fought on our remotest borders and were at heights not known to the Army and at places which geographically had all the disadvantages for our troops and many advantages for the enemy. But such initial reverses are a part of the tides of war and what matters most is who wins the last battle.

Before I end, I would like to add a word about the famous Fourth Division which took part in these operations. It is indeed sad that this famous Division had to sacrifice its good name in these series of reverses. It is still sadder that this Division during the actual operations was only Fourth Division in name, for it was not fighting with its original formations in tact. Troops from different formations had to be rushed to the borders to fight under the banner of the Fourth Division, while the original formations of the Division itself were deployed elsewhere. I am confident, and I am sure the House would share with me that the famous Fourth Division would live to win many more battles if there is any future aggression against our country.

Before I conclude, I would like to mention that we have certainly not waited for this Report to be in our hands to take corrective action. The process of taking corrective action had started simultaneously with institution of this Enquiry and the House would recollect that I had informed it of the same.

What happened at Sela and Bomdila were severe reverses for us, but we must remember that other countries with powerful Defence Forces have sometimes suffered in the initial stages of a war. The aggressor has a certain advantage, more especially when the aggression is sudden and well prepared. We are now on preparedness and this Enquiry while bringing home to us our various weaknesses and mistakes would also help to strengthen our Defence preparedness and our entire conduct of such operations.

SECTION 2

CHAPTER 6

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STATEMENT ON OUR DEFENCE PREPAREDENESS

*Lok Sabha, 2nd September 1963*

The House has already heard the Statement that the Prime Minister made on 16th August, about the heavy concentrations of Chinese troops all along our Northern borders. There has not only been appreciable increase in the total quantum of Chinese forces in Tibet, all along our Northern borders, hut the bulk of these forces is concentrated at strategic points closer to our borders than they have ever done before. There has also been a steady and constant build-up of war-like stores and maintenance supplies and considerable activity by way of construction of barracks, gun emplacements, storage dumps, roads and air-fields near our borders. As the Prime Minister mentioned, it is difficult to know the Chinese intentions, hut this concentration of men and material may well be for use as a spring hoard for another aggressive action against India.

There have also been certain development in Pakistan to which the Prime Minister referred in his Statement on 13th August. Although leaders of Pakistan are well aware that our defensive preparations are meant to safeguard security against the threat from our Northern borders they are carrying on baseless propaganda that these defensive preparations of ours are a threat to the security of Pakistan. We have also learnt recently about certain dispositions of Pakistan troops on the Assam and East Pakistan border.

Whether these simultaneous developments are the result of any understanding or agreement between Government of Pakistan and the People's' Republic of China is best known to them. I am, however, mentioning the factual position to give the House a proper picture of the situation that this country has to face.

We have repeatedly made it clear that we have no aggressive intentions against any country and that we want to settle differences with our neighbours in a peaceful manner. So far as our border differences with China are concerned we have despite the crisis forced on us by Chinese aggression and massive attacks last October/November, accepted the proposals made by the six non-aligned countries who met at Colombo as a basis for consolidation of the cease-fire so that on similar acceptance of these proposals by China, the proposals can be implemented on the ground and, in the atmosphere of peace thus restored, we can discuss the differences regarding the boundary and attempt to resolve the differences peacefully. As the Prime Minister stated, we have also indicated to the Government of the People's Republic of China that we are prepared, in case our differences cannot be resolved by direct talks and discussions, to refer the differences for settlement to the International Court of Justice at the Hague or to mutually acceptable arbitration procedures in accordance with recognised international practice. To Pakistan, the Prime Minister has again renewed the offer of a ' No-war ' Pact and reiterated that we want friendly and co-operative relations with Pakistan and we desire to settle all our differences peacefully. In the current climate of hostility and tension, however, we have, while keeping in view our main objective of settling, when there is an appropriate climate for peaceful talks and discussions, our differences peacefully, to take necessary measures for defence of our territorial integrity against any aggressive threat, the more so, because of our experience last

year of a sudden and unprovoked massive aggression by our northern neighbour.

The first programme of our Defence preparedness is, one of expansion of our Armed Forces. I had already informed the House that we were planning to raise six Divisions. I am happy to report to the House that in fulfilment of our programme we have raised three of them. The remaining Divisions are in the process of being raised according to a time-schedule.

The raising of these Divisions has meant, large-scale recruitment of Officers and other Ranks. As regards the recruitment of other Ranks, I would like to inform the House that the actual recruitment is going on according to our phased programme and I would add that our performance is more than satisfactory.

Since emergency, 3,175 Officers have been commissioned and about 2,677 Officers would be eligible for Commission by the end of this month. By the beginning of next year we would have commissioned more than 8000 Officers.

As regards recruitment of Officers for Technical Branches such as Engineering and Medical, considerable difficulties are being experienced. In respect of Medical Graduates, we have been able to recruit 40 per cent of Officers, that we would need for the period 1963-64. I must convey with regret to the House that as regards Engineering Graduates, the response has been unsatisfactory.

We have introduced a number of schemes for attracting Engineering and Medical Graduates to the Army such as :

( i ) Ante-date based on length of service in civil employment.

( ii ) Protection of lien, seniority, civil pay and emoluments and other service rights in the case of Central Government employees. We have requested to the State Governments to extend similar concessions to the State Government employees.

(iii) Government have announced that for the present 50 per cent of permanent vacancies in Class I and Class II posts in Engineering and Medical Services of the Central Government which are to be filled in by direct recruitment, will be reserved for Graduate Engineers and Doctors commissioned in the Armed Forces during the present emergency and

released later. The State Governments have also been requested to make similar reservations with regard to posts under them.

(iv) We have introduced University-entry Scheme for Engineering and Medical students. Under this Scheme provisional short-service regular commissions are granted to candidates studying in the final year of the Degree Course of Engineering and Medical Colleges. After they qualify in the final examination they are granted short service regular commissions.

I hope with these added incentives, response for recruitment of Medical and Engineering Officers will considerably improve.

To sum up, the programme for recruitment and training is proceeding according to schedule except in the case of technical personnel where some difficulties are being experienced.

The rapid expansion of the Army has necessarily' meant expansion of training facilities for Officers as well as men. In last October/November, Indian Military Academy at Dehra Dun had a capacity' for 1800 Officer Trainees. Today it has been expanded to take 3,200 trainees. After the emergency we had opened two Officer Training Schools at Poona and Madras with capacity for 450 Officer Trainees each. Today these have been expanded to take 1,500 Officer Trainees each. The Army School at Nowgong which is meant for giving training to the Junior Commissioned Officers and Other Ranks, who are selected for Officer cadre, had a capacity for 230 Trainees. It is now being expanded to 650. This would enable a larger number of Junior Commissioned Officers and Other Ranks in the Army to be trained for promotion to the Officer cadre and also make available experienced trained Officers to the Army. We have also opened a new School of Military Engineering at Baroda with a capacity of 800. The capacity of High Altitude Warfare School has also been doubled from the summer of 1963.

To meet the increased requirement for training for Other Ranks as many as 15 new Training Centres have been established. Simultaneously the capacity of existing Training Centres has been expanded.

I have mentioned to the House only a few institutions where this expansion has been carried out. In fact such expansion of training facilities has been carried out in all training establishment of the Army

and the Air Force. Simultaneously, Courses have been condensed and streamlined to meet our new requirements.

The Army has also been working out most appropriate forms of organisation for the task entrusted to it. The formation of Infantry Divisions is being adjusted to present day requirements of fire power and operational flexibility. A new Central Command has been established. Certain reorganisations have also been carried out at the Army Headquarters. The Commanders at different levels have also been made aware of their responsibilities so as to ensure that the accepted chain of command functions undisturbed.

Before I mentioned some other aspects of our preparedness, I would like to inform the House of the corrective action that we have taken or which we have initiated in the light of the Enquiry into our reverses in NEFA operations. As I have mentioned many times in the past in this House, the main object of the NEFA Enquiry was to learn military lessons. I would like to assure the House that these lessons have been learnt and learnt well. We have already taken several steps in the nature of corrective action.

For example, regarding orientation and training in the type of war launched by China all ranks at all levels have been given information and exercises in the type of operations that might be expected if China chooses to commit aggression again. Both individual and collective battle training has been stepped up.

The physical fitness of troops in the areas in which they would have to work has considerably improved. With regard to acclimatization, special scientific studies have been undertaken and the process of acclimatization is being carried out according to the definite plans. Greater emphasis is being placed on physical fitness in officers at all levels and it would be an important consideration for their suitability or otherwise for assuming higher commands. Battle inoculations in realistic conditions are now part of normal training both in forward and rear areas. Due emphasis is being given to inject proper concept of mountain warfare in the higher Commanders.

As regards equipment it is not merely a question of providing equipment to new raisings but the whole Army has to be provided with

modern weapons, ammunition and other equipment suited for mountain warfare in the context of limitation imposed by shortages of foreign exchange and of industrial capacity. I would like to inform the House that even though shortages still exist in certain items, the position regarding weapons, ammunition, equipment, clothing- including snow clothing, blankets, boots and other requirements has considerably improved.

The necessary manufacturing capacity is being progressively built up in the country; at the same time research work is being carried out intensively into various problems that the troops have to face in operating at great heights.

I will now turn to some other aspects of Defence preparedness. Strenuous efforts are being made since last year both to improve the quality and quantity of the equipment available to the Army. The capacity to produce arms and ammunition within the country is limited even to meet our immediate needs. It was, therefore, necessary to procure equipment and ammunition from foreign sources. The House is aware of the ready response from a large number of friendly countries to our requests for assistance. Out of the assistance promised by the United States Government more than half has been received and a bulk of the remainder is expected shortly. Similarly a substantial part of the aid promised by the United Kingdom Government has been received. We have also received assistance in different forms from other countries such as U.S.S.R., Australia, Canada, France, Italy, New Zealand, Rhodesia, West Germany and Yugoslavia.

We are very grateful to all these countries for the timely assistance they have extended to us in our determination to build up our armed forces to preserve and fortify our freedom.

In some quarters it has been suggested that the equipment that is being received by us in the form of aid is not being assimilated quickly enough and made available to the troops in forward positions. I would like to assure the House that these suggestions are not correct. Before new equipment could be distributed to the formations, we had to carefully work out their logistics, we had also to undertake intensive programme of training of our troops in the use of such equipment, some of which was new to our Army. This process was by and large completed several months ago and the equipment is now reaching the troops without any

loss of time.

I am sure the House would agree with me that in the long run we must rely on our own efforts for sustaining our Armed Forces. For this it is essential that we modernise and expand our defence industries. In this context, I would like to inform the house of the results of our efforts in three or four important directions.

We have paid considerable attention to step up the capacity of the existing Ordnance Factories, the present rate of production is more than double the rate of production before the emergency. In no small measure this has been possible due to the exemplary sense of patriotism shown by the workers in our Ordnance Factories by working long hours to speed up production.

We have also surveyed the plant and a machinery of the existing Ordnance Factories and taken steps for replacement of old or outmoded machines wherever necessary. We have undertaken modernisation of tool rooms and improvement of material handling facilities. Some new lines of production have been established in the existing factories.

The House is aware that we had undertaken production of semi-automatic rifle at the Ichapore Rifle Factory. Although efforts to develop and produce this weapon were started early in 1960, it was later on found that to meet the highest standards of performances required of such a basic weapon by the user this weapon had to be improved in several respects. I am happy to inform the House that after great deal of hard work and effort by the officers and men of the Ichapore Rifle Factory as well as many others, they have now developed a weapon which is entirely satisfactory to the user. In fact the rifle, the production of which has now started, is in some respects superior to similar weapons produced elsewhere. The development and production of this basic weapon for the Indian Army is no mean achievement.

Our principal need is to equip the Army with lighter weapons possessing improved fire power. For achieving this end, we had planned establishment of six new Ordnance Factories with the assistance of friendly countries. We on our part have proceeded with necessary arrangements for acquisition of land, preparation of plans and estimates for constructional work, making arrangements for supply of water, power

and other necessities. To speed up construction we have appointed the State Governments as agencies for execution of works. Nevertheless I am aware that progress so far has not been entirely satisfactory. This has primarily due to uncertainty in sources of supply and the types of plant we would finally get. Just at present we have received assurance from the United States Government in respect of supply of plant required for the Small Arms Ammunition Factory. We have also very recently received assurance of financial assistance from the United Kingdom Government for plant towards another factory. Regarding the other four factories, efforts are continuing to secure assistance and if we fail to receive such assistance in full, we may have to divert our limited technical and financial resources to meet our requirements.

As regards the setting up of factories for production of MIG aircraft, land have been acquired and all preliminaries for obtaining power, water and provision of facilities for training of technical personnel, railway sidings have reached an advanced stage. The factories are being set up in collaboration with Soviet specialists. As the House is aware we have also suggested certain improvements in the MIG 21 Plane to suit our requirements.

There are other fields of Defence Production where we are going ahead with expansion and modernisation. I am conscious of the need for expedition in this field and my efforts are directed towards that end.

Maintenance of our Armed Forces in forward areas calls for development of modes and means of communication. The programme of building up land communications in these areas has been directed towards meeting the high priority demands of the Armed Forces. Most of these roads are being constructed by the Border Roads Development Board. Till the- beginning of June 1963 this Organisation had carried out formation cutting of nearly 1600 miles, developed land communication of over 600 miles and done survey and reconnaissance of about 2700 miles. The Board has recently approved a programme which envisages construction of 300 miles of new roads, improvement and maintenance of 300 miles of existing roads and surfacing of about 300 miles. I was happy that some Members of this House found it possible to visit Border areas and see for themselves some of the work which is being done in this direction.

At present our formations in forward areas rely to a considerable extent on the airlift offered by the IAF. If I could show the Honourable Members some of the airfields and dropping zones where they have operated this House would share my admiration, for the initiative and courage that these young men of the IAF have displayed in the performance of their tasks; they have not been deterred by the weather, terrain or the other difficulties that they had to face.

To logistically support our establishments in border areas we have been able to considerably augment our transport fleet by obtaining additional aircraft from Ewer U.S.A., U.S.S.R. and Canada. In November last, the United States Government generously offered us the services of a transport squadron of C-130 Planes. The dedicated manner in which the crews accompanying these planes carried out airlift of men, equipment and provisions needs to be specially mentioned. With the improvement in our logistics and our own airlift capacity it has now been possible to agree to the withdrawal of this squadron.

I have tried to place before the House an account of preparations that we are making to meet any threat of aggression on our borders. We are pushing ahead with expansion of armed Forces, expansion of their training facilities, modernisation of their equipment and re-fitting them to step up their operational efficiency. To support the expanded Armed Forces we have undertaken a programme of modernisation and expansion of Defence Industries and creation of new production potential. This is a heavy task notwithstanding the assistance that we have received from friendly countries and the House would appreciate the limitations within which we have to pursue our programme. I would like to assure the House that measures to strengthen our defences will be pursued with vigour and steadfastness. We are fully conscious of the sacrifices being made by the people of this country to make these measures a success.

Finally I would like to add that an important aspect of our Defence preparedness is the building up of morale. During the last few months I have visited our troops— both the Army and the Air Force— in various sectors of forward areas. Our Jawans are stationed in most difficult terrain and are living in most inhospitable climate. Our airmen are performing hazardous tasks. It was a matter of pride for me that wherever I went

I found them energetic, confident and working with unshakable resolve and determination. All that we are doing here, is to strengthen the hands of that resolute JAWAN who is standing a lonely vigil on our snow-covered borders and who would face the brunt of attack if there is any aggression. It will be a source of great encouragement and strength for him to know that his countrymen are doing everything possible to strengthen his hands and ` will ` to fight.

SECTION 2

CHAPTER 7

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REPLY TO DEBATE ON THE NEFA ENQUIRY AND  
ON OUR DEFENCE PREPAREDNESS

*Rajya Sabha, 20 September 1963*

Madam Deputy Chairman, I am indeed grateful to this hon. House for debating for the whole day both the statements. I had the honour to present to this hon. House. When I say, 'I had the honour to present', I do not mean that I was ever proud to present the statement about the NEFA enquiry because it was certainly a disquietening document, a document which conveyed a sort of self-criticism which was essential not only in the interest of the Army itself but which was necessary in the interest of the nation as a whole, and I was looking forward to this debate to have an objective assessment or evaluation of that document. I know that the criticism that was made, though it was off the mark on many points, was actuated by the concern for the defence of the country, and therefore I am grateful for whatever criticism was made about it. This document was a sort of self-criticism and this self-criticism was necessary in one sense or the other.

As we all know, though our Indian Army is considered traditionally to be functioning for a couple of centuries, the Army of the Republic of India has been functioning only for the last sixteen or seventeen years. Formerly it was functioning as part of a bigger military machine under a different military leadership for other political objectives. And as in any other field, in the field of military operations also it is not the theoretical knowledge that is of any use but really speaking, ultimately it is the experience which is a great teacher. Looking to the experience of our Army from this point of view the experience of our Army was limited to the last sixteen or seventeen years. Whatever little military operations we had was in the Hyderabad area which was in the nature of police action— I am not underestimating the value of those operations—and similarly in Goa while there was some bigger operation in Kashmir. And that was certainly quite a valuable experience but as a matter of fact what happened in the last year in NEFA, Ladakh and in the eastern part of NEFA near Walong was certainly a major experience for our Army and it was necessary to evaluate properly what we learnt in that experience for the benefit of the Army in the future.

I was expecting some sort of criticism from the defence point of view. Of course, certain political considerations do get connected with defence preparedness and defence considerations. I do agree, but I was rather disappointed, I must say, that most of the criticism here was aimed at with certain political objectives in mind. My friend, Mr. Dahyabhai Patel, made a remark that while I was making the statement, I was interrupting the Prime Minister who later on made a statement white-washing what I said. I think there is nothing farther from the truth than that. I can tell this hon. House that my statement on the NEFA enquiry had been prepared with the approval and full consent of the Prime Minister.

And there was no question of the Prime Minister whitewashing what was said by me because what I had said was on behalf of the Government and with his previous consent. So this type of approach is rather a wrong one. I just wanted to mention this first.

What I expected was an objective assessment of whatever we have placed before this hon. House. When I said that there is no need for having any witch-hunt, when I used that word 'witch-hunt' I had this in

mind. Because once you try to fix responsibility on A, B, C, D or whoever they are, the nature of the enquiry will get changed and an objective enquiry becomes impossible. Calling names does not help self-criticism and really speaking whatever information we had been able to collect in that statement we would never have been able to collect if we had started with the idea of fixing responsibility on persons. Human nature being what it is, one must understand what the result would have been. But what is more important ? As to who is responsible, I am not going into that matter but what is more necessary, what is more essential for this country is to find out what the mistakes were, what the deficiencies were and what the lessons the country could learn, because we are not at the end of the trouble, we are in the midst of the trouble. We are in the process of defending our country. Our trouble with our neighbour is not yet over. We have to prepare ourselves and prepare for long time. Perhaps this defence preparedness and the consciousness of defence preparedness for this country has come to stay and stay permanently, if I may say so. If that is to be done, then certainly we have to look at this whole problem in an objective manner. Therefore whether 'A' General was wrong or whether 'A' General was wrong or whether 'A' politician was wrong is not the problem. As I said, there was something militarily wrong and that has to be corrected. And I can tell with all seriousness with my hand on my heart- if that phrase would satisfy my hon. friend, Mr. Patel - that I have tried to share with this hon. House and the country as much about it, as I can, consistent with public interest. I can say that without any fear of contradiction.

What we have to do and what really matters, it is how we look at the NEFA Enquiry Report. Unfortunately I have got a feeling and I can say that from my own personal experience, I am not criticising anybody. Before coming here I was the Chief Minister of a big State and even though I came to take up the responsibility, here, I found I knew very little about the problems of defence of the country. There is very meagre awareness about the defence problems of the country among the public. They have some romantic ideas about the defence of the country or there is some wishful thinking about it. Now, we have said that we did not have any slant of China launching an offensive against us and that really speaking is the main reason for this. But what is wrong with it ? Do hon. Members suggest that immediately after independence our

country ought to have started taking up military postures against all the neighbours around India ? Is that the idea ? Mahatma Gandhi, I think, even before winning independence or even before starting the struggle for independence, before he became the General of India, had made one very important statement in the All India Congress Committee that India's foreign policy should be evolved on the basis of friendship with our neighbours. That was the right approach. I do not think basically that approach was wrong. And the foreign policy based on that approach was certainly correct. In this particular instance one neighbour proved to be treacherous.

I have tried to think what are the reasons for our reverses, despite our own mistakes and despite our own deficiencies, whatever they were and according to me there were three reasons for this. One was the natural advantage of China. They have got overwhelming superiority in number because for the last thirty years they have done nothing else but to build up their army. Their whole revolutionary concept is based on military preparedness. Their civil war was carried on with the idea of military preparedness. That was one reason. Secondly, they have got the natural advantage of terrain from which to operate against India. Thirdly, every aggressor, particularly an aggressor who is a military dictator has initiative which a democratic country has not. We have seen it at least in the last two World Wars. Moreover, in the case of many countries we have seen before that democracies will always have a disadvantage. We saw the mighty empire in the eastern part of Asia, the British Empire, what types of reverses they had to face. Even in the case of another military Power, Russia, in the Second World War, we found what initial reverses they had to face. These are the three main reasons.

We have to find out how we can remedy these matters. I must say I do not want to give any wrong ideas to this hon. House about the state of our military preparedness. I shall try to be rather more realistic about it. Somebody asked me just now whether our production is commensurate with our requirements. Let me tell you very frankly that it is not. If you expect, merely the Minister to have the production required for war consumption, ready within a few months, it is not possible. Your defence preparedness cannot be separated from your economic base, from your economic capacity, your economic capabilities, your technological

capabilities, your scientific development and other connected matters. You cannot isolate those things and just say : get yourself prepared. You were given nine months, ten months, one year, two years. Do all these things. We have to prepare for all these continuously. What we have done is that we have tried to look at ourselves critically. From this experience of the Army, from the sudden experience, from the sad experience that they went through, we want to learn lessons. This enquiry was made for that. That is why I said military appraisal. It was not for something else. It was a military appraisal\_ That is much more essential. If you sit in judgement and say, ' A ' is bad, hang him, your work is not going to be over. We have to see how we prepare our own defence forces. We have to see that they not only do not repeat the old mistakes they had made before but they will also have to meet the problems of defence better and maintain the integrity of this country. That is much more essential.

As we have said, those who control the Himalayas will control the plains of India. We have to defend our country in the Himalayan ranges and for that we will have to prepare and prepare for a long time to come. This is my general approach to looking at this whole enquiry. I would request every Member, first of all, to look at it from this point of view.

It is not enough. I would like to make two or three corrections in the statement or the impressions that it has created. One impression I want to correct is this : while I have been making a reference, particularly to the Jawans, I was generally saying that their performance was fair. Having studied the Report again I think that their performance was rather very good. Then again, I must say one thing. Even about the higher Generals I have said whatever I have said. But there I must make an exception and I must make one point very clear that these remarks do not apply to the higher Command in the western sector in Ladakh, where really speaking they did a very good job. Otherwise, it would have been unfair to these Generals, who functioned very, fairly there. I must make that clarification before I proceed. Thirdly I must say about military intelligence. I have very clearly stated what I wanted to say about it. There I must make one clarification which clarification the Prime Minister made in the other House. It is not the responsibility of military' intelligence to get intelligence outside the borders of this

country. That responsibility is somebody else's I must make this point also clear.

Then, I must refer to specific points made by some of the hon. Members. I would like to make a mention of the point made by my hon. friend, Shri Mani, with which he started the discussion. He made a reference to the propaganda of Chinese radio about discrimination between the officers and the Jawans. I am afraid Mr. Mani appears to be the first victim of the efforts at indoctrination by Chinese propaganda. I hope he is not. I find it was exactly the line of approach that the Chinese took about indoctrinating our prisoners of war. Please do not have that idea, as if all their officers and all their Jawans are treated equally'. They partially try to put up a drama like that and they created some sort of feelings in some of our people. But we do not deserve that sort of criticism. Certainly, we did inherit some of the traditions of the British Army. I may tell you that the present Generalship, the present leadership at Army Headquarters is very much aware of this problem. They have issued instructions to all 'the officers to create a new pattern of relationship between the officers and others in the Army which will be consistent with democratic traditions. I entirely agree with the proposition that it is very essential. We need not learn this lesson from Chinese propaganda. This is something which is within us. These new traditions have to be laid down by our own people and it is being done. Series of instructions have been sent saying how this should happen.

We know that particularly in the field it is this quality of leadership that matters most. What is the quality of leadership ? What is the test of leadership ? The test of leadership is that it must command loyalty in a crisis. When there is no crisis it is very easy to give loyalty, but it is in a crisis, really' speaking, that loyalty is tested. And that quality which commands loyalty in a crisis is called leadership. May' I tell you that this quality, .of leadership is not a one-way traffic ? It is a two-way traffic. As the leader expects loyalty from his followers, the followers also must have loyalty from their leaders When they are under fire, the gun or the bullet does not make any distinction between a leader and his follower. Whether he is a soldier or a commander it treats everybody equally. It is that feeling of fellowship, comradeship, which really speaking creates the fighting quality which is essential for any army. From this point of view,

from this attitude, instructions have been issued. These things are not done overnight. Sometimes old habits die hard, as they say. Particularly with the present Chief of Army Staff, I have had many discussions on this point and I think he is very particular to see that this new attitude is adopted as regards the relationship between the Army officers and the Jawans.

The other point that was made by Mr. Mani is about the slant. He said some of our old Generals were in Korea. There was really speaking some idea about what China wanted to do, Chinese tactics, etc. Certainly theoretical knowledge with the leaders has been there. When I used the words `not having the slant of China taking an offensive against India' it had certainly political significance. If Mr. Mani would read that sentence again in the sense in which I have used it, possibly he will not put me that question that " General Thimayya was in Korea; how is it that you have not got any idea of what was happening there ? ".

... Really speaking, what started happening from 1959 was some sort of border trouble. Let us try to understand what the assessment of the Government then was. Even when the trouble started, even when the Chinese army entered Indian territory, what was Government supposed to do ? Some people have asked why the Prime Minister said " throw them out ". Would they have expected the Prime Minister to send them a welcome song and bouquets ? Really speaking, it was certainly a political guidance that the invading army must be thrown out. What else should be there, how to do it and when to do it, was certainly a military proposition, and I must say with all the responsibility that I command that there was no political interference so far as that part is concerned. Suppose tomorrow the armies of the enemy start coming in, what would you expect the Defence Minister to do ? Political guidance will have to be given. The civil authorities must guide the army because the army is the instrument of the civil power. When the enemy was entering our country, nothing else could have been done. So the Prime Minister was very much right in saying that it should be thrown out. But to throw it out, what preparation should be done for that, when it is to be done, these were certainly left to the military officers and military leadership. We were very clear about it and I have no doubt in my mind that there was anything hanky-panky about this matter.

... So, this is the main approach from which we will have to look at it. When suddenly an enemy who had prepared for an offensive started entering, certainly we found that it was rather difficult to induct a large number of people there. Whatever number we tried to induct, we found that they were not acclimatised. Certainly the weapons could not be sent to the right place in the right time. That was the problem. These are some of the defects and deficiencies and lessons that we have learnt. I think we have not merely learnt them well but we will have to correct them in the future.

I must now come to the speech of my hon. friend, Mr. Vajpayee. I can say that whatever useful suggestions all the hon. Members have made, I have taken note of them and I will try to make use of them. But on some of the points they have made I must give some explanations. About the military intelligence, I do not think the House would expect me to give in detail what we are doing and what we are not doing. It would be absolutely wrong of me to go into those things. But he made mention of some of the instances. He made mention of one instance that we are using some Chinese people to teach us Chinese. What is wrong in it? May I tell the hon. Member that he forgets that there are two Chinas, and we certainly want to make use of the other China. (Interruptions). Please listen to me. It is a mistake to think that those people are a part of the Directorate of Military Intelligence. We are merely making use of them as instructors in the Chinese language. What else one can do? Certainly we have to send our people for training to other places in other countries. Certainly we have to do that. Well, I would like to assure the hon. Members that we are not depending merely on Chinese teachers. We have got other teachers also in the Chinese language. But there is nothing wrong in these things. Merely because there is a Chinese teacher we should not get frightened. When we get the Chinese teachers, we are very much certain that they are not going to make wrong use of their stay in India, and it is quite safe to make use of them.

Then he made reference to an incident of two officers getting involved in an incident with a Swedish woman. I am sorry that there was such an incident, but I do not know whether that lady had returned to Sweden. But I can tell him that we have already had a court of enquiry about that, how the officers came into contact with that lady and so on. I do

not know whether she had returned from Peking. Only because she had returned from Peking she is a had woman, I cannot say that.

He also mentioned one or two other things. I would invite my hon. friend, Mr. Vajpayee, that if he gets some very serious information which is useful for the military intelligence of this country, instead of making a mention of it in the House like this, he is always welcome to my residence or to my office where I can very confidentially listen to him and make use of the very valuable information that he will give me.

... Then I must say, I was not here but I am told, that some hon. Member made a reference that 50 .per cent of the army personnel are pro-communist. I must say it is a defamation of our army, defamation of our country. Somebody, said this, at least I am told that somebody made this statement. If that statement is made, I am sure this hon. House will dissociate itself from that statement. Our Army is an absolutely patriotic army, nationalist army, and an army which has made a splendid sacrifice for the defence of our country for which we are all proud, for which we shall continue to be proud. Our young men sacrificed their lives and the large number of young men are offering themselves for an army career— this is something very noble, and not only noble, but this is a very heartening thing. Really speaking, it is this gesture of this new generation that is giving us the real confidence that we need for ourselves. So let us not have any wrong notion about this.

Then somebody said something in regard to promotions. I can assure the hon. House that the promotions arc made absolutely on merits.

It will be unfair for me to say that it was not so before. I can certainly say it is so now. (Interruptions) I must certainly speak for myself, but at the same time I am speaking not only for myself as an individual, I am speaking for the Government. I can assure this Hon. House that the promotions are not based on any social connections or their looks, as somebody said. The promotions are really speaking based on the assessment of their lighting qualities and their qualities of leadership. Of course, I know that this is being done on the assessment of their past performances, but the Chief of the Army Staff has assured me that he is going to test the fighting qualities of the new promotees and other officers in the course of the different types of exercises that we are going to hold, to test their fighting qualities, because what is

really needed is the fighting quality of the officer and not merely his look or smartness or his turnout. That matter is, really speaking, before the Army Headquarters and is certainly before the Government as well. I do not want this House to have that impression about promotions, because if that sort of thing is done, that would be another hard lesson that we have to learn again some time. We are very much aware of this particular position. I can assure this hon. House that for promotions particularly in the higher ranks— because, as I said, the deficiencies about the qualities of leadership in the higher ranks have become more apparent, and therefore, we have to be more cautious when the officers are promoted to higher ranks— their fighting qualities and their other qualities are tested properly before they are given the right promotion.

Well, Madam, these are some of the more important points that some of the hon. Members made. I can only say to them that the problem of India's defence is a continuous problem, for which a continuous effort will be necessary, for which, as some Member very rightly said, our scientific effort, technological development and economic development also are material factors. You cannot create morale by giving them lectures about patriotism, about fighting in war, and they do not get prepared for it. I must give credit for one good point that the hon. Shri. Mani said objectively; he said that he gave credit to my predecessor about his emphasis on the approach to local defence production. I think that was very much correct because it is the capacity and capability of a country to produce its own material that are, really speaking, going to help us ultimately. As I have mentioned in my statement on the defence preparedness, we really wanted to make preparations by starting some six new factories. But, you know, how helpless we were.

Then again, somebody made a mention - I think it was Shri Mani - about the surrender of the financial allotments, etc., but this is not something new that happens. I think in a government administration this is a normal feature. Surrenders are there. I must say as a precaution for myself that this time you have given me hundreds of crores. I cannot guarantee that I would not make any surrender because that would be a wrong thing to do. I can certainly say— I have made some study of these things— that this surrender was less than what was before, that is five years before, because surrenders are in every department. It is

not only in the Defence Ministry.

...I would only assure this hon. House that I am not trying to reply to the debate in the spirit of giving replies or in a spirit of explaining away things. I am only trying to say that this country needs an attitude of objectivity to have a self-approval or self-criticism so that not only does the Army get prepared for any adverse circumstances that may come but we prepare our whole nation and face them bravely.

SECTION 2

CHAPTER 8

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REPLY TO DEBATE ON NEFA ENQUIRY AND  
OUR DEFENCE PREPAREDNESS

*Lok Sabha, 21 September 1963*

Mr. Speaker Sir, I am indeed grateful to this hon. House for discussing in detail the two statements that I submitted before this House. I had an opportunity to reply to the debate in the other House, where some of the points were so closely common that I may be pardoned if I am required to repeat some of the points.

I can say that when I submitted these documents I too was not very proud of them. As some of the Members said it was a sad document. I can also say that I submitted these documents to this House with a very heavy heart, I find that these documents were discussed not only in the two Houses but since these were published these have been discussed in different newspapers. I think it has been good for the country to have discussed these documents. Really speaking that was the purpose of having this enquiry made and that was the main object of sharing some of the important conclusions of this inquiry with this house and

the country.

What I have found is that there is very grave concern over the problems of defence in this country. It is very natural. Even today when I heard the speeches, I sensed that. Some of the speeches were very constructive; some of them were very emotional and some of them admittedly, were very bitter, but I must grant them all that behind all this emotion, behind all this bitterness and behind all the constructive criticism, there was concern for the defence of the country.

When this document was placed here the main idea was to consider a certain situation in an objective manner. From my own personal experience I can say one thing. I have worked for eight or nine months and I cannot say that I have become an expert in defence problems, but I have started knowing something about them. I find that in this country of ours fortunately or unfortunately there is very little background or knowledge about the defence problems. Either there is some wishful thinking about them or there is some romantic idea about the defence problems. It was therefore necessary to assess a certain experience which was a major experience for our army and for our country in the rather furious and rushing events that took place last October November.

When I say "our major experience", I do mean to say' that our army leaders or officers had no experience of war. I made that point yesterday and it was rather misunderstood by the last speaker who spoke. I mentioned the period of sixteen years. It is only since independence that the Indian Army is being directed with a certain political purpose of our own. It became an instrument of the Indian people since 1947. So, the experience that the army had last year was, really speaking, the major experience. Of course, they had some experience before as I said, of the Police Action on Hyderabad, of a similar action in Goa and, perhaps, of a more important nature in Kashmir. But the type of experience that our army had last October-November was a major experience from one point of view and it was essential that this experience must be properly assessed. So, though I made a reference to the bitterness and the emotional attitude about it, I must claim I must plead for objectively which is necessary' to examine this report because its main purpose is that.

Its purpose is not merely to try to hold somebody responsible. I think, we are rather too near the history to hold anybody responsible. Let us have an attitude of sitting in judgement like historians; let us leave the whole matter for the future historians to apportion the blame. My hon. colleague, an hon. Member on this side, Shrimati Sharada Mukherjee, said that blame must be apportioned. At some time somebody will sit in judgement and the historian will try to apportion the blame. That is a different matter. But today our present duty is not to sit in judgement over anybody with a view to hold anybody responsible or punish anybody. We are not at the end of our journey, of the trouble. The journey has perhaps only begun. We are in the process of defending our country. Somebody referred to what had happened as a defeat. Certainly' it was a reverse, but I do not think the Indian nation was defeated; I do not think the Indian nation will ever be defeated. It was a reverse in a campaign; it was reverse in a battle.

I must try to correct some of the impressions that even my statement made. I did say that the higher commanders' deficiency became apparent. I must make one correction in the impression that was created—though that was not what was in my mind. The battles that were fought in Ladakh were certainly' fought well and there the high command had done its duty very well. Even in the eastern sector, in the Walong sector, our army has done well and some of the hon. Members tried to hold one particular General responsible for it. He was also responsible for certain well-conducted battles in the Walong sector. It is not enough that we hold anybody responsible. I am not holding a brief for any individual. If at all, I am to hold a brief, I must hold a brief for the defence of the country.

I am only looking at it from this point of view. Please do not understand that I am trying to reply to this debate only in the spirit of replying to it or to explain away everything. I am trying to put my feelings or my thoughts about it. So, the main attitude is as to what lessons we should learn from this inquiry and what lessons this nation should learn from the experience that we had in the last campaign.

Government has not tried to shirk its responsibility. Some of the hon. Members did make a mention that Government asked the aggressors to be thrown out. I think that was certainly' Government's duty to give

instruction to the army to do that. If Government had not done that, the Government would have failed in its duty. It is the very purpose of the Government to exist and it is for that purpose that the Army is supposed to be its instrument.

It is not a fact that Government told them, "Go on this day and do this or that." It was certainly left to the army commanders to do that as soon as possible and when they were ready. On that account, I must say, there was no political interference at all of any nature about the detailed conduct of the campaigns that took place anywhere.

I think, it is not fair to hold any individual Minister or even the hon. Prime Minister responsible for it because it was the nation's policy. This was accepted not by Government but by this House and by the entire country. That policy was to have peaceful attitude towards all the neighbouring countries. Some people try to make fun of Panchsheel now because it suits them. But the whole country accepted Panchsheel as our ideal. We did nothing wrong in accepting that as our ideal. It has certainly happened that one of our neighbours has turned out to be treacherous. Her intentions now appear to be some sort of expansionist intentions. Now it would be our duty to face it. It is in such circumstances naturally that a democratic country with peaceful objective certainly suffers initial reverses.

I entirely agree with Shri Indrajeet Gupta when he said yesterday that that is what had happened not only to a peaceful country, like India, but to mighty empires during the Second World War and even to a great military power, like Russia. That is what happens. What has happened in this campaign, I take it as an initial reverse. It does not mean that the Indian Army is defeated or that the Indian nation is defeated. But if, at the same time, we do not want to repeat the same mistake, we must study as to what was wrong with the whole thing.

Hon. Members have said that we have tried to hide something. Frankly I can tell them that consistent with the public interest, as it is understood. Please do not misunderstand the word 'public'. consistent with security considerations we have made an attempt, with the full consent and approval of the hon. Prime Minister to share all major conclusion with the hon. House and the country. We had certainly said that there was no chance of China starting an offensive against India. That certainly'

was the judgement of the situation in the country and the international situation then. That was not hidden. That was explained, and that was accepted by this House also on many occasions. So, I would suggest that it is not fair to say that something is being concealed from anybody. Something that the country should know or something that this House should know has been given out, with a view not merely to frighten ourselves, not merely to demoralise ourselves or to demoralise the Army or to demoralise anybody; but really speaking, to learn lessons from it and correct those deficiencies and correct those mistakes and see how we can strengthen our own approach in this particular matter, because it is through such experience, and it is through such appraisals, or self-appraisals or self-criticisms, if I may call it that the country can build its own defence concepts or defence strategies.

Defence strategies are not born out of any wishful speech on that side or any brave speech on my' side. Defence strategies or defence concepts of a country grow out of economic capabilities, technical development and development of science and the morale of the nation. So, the first thing is economic capabilities which we shall have to see. Then we shall have to see technological development, then we have to see scientific development, and finally we have to see morale also. As far as morale is concerned, I think that India certainly stands, as compared to other countries, as good as any other country. My, own explanation why China is going back to this and I have always explained it the other way. For instance, Shri Frank Anthony has given one explanation. I can give him another explanation. If we look at the history of India for the last one thousand years, if I may say so, is a history one cannot say that in all respects—of aggressions over India, and whenever there was aggression against India, India was found to be divided. Possibly China misread Indian history and they thought that history was going to repeat itself when there was an `aggression. But they forgot that the India of 1962 was not the old India, but it was a new Republic India, the people's India. When the Chinese Army started knocking at the door of India, the Indian people stood one with a resolute determination to resist the aggression, and I think that it is this determination on the part of the people of India that made China go back. That is my explanation. I know that there are other military explanations also for that. I do not want to go into them. An important complex cannot be oversimplified

by one explanation, but I would certainly like to give this explanation. If it is acceptable to my hon. friend, Shri Frank Anthony, he may, possibly accept it.

As regards the other statement that I made about our defence preparedness, I would submit that that statement is, really speaking, supplementary to the first statement. Shri Indrajeet Gupta said that some haphazard explanations had been given about the corrective actions. I would request him to read the second statement along with the first statement, and he will find the answer to every deficiency that is pointed out in the NEFA Inquiry Report; every deficiency which is pointed out there has been answered in the statement on defence preparedness.

Here, I would like to answer a small point made by my hon. friend, Shri Raghunath Singh. He devoted the whole of his speech to just one point that no mention had been made about the Navy. Of course, I do not want to underestimate the importance of the Navy or the Navy's preparation in the context of our defence preparations. In the long range, we shall have to take a realistic view and do whatever we can do, looking to our own economic capabilities; that is a different matter. But this statement on defence preparedness was in view of the report of the NEFA inquiry, and naturally, my hon. friend would not expect me to take the Navy on the Himalayas.

I would like now to refer to some of the specific points made by some of the hon. Members.

Shri Prakash Vir Shastri made a point about the surrendering of large amounts of the order of Rs. 132 crores. That was the information that was given. Certainly, I accept the figure of Rs. 132 crores. But I must say that I endorse the speech of my hon. friend, Shri. Hanumanthaiya who has made a very good point, that those who have experience of these budgets, can certainly say that the amount was surrendered, but the whole arithmetical calculation and the summing up or the totalling up of it does not give correct picture. The amount which is surrendered this year naturally is provided for in the next year for the completion of a certain work. So, if you just total up the whole amount for ten years, the whole thing looks rather absurd.

That will be rather an illogical way of looking at the question. Certainly, some percentage may be surrendered. I am taking this opportunity to explain this point. This year the House was kind enough to give me a bumper sanction of very huge amounts. I cannot give a guarantee that I would not surrender any amounts. For, it depends on many' factors.

For example, in the statement on defence preparedness, I have mentioned about our new production factories. There, we have certainly arranged and implemented to whatever extent we can the rupee expenditure, in developing the local sites or to develop water supply and other matters that we need for them. But, ultimately, it depends upon what did we are likely to get or what foreign exchange we can afford to spend to get the needed manufacturing plants.

My hon. friend, Shri Nath Pal asked how it was that so many missions had gone, and he asked what they had done. That only shows our intention of getting help from wherever we can. We have not shown any inhibitions about it. We have gone to the West, and we have gone to the East, because we are in such a situation when we must get help from every friend, from whichever friend can help us, but we cannot expect all the friends to give us all that we want; they have their own political difficulties, or whatever other difficulties there may be; so, we must accept gratefully whatever they give, and try to get more if we can. Therefore, it should not be misunderstood that we are not making any efforts. I can tell my hon. friend that no doubt missions have gone, but several missions have also succeeded in some matters. While it is true that they have not succeeded one hundred per cent - it is difficult to succeed one hundred per cent in getting aid from others— they have succeeded in some matters. I would submit that in strengthening our defence apparatus it takes a long time to prepare: it cannot be done, overnight. If necessary, I Shall not hesitate to go-not that I am very keen to go anywhere.

Though we are getting all help, let us not forget one thing. I must take an objective view of things. As far as defence production is concerned, as far as the defence requirements are concerned, we are not going for aid for everything. There is a considerable base of production here in our country, of our own, in certain, matters, as for instance, in regard to general stores etc. Certainly, for sophisticated weapons or some sort

of weaponry and ammunition etc. we have to go in for aid, and the necessary machinery to produce those things; naturally, we have to do that I must say here, whatever criticism may have been made by other people it would be unfair and ungrateful on my part, if I did not make a mention of the fact that we must recognise the work in this particular field of my predecessor, Shri. Krishna Menon. It was he who for the first time gave emphasis on organising the local production in this country, as far the defence preparation was concerned. It would be an ungrateful attitude if we do not recognise that. I am saying this, because, as I have said, I am taking a sort of objective attitude about this matter. It is necessary that we must recognise that he did it. In the field of aeronautics, we have got a certain production base. In the case of transport also, I can say that the production of the Shaktiman and the Nisan trucks has solved our problems of transport to some considerable length. So, we must give credit where credit is due.

My hon. friend, Shri. Fank Anthony said that he was hitted; if he wants to be bitter, he can be bitter, but since he belongs to a profession where he seeks to get justice done, where justice is due, he must not deny that justice in this particular case also.

I was rather intrigued by a statement made by my hon. friend, Shri. Lath Pai, about theft of some map. Well, we have got all sorts of maps. He asked me whether there existed such a map. We have got valuable maps, important maps, secret maps, but I have no information that any such map was stolen by anybody. If he has any information, I am prepared to meet him confidentially and get that information. Then I will certainly inquire.

At the same time, he also made another remark which, I must say, hurt me - rather it should hurt everybody here that there is a 'China Cell' in every department, in every Ministry, here.

When a statement like this is made by an important Member like him, it creates a wrong impression in the country; it demoralises the nation, and I do not want that to happen. That is my intention in replying to that point. I want to assure him that there is not such thing. How can there be such a cell functioning in the Defence Ministry or any other Ministry of Government ? It cannot be.

Shri. Prakash Vir Shastri asked why we have got Chinese here to teach the Chinese language, why we have not sent our people abroad for training in that language. I can tell him that we have sent our officers for the study of Chinese language, to countries wherever we can get them trained. In our own country also, we have got certain facilities for the study of the Chinese language. We certainly have some Chinese also as instructors, and there is nothing wrong in that. But then somebody has got wrong impression, that the Chinese instructors are part of the military intelligence directorate. That is not true. We have got, for example, one Chinese professor from Shantiniketan to teach Chinese. There is nothing wrong in that. If there are Chinese who want to come and help Indians to know their language, with all security care and precautions being taken, I think there is nothing wrong about that.

He made a very important point. That was about the mess attitude of the army officers, that means a certain class attitude, a distinction between the army officers and the Jawans - I think that is what he had in mind. I can tell him and assure the House - I assured the Rajya Sabha yesterday and I would like to repeat it here - that we did certainly inherit this tradition from the British army, but steps have already been taken, and we have taken more care about it; because we find that the Chinese particularly try to emphasise in their indoctrination efforts with our prisoners of war this particular point. We have issued a series of instructions to see that a new pattern of relationship between the officers and the Jawans is developed. Of course, it will take some time. But I am sure that the present army leaders are very keen to have that new democratic attitude established gradually but very firmly.

Another point that was raised was about the production of rifles at Ishapore. I think I have answered that in my statement on defence preparedness. By the end of this year the maximum capacity of the Ishapore factory, which is 2,500 per month, will be reached. Unless it is expanded or we have another plant, it cannot be increased, but it should not be supposed that it is the only production. Bolt action rifle will also be produced 5,000 a month, even after that.

Shri Bhakt Darshan made a few points, and he was naturally concerned about the contribution of the hill areas in this defence preparedness. I entirely agree with him that the hilly parts from which he comes have got

military traditions, and not only that area, I have gone into the statistics, and I have found that nearly one fifth of the entire new recruitment to the army is from the hill areas. I hope he does not expect us to leave the entire defence of the border areas only to the border people.

I think he will concede my point that the hill areas have more than enough representation when I tell him that one-fifth of the newly recruited Jawans are from the hill areas.

Another question was asked : what we are doing about helping experienced Jawans to get into permanent and emergency commission. That is an important point, because these Jawans or JCOs who have, really speaking, gone through the thick of battle, have got more battle toughness, and if they are made officers, possibly we will get the right type of leadership that the army requires. We have gone into this matter, and I have mentioned in my statement on defence preparedness that we have expanded the facilities at the Nowgong School training is given to these commission officers. I may tell him that nearly one-fourth of the permanent commissions and emergency commissions have gone to these JCOs and the people from the ranks. That shows that we are more careful about it.

The qualities of leadership are something very important as far as the country is concerned. These qualities cannot be inculcated overnight, because they cannot be imparted merely by training. They are cultivated through certain experiences, and it is the intention of the Defence Ministry to see that we hold exercises from time to time through the Army Headquarters to test the qualities of leadership of the different people, so that we can have proper personnel to lead our army if and when a crisis comes - if at all it comes. That was one point which I wanted to mention as far as Shri Bhakt Darshan is concerned.

The same point was made by Shri K. C. Pant in his speech. He also made another point that there should be demarcation between civil and military intelligence, but at the same time very fortunately he says there should be co-ordination. I can assure him that demarcation is obviously there, and co-ordination is the one thing we are emphasizing more in the intelligence performance.

About intelligence, I may say it is not merely getting information.

Intelligence, really, speaking, is quite different from information. In the army jargon intelligence is defined as information which is properly evaluated from the military point of view. Information becomes intelligence only when it is properly assessed and gets certain military value. From that point of view, the military intelligence organisation will take a long time to be reorganised. It requires the right type of personnel, the right type of training and the right type of equipment too.

And we have also started late also. So it will take some time. I can only assure the hon. Members that in this particular line, we have certainly learnt a lesson, rather a costly lesson, but we have learnt it very well now, and I do not think we can afford to make any further mistake in this particular line. Shri Indrajeet Gupta made one point : We are making semi-automatic rifles and using them in the Himalayas while the Chinese made use of automatic rifles. I do not know whether he had more information than I have, possibly he has, but my information is that the Chinese did not have automatic rifles; they had semi-automatic rifles. The Chinese had a very peculiar military technic; sending waves of man-power. That is where they are more strong. Superiority in numbers - that was one of their points. Yesterday, I mentioned their three military advantages which they exploited completely superiority in numbers; the terrain from which they operated was rather advantageous to them; and thirdly, the aggressor has naturally certain initiatives; he can choose the place and time and everything.

Where did I say 'adequate'? I am giving the view of the military people. That rifle is less rapid but it is good for aiming; it consumes less ammunition. It is more useful. We certainly have got adequate numbers of that, but the mistake was that we could not take them to the right place in the right time. That was our main difficulty because of the suddenness of the whole situation. I was telling about the other point the Chinese were not using automatic rifles. From the experience in this type of warfare, semi-automatic rifles are more useful because they have the necessary rapidity and fire power and at the same time they do not waste ammunition.

These are some specific points made by some hon. Members. If the whole report is looked at from the objective point of view... It mean

the statement, wherever I have mentioned the word `report' I was saying that the attitude and approach to defence cannot be a divisible approach. There cannot be a Government approach to defence and an Opposition approach to Defence there cannot be a Congress approach and any other party's approach.

I can only be a national approach to defence. Therefore, I request the hon. Members to take this report in that objectivity so that instead of trying to divide or demoralise us it will give the necessary strength which is what we need at the moment. Really speaking, the report is aimed at creating that confidence and awareness in the Army and in the circles where policy decisions are taken so that the deficiencies may not be repeated again. That is my whole approach and I would request the hon. Members to look at this report from that point of view.

I can say that if he looks to the terms of reference which I had given, he will see that the enquiry was not for fixing any responsibility as such. So, that was not the question. It is not the report has arrived at any conclusions as such which I have not given to the House.

## SECTION - 3

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### JAMMU & KASHMIR MATTERS

#### **EDITORIAL NOTE**

Early in August 1965, Pakistan's intention to launch an Armed conflict was evident. Shri Y. B. Chavan kept the Parliament and through it the country informed about the developing situation.

On 16 and 23 August, he made two Statements, the former describing the situation along Indo - Pak border and the latter situation in Jammu and Kashmir.

On 31 August, he informed the Parliament about the mopping up operations started by the Indian Army in the Uri Sector of J & K and on 6 September, he informed the Parliament about the advance of Indian Army across border in Lahore Sector. On 8 September and 10 September, he made two Statements informing the Parliament about the Defence operations.

These six Statements are reproduced in this Section.

This Section also includes Shri Y. B. Chavan's spirited defence of Article 370 on the status of Jammu and Kashmir although the speech was made by him as Home Minister of India. It is included in this Section for facility of reference.

SECTION 3

CHAPTER 9

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STATEMENT ON SITUATION ALONG  
INDO - PAKISTAN BORDER

*Lok Sabha on 23 August, 1965*

I rise to make a statement on the situation along the Cease Fire Line and elsewhere in Jammu and Kashmir as well as along the Indo - Pakistan borders.

As hon. Members are aware, for the last 11 days we have had to face a new development posing a threat to the security of State of Jammu and Kashmir. This threat has taken the shape of an organised incursion of armed personnel disguised as civilians from across the Cease Fire Line. It was on the 5th August that a large group of infiltrators appeared in the area South - West of Gulmarg. Prompt steps were taken to locate them and after an exchange of fire with our Security Forces, the infiltrators fled under cover of darkness. A quantity of ammunition left by the raiders was recovered. Since then reports of other groups infiltrating into different parts of Jammu and Kashmir have been received and steps have been taken to meet the situation. In the clashes from the initial

encounters onwards, the infiltrators have suffered substantial casualties. In the process of retreat they have left behind large quantities of arms and ammunition, clothing, cooked food, medical supplies, compasses, maps etc.

While some of the infiltrators encountered near the Cease Fire Line have retreated across it, some others have penetrated further towards our side and regrouped themselves. All these infiltrators have had as their aim the blowing up of strategic bridges, the raiding of supply dumps, the destruction of places of strategic importance, incendiarism and the killing of VIPs. It also appears that their aim was to reach quickly the city of Srinagar and create commotion there. They have operated during night to reduce chances of being seen and intercepted.

From the intelligence gathered by us and confirmed by the statements made by the infiltrators captured by us, it is quite clear that preparations for these incursions were made in Pakistan many months ago. The headquarters training these infiltrators was located near Murree and the Commander of the 12th Infantry Division of Pakistan was in charge of this training. The infiltrators were backed by a so - called Sada - e - Kashmir radio broadcasting from the town of Khari, six miles from Muzaffarabad, while they carried posters and proclamations of an alleged revolutionary council. The arms and ammunition taken by us show quite clearly that they are of the type used by the Pakistan army. In some cases efforts have been made to erase the markings. In some other cases markings exist to indicate the Pakistan origin. On others there are no markings at all, which shows that they were specially manufactured for these operations, evidently by Pakistan ordnance factories. Also, some of the weapons could only be obtained from abroad with the expenditure of foreign exchange obviously provided by Pakistan.

The infiltrators are by and large personnel of the so - called Azad Kashmir battalions of the Pakistan army which is a force Pakistan employes to man the Cease Fire Line. They are officered by Pakistani Army Personnel and are supported by so - called mujahids and razakars, who apart from carrying arms are also given lesser jobs as porters etc. The infiltrators are equipped with rifles, sten guns, light machine guns, grenades, rocket launchers and explosives of which we ha \ recovered large quantities. Wherever they have met our Security Forces they have

not only suffered heavy casualties but have also either surrendered or abandoned large quantities of arms and equipment in their flight.

We are aware that Mujahids, razakars and personnel of the Azad Kashmir forces were being trained in guerilla tactics but could not be aware of the exact type, time and place of operations Pakistan intended to carry out. It will be appreciated that the aggressor always has an advantage as he aggresses at the time, place and ground of his own choosing. Consequently, they were able to make some advance into our territory at some points in the initial phase until such time as their pattern operations became clearer to us. In this initial phase, they caused minor damage to some bridges but this damage was speedily repaired and all our road communications remained fully in use.

Perhaps the most important aim with which the infiltrators were charged was to enter the city of Srinagar, coinciding with an expected demonstration by some political parties on the 9th August in the hope that they could so disorganize the affairs as to give the resulting situation the complexion of an armed rebellion. The main aims of the infiltrators have not been realised. The Security Forces engaged them well outside Srinagar town and checked their progress. Their hope of important captures such as the Srinagar airfield was futile and, at this stage, I might say that Srinagar Airfield and other important military installations have always been carefully and well guarded.

The people of Kashmir by and large, whatever the differences between the political parties, have shown little sympathy towards the infiltrators and have, in fact, found them a nuisance to their daily existence. In many cases the information about the appearance of these infiltrators was supplied to the State Government and intelligence agencies by the local people. The city of Srinagar remains calm and the people go about their avocation as usual. Usual good neighbourliness between the communities exist and the town is full of tourists. The shops are open and transport plies as usual.

In the course of challenging some suspicious people, the police has had to resort to occasional firing on two nights in and around Srinagar but this has not disturbed the life of the people.

Although the infiltrators seem to remember the lessons of 1947,

when the brutalities and avarice of the raiders earned them the hatred of all they came in contact with, they have not been able to refrain from indulging in acts of harassment. There has been burning of schools, Panchayat Chars and villages and firing upon people who tried to put out the fires. Places of worship have also been fired at by the infiltrators. Unarmed villagers have been killed by them and having soon exhausted or lost the rations they brought with them, instances of taking rations, by force from villages have come to light. On the night of 14th August, a few Pakistani saboteurs set fire to a mohalla on the outskirts of Srinagar, resulting in the burning of 300 houses. Some Pakistani saboteurs with incendiary material in their possession have been captured. This appears to have been a desperate bid to terrorise people and thereby create a commotion.

As I have said before, we were aware that Pakistan was giving training to numbers of armed personnel in guerilla warfare but the exact time and place of the infiltration was not known to us. Our forces along the Cease Fire line were mainly responsible for the stoppage of any major military attack across this Line but as Honourable Members will realise it is impossible to Prevent infiltration of people in small groups across 470 miles of extensive and difficult terrain. The Cease Fire Line was as Honourable Members are aware fixed ad hoc and does not follow natural features providing easy de- fence against infiltration. The infiltrators came in small groups which then regrouped themselves later on. In view of the surprise tactics adopted by the infiltrators and the type of the firearms that they carried, they were able to inflict some casualties on policemen guarding vital points, 21 of whom have died. Regarding these this is the only change I am making in the statement as already prepared, and I am doing so only to give the up - to - date figures of casualties - the up- to - date information I have got is that in addition to 21 policemen killed, 5 officers and 41 ORs of the Indian Army have died fighting the infiltrators. We have killed 2 officers and 151 other infiltrators and their bodies have been picked up. Another 300 are estimated to have been killed or wounded; 84 infiltrators including 2 officers have been captured by us so far. Amongst the arms and ammunition captured by us are substantial quantities of rifles, sten guns, LMGs, thousands of rounds of ammunition of various kinds, mortar bombs, rocket launchers and rockets and explosives. Wire cutters, binoculars, compasses, transistor radios

and signal equipment have also been captured. Clothing, blankets, food and medicines, etc., has also been captured from the infiltrators in large quantities. Reports are continuing to come in of more losses suffered by the infiltrators. Apart from the valley, the infiltrators have been engaged all along the Cease Fire Line where the maximum engagements have taken place. It may, however, take some time before these Pakistan trained and inspired infiltrators are totally eliminated.

The complicity of Pakistan in this whole affair can be seen by the news coming from Pakistan radio and from that printed in her newspapers. In the beginning she said nothing but subsequently the claims made, have been so exaggerated and so fantastic that one is clearly led to believe it is what Pakistan had expected rather than what has actually happened that Pakistan has published.

Following assurances from the United Nations observers against repetition of Pakistani attacks on our vital supply route and the posting of the United Nations observers at Kargil and Skardu, our troops vacated the Pakistani posts in the hope that Pakistani would thereafter desist from its provocative activities. I am afraid these hopes have been belied and the United Nations observers let down. Apart from the large scale infiltration arranged by Pakistan and sabotage activities indulged in by the infiltrators, generally, the Kargil area has been a specific object of Pakistan aggression, nullifying all assurances given by the UN to us, nullifying all assurances given by the UN to us.

I do not wish to minimise the serious situation that has been created for us once again in the State of Jammu and Kashmir which is a threat to the territorial integrity of our country. We feel deep concern for the suffering being caused to our brethren in J & K. We will meet this new threat created by Pakistan in an effective manner and I have no doubt that the security forces, with the help of the people of J & K will be able to meet the situation, even though it may take some time. We are also undertaking immediate measures to provide relief to those who have suffered at the hands of the infiltrators. We have appraised the Secretary General of the United Nations of these grave and blatant cease fire violations by Pakistan. We have drawn the attention of all friendly Governments to this new phase of Pakistani aggression in Kashmir and hope that they will use their influence to make Pakistan desist from

action which is against the Charter of the United Nations, against International Law and against the principle of good neighbourliness and which is fraught with grave consequences.

SECTION 3

CHAPTER 10

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STATEMENT RE SITUATION IN JAMMU & KASHMIR

*Lok Sabha on 23 August, 1965*

Since I made the statement in Parliament on 16th, our efforts to hunt out and mop up the infiltrators have been vigorously continued and we have achieved considerable success in these directions.

One of the important achievements was the recapture by our forces of the three posts across the Kargil area. These posts had been occupied by us in May, but later evacuated on assurances received from the United Nations Secretary General that observers would be posted in the area and raids on our line of communication with Leh would cease. Unfortunately, these assurances were belied and attempts were made again to interfere with our line of communication. It was, therefore, necessary to occupy them again.

A notable feature of the operations in J & K , has been the strong support given by Pakistani regular forces to the infiltrators who are on our side of the Cease Fire Line. In the Chhamb sector, as also in the

Tithwal sector, Pakistan moved up regiments of artillery and started heavy firing on our posts. This was particularly so in the Chhamb sector where a continuous barrage was resorted to try and dislodge us from our posts along the Cease Fire Line and to relieve the pressure on infiltrators who had been hard pressed by our security forces. The result of the battle has not been according to Pakistan's desires. All the attacks of Pakistan have been repulsed. Heavy casualties have been inflicted on them and we have maintained our position all along the Cease Fire Line. The Pakistani infiltrators have suffered considerable losses and 48 dead bodies have been picked up by us after the battle. I dare say many more have actually been killed and wounded on the Pakistani side. Unfortunately, because of the artillery firing from the other side, an Indian Brigadier in this area lost his life.

In other Sectors and lately again in the Chhamb Sector, desultory firing continues across the Cease Fire line. In the valley we have stepped up mopping up operations and, for sometime now, there have been no incidents of any importance. The infiltrators have either been split up into smaller groups or have been driven back to the periphery of the valley. In many cases they have been pursued and ambushed. As a result many of them have been killed, wounded and captured and substantial quantities of arms and ammunition seized. These are indications to show that some groups of raiders, who had been badly mauled and demoralised, have retreated across the Cease Fire Line and some are in the process of doing so. On the other hand, some fresh infiltrators have been reported and sizable groups are still poised on the other side of the Cease Fire Line. These are backed by regular troops and our security forces have the triple task of protecting the Cease Fire Line, preventing further infiltration and liquidating the infiltrators. I think our operations have to take account of the fact that about 3,000 to 5,000 infiltrators would still have to be dealt with in the J & K area.

A necessary corollary of tie fighting in J & K particularly near the Cease Fire Line is the movement of civil population from areas near the scenes of firing to safer places. This has particularly been the case in the areas near the Cease Fire Line in the Jammu Division. This is inevitable when fighting flares up, involving hardship to the people. The movement has been accelerated by the atrocities committed by the infiltrators on unarmed innocent people in these villages. In the valley there has been

a much smaller movement from villages where infiltrators have resorted to arson etc., but quite a few of them have returned to their homes. Necessary steps for relief of such population are being taken by the J K Government with the support of the Central Government. The Minister for Rehabilitation has himself also made a visit to the State.

The infiltrators definitely killed by us now total 374, including six officers. In additions, about 400 casualties are estimated to have been inflicted. We have also captured 95. On our side 89 Army personnel have been killed, including 8 officers and 2 Junior Commissioned officers. 29 Police personnel have also lost their lives in fighting the infiltrators.

SECTION 3

CHAPTER 11

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STATEMENT ON SITUATION IN KASHMIR

*Lok Sabha on 31 August, 1965*

Sir, I would like to inform the hon. Members that on 26th August our Army units crossed the cease-fire line south of Uri to clear up all raiders established in the area of the bulge made by the cease-fire line. It was from these bases that Pakistani infiltrators had moved towards Gulmarg and the Kashmir valley and it was from these bases that they were being supplied. The bases had been well protected by Pakistani troops and reliable information had been received that large bands of raiders were concentrated here for future infiltration.

These cleaning up operations undertaken by the army have met with complete success and our units are now in occupation of the Hajipir pass which is the main route through which these raiders have been moving. In the course of these operations, our troops have also captured the important feature of Bedore and a number of other posts. The Hajipir Pass is five miles south of the cease- fire line as the crow

flies but a considerable distance longer by tracks as the country is high, mountainous and difficult. In these operations we have captured substantial quantities of arms, ammunition and equipment, designed to supply the raiders as well as to defend the area. Casualties of our own troops have been light and details of casualties of PAK forces are still being received.

I am sure that the hon. Members will join me in congratulating the troops and units which took part in these very difficult but well-planned and well conceived operations.

SECTION 3

CHAPTER 12

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STATEMENT RE. ADVANCE OF INDIAN ARMY ACROSS  
BORDER IN LAHORE SECTOR

*Lok Sabha on 6 September, 1965*

Hon. Members are aware that I have been keeping them apprised from time to time about the aggression being committed on our territory by the armed forces of Pakistan, clandestinely at first and openly thereafter. The first wave of aggression was through armed infiltrators constituted from regular and irregular soldiers of the Pakistani Army, though Pakistan assumed a posture of innocence with regard to these happenings. On 1st September the Government of Pakistan threw off this posture and put in its regular forces in the shape of a massive armed attack in the Chhamb sector of our State of Jammu & Kashmir. This attack was mounted with a large force of infantry and tanks and accompanied by air cover. Naturally, we have had to repel all these attacks and our armed forces have been giving an exceedingly good account of themselves, notwithstanding the difficulties which they had to face. We have, as I informed Hon'ble members earlier, had to carefully watch the developing situation and have had to take an overall view of

the defence of the country.

On the afternoon of 5th September Pakistani aircraft intruded across the international boundary at Wagha near Amritsar and fired rockets at an Air Force Unit. Anti-aircraft action drove them away. This violation was reported but there were further violations over the same border by the Pakistan Air Force and it was quite apparent that Pakistan's next move was to attack Punjab across the v International border. The indication that this was going to happen was building up over some time. In order to forestall the opening of another front by Pakistan, our troops in the Punjab moved across the border in Lahore Sector for the protection of the Indian border.

In the Kashmir Sector in Chhamb, violating the international order, Pakistan came across with a large number of Patton and Sherman b tanks, supported by both heavy and medium Artillery. We repulsed these attacks and have taken positions in the vicinity of Jaurian where we have held the enemy. The position is well and strongly held and the strategic importance of it is fully realised. I would like to say that in the last 24 hours we have destroyed three more Pakistani Sherman tanks. Fighting is still going on and two positions into which the enemy had infiltrated have been cleared of the enemy.

In the Valley and along the Cease Fire Line within the last 24 hours the situation has been generally quiet. I would like to bring to the notice of Hon'ble Members action taken two days ago at North of Tithwal where our troops occupied three Pakistani positions which were overlooking us and covering the road to the Northen Sector intensively used by the infiltrators.

Our aircraft carried out a number of sorties over West Pakistan this morning and attacked a number of military installations including a goods train carrying military stores and inflicted considerable damage. All our aircraft returned safely.

We have taken the decision to effectively repel Pakistani aggression in the full knowledge that the whole nation, irrespective of party alignments, is one with the Government in this matter. The Prime Minister has received the fullest assurance from all quarters in this regard. I am sure Hon'ble Members and the country will show appreciation of the

great gallantry with which our Army has been fighting against odds in our State of Jammu and Kashmir, in extremely difficult terrain as in the Kargil and Haji pir areas. The House is undoubtedly also proud of the performance of our boys in the Air Force who have destroyed several Pakistani Sabre jets. I have no doubt now that our Armed Forces will give a worthy account of themselves.

SECTION 3

CHAPTER 13

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STATEMENT RE. DEFENCE OPERATIONS

*Lok Sabha on 8 September, 1965*

I would like to keep the Hon. Members apprised of the developing situation in our efforts to contain and throw out the Pakistani aggression on our territory, since I made the Statement on the floor of the House on 6th September.

Our Army which moved across the Punjab border to deal with the Pakistani forces who had invaded Kashmir and which were trying to open another front in the Punjab has gained certain positions which it has held despite vigorous counter attacks from the other side. Our Air Force has been giving very good support to our ground troops. Our air action to hit the bases from which Pakistan has been launching air attacks on our territory has been continuing.

In the Chhamb-Jaurian sector our forces have made the enemy retreat and captured substantial number of vehicles besides stores. There are signs of his making a stand again. In other sectors of Jammu

and Kashmir our troops have given very good account of themselves. In the Haji Pir area, our troops have captured another Pakistani post three miles west of the Pass and repulsed the Pakistani counter attack. Proceeding towards the north from the Poonch side, our troops have, with great gallantry, captured three important hill features in the bulge where not only have they inflicted heavy casualties on the enemy, but they have made a record haul of arms and ammunition and stores. The Pakistanis were well entrenched in these posts and had obviously been using them as bases for supporting and assisting infiltrations into J & K. In other areas of J. & K. also our ground forces have been inflicting losses on the enemy.

The Indian Air Force has achieved remarkable success, not only in the role of support to our ground troops, but also in strikes at the bases from which Pakistan has been mounting attacks on our territory.

Our air strikes in support of the Army were made over the Dera Baba Nanak area. The Air Force also struck at Pakistani ground forces concentrated in Sulemanki Head Works area and poised for an advance into India. The Saragodha and Chakala air-fields of the Pakistani Air Force have been attacked by our planes as they were being used as bases by the Pakistani Air Force to support the aggression by Pakistani ground troops on our territory. Our Air Force have also intercepted and fought with the Pakistani Air Force in the latter's attempts to bomb air-fields and civilian targets in widespread areas, ranging from Jamnagar in the west to Kalaikund near Calcutta in the east. The Pakistanis had earlier bombed the civilian areas of Jaurian and Ranbirsinghpura. They have continued this process of bombing over Amritsar, Ferozepur and other civilian areas. No military target has been damaged in those areas, but there have been sizeable civilian casualties and damage to civilian property. Evidence has been collected to show that Pakistan had made plans to undertake these operations, as early as April.

In the ground fighting, apart from inflicting other loses on the enemy, our troops have destroyed three Pakistani tanks and captured two, complete with their crew. To arrest the advance of our forces, the Pakistanis blew up the Dera Baba Nanak bridge in Pakistan territory. The Air Force has knocked out thirteen other Pakistani tanks . In pursuance of the Army's overall plan to check attacks at the bases from which they

are mounted and sustained, our armed forces have crossed the Jammu - West Pakistan border and are advancing. Simultaneously, in order to forestall Pakistani attacks in the Barmer -Kutch sector, our troops have made a forward move in that area. Gadra City which is 5 miles from the frontier has been occupied. As operations are still in progress, Hon'ble Members will appreciate that I am not in a position to give further details.

In air battles in our own territory and in strikes over West Pakistan airfields, our Air Force have in the past two days given a very good account of themselves. Their record is 11 American F - 86 Sabre Jets destroyed, one F -104C aeroplane destroyed and two damaged, two B - 57 bombers, two four -engined American transport aircraft and one C - 130 aircraft destroyed. Pakistani aircraft destroyed by ground fire are one F - 86, one F - 104C, one B - 57 bomber and one C - 130 aircraft. In two days' fighting 21 Pakistani aircraft have been destroyed and two damaged. Our own losses have been substantially less.

Hon'ble Members will no doubt have seen the details of the different aerial actions given out till last evening by the official spokesman. Last night, the Halwara airfield was bombed twice by Pakistani aircraft but no damage was done. An attempt was made by Pakistani aircraft to bomb Delhi. One C - 130 aircraft was knocked out in the air and two others were chased away.

Pakistan has dropped a number of parachutists, some in uniform, others disguised, with a view to attack and disrupt our military installations, particularly the air bases. Many of these parachutists have already been rounded up by our security forces and others are in the process of being mopped up. In this task, the Security Forces have received considerable assistance from our people.

Last night, the Pakistan Navy bombarded, under air cover, the Port of Dwaraka in Gujarat State. A report just received shows that no military installations have been hit. None of our aircraft were involved in this incident and no aircraft has been lost as claimed by Pakistan.

Sir, to sum up, I should like to give the House a broad picture of our strategy. The conflict began with infiltrators coming across the cease - fire line. We restricted our action to measures along the cease - fire

line. Pakistan, however, chose to extend the area of conflict by attacking in the Chhamb sector, across the international boundary, between the State of Jammu and Kashmir and Pakistan, using heavy tanks and heavy artillery. This was followed by an air raid on Amritsar as well as on points in the State of Jammu and Kashmir far from the frontier where the fighting was in progress. It was in these circumstances, and purely as a defensive measure, that our Armed Forces had no option but to take action against the basis in West Pakistan. Our advances in the Punjab have immediately achieved their objective of relieving the pressure on our troops in the Jaurian - Akhnur sector where the Pakistani forces have withdrawn and are being pursued by our troops. The enemy is still on our side of the Cease Fire Line and International frontier in certain places and have yet to be cleared from these areas. In the meanwhile, Pakistan has attempted to escalate the war in the Eastern sector. We have no quarrel with East Pakistan and while our troops have taken up positions within our in order to meet any threat of aggression by Pakistan, at the present moment I do not visualise our taking any action to escalate the war in the field except to the extent Pakistan's action compels us to do. If Pakistan's intention is to escalate the fighting in other fields, as evidenced by the naval bombardment of Dwaraka Port, our forces are prepared to meet the threats which may be posed by Pakistan. As far as we are concerned, our action is limited to make Pakistan realise that we will not tolerate any interference with the territorial integrity of India of which Kashmir is a part. We have to prevent the mounting of any attack by the Pakistan military machine on our territories.

SECTION 3

CHAPTER 14

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STATEMENT RE. DEFENCE OPERATIONS

*Lok Sabha on 10 September, 1965*

I would like to appraise the house of developments since I made a statement two days ago, about our measures to deal with the Pakistani aggression on our territory.

In the Jammu - Sialkot sector, a heavy battle has been fought with the Pakistani troops who brought in concentrated armour to resist our advancing forces, We have, nevertheless, made a substantial advance and held our position after inflicting heavy loss on the enemy. As many as 28 Pakistani tanks were destroyed by our troops in this ground battle and we have taken a large number of prisoners. Inevitably, we have also suffered substantial loss of armour in the battle though much less than Pakistan.

In the Dera Baba Nanak area, notwithstanding the blowing up of the Pakistanis, our patrols have advanced to the other side of the bridge by the Pakistanis, our Patrols have advanced to the other side of the river.

Heavy shelling is now being done from both the sides.

In the Wagha sector, Pakistan has made very heavy counter - attacks which continued throughout last night. All these attacks have been repulsed.

In the Kharla axis our progress is satisfactory.

In the Kasur sector, the Pakistanis have put up very heavy counter -attacks with tanks and we have had to withdraw from our forward position. In this fighting our ground troops destroyed as many as 23 tanks in one day, that is, on the 9th instant. Pakistan has heavily shelled our troops at our border near Ferozepur but we are holding our position. Some shells have fallen on Ferozepur town.

In the Sulemanki sector, all Pakistani attacks have been repulsed and after one battle alone, 70 Pakistani dead have been counted by us.

In the Jammu and Kashmir area, there is little to report except that intermittent firing goes on. In the Jaurian area, the position is unchanged. Our troops moving from the Poonch side have continued their advance north -eastwards and have again captured a couple of posts.

Enemy action in attacking Jamnagar airport and bombarding Port Dwaraka rendered preventive action necessary in that area. In the Barmer -Pakistan sector, further patrol activity is going on to gauge Pakistan's moves.

The Air Force has concentrated on giving support to our ground troops and is also causing maximum damage to those airfields in West Pakistan from which attacks have been mounted on our territory. In air attacks, our Air Force in the last two days set fire to a train carrying to the front 23 Patton tanks, causing considerable damage, and destroyed another ten tanks in other sectors. All the strikes by the Air Force, coupled with the Army's own record of knocking out Pakistani tanks have amounted to a heavy toll of the enemy's armour strength.

In the air - raids on Sargodha and other airfields, our aircraft have mounted repeated sorties which have caused damage to enemy aircraft on the ground, to his installations and runways. There have been no particular battles. We, however, lost one Hunter aircraft by ground fire and one Mystere which was damaged and had to force land in our

territory. Pakistan has been mounting attacks on our airfields, particularly Halwara, Adampur and Pathankot. These have not been able to do any great damage. One Pakistani F - 86 aircraft was shot down over Jammu by our ground fire and similarly one Pakistani B - 57 bomber has been shot down over Amritsar.

The enlargement of the conflict has not been of our seeking. Militarily, we had to take effective steps to stop Pakistani aggression in Chhamb which was launched with heavy armour and air support at the far end of our long line of communication. We had to draw out the Pakistani forces elsewhere to release the pressure in the Chhamb - Jaurian sector. Also there were concentrations of troops on the Sialkot and Lahore fronts, which could have taken in the rear our troops, engaged in Chhamb. We, therefore, meant to engage the Pakistani forces from wherever they were threatening a thrust on us. The heavy battles that have since been fought in the Sialkot and Lahore sectors corroborates the need for this. In engagements of this kind of heavy fighting, some ups and downs are to be expected. It will be clear that on the whole our objectives have been well achieved. We have engaged the menacing Pakistani forces in many sectors and have, by and large, held the positions despite the heavy counter - attacks mounted by Pakistan. Heavy fighting is continuing and our jawans and Air Force are giving a good account of themselves.

As I indicated earlier, our overall purpose is a limited one; to prevent the mounting of attacks by the Pakistani military machine in our territory and we hope that Pakistan will realise that we will not tolerate interference with the territorial integrity of India, of which Kashmir is a part. We do not wish to extend the areas of conflict. It is Pakistan which has again started firing along the East Pakistan India border. What its designs are, we do not know, but we will remain prepared to meet a threat if one develops there. Pakistan has been resorting to bombing of civilian areas like Jammu, Ranbirsinghpura, Jaurian, Amritsar, Ferozepur, etc. where considerable damage to civilian life and property has been caused. Notwithstanding the malicious Pakistani propaganda, particularly abroad, that we have bombed civilian areas in Rawalpindi and Karachi, we have refrained from any such action. Our air strikes in the Rawalpindi area have been limited to the Chaklala airfield from which sorties have been mounted for aggression on us, and elsewhere also we have been attacking their air bases only. It is Pakistan which has resorted to unfair

means as is evidenced by Indian Air Force markings observed on a Pakistani F - 86 plane by our pilots. We hope that Pakistan will even at this stage give up the false pretences which it has been making ever since the induction of Pakistani armed personnel in disguise into our State of Jammu and Kashmir.

SECTION 3

CHAPTER 15

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PAK INFILTRATION IN KASHMIR

*Lok Sabha on 30 November, 1967*

The motion moved by Shri Prakash Vir Shastri was, really speaking, connected with the situation arising out of the serious threat to national security posed by the recent influx of infiltrators into Kashmir. But on the basis of this Motion, naturally this discussion covered a very wide area. It was quite useful to know the views of all the most important parties and also some important leaders such as Dada Kripalani.

I do not propose to reply to all the points raised because it is difficult to reply to them in a small debate like this in a very short speech. The basic Point I would like to touch upon concerns some of the issues raised by Shri Prakash Vir Shastri and Bakshi Ghulam Mohammed. The first question Shri Shastri asked me was what have I done or what is being done in regard to some of the assurances I gave when I visited Kashmir during the Pandits' agitation? I had assured him on two or three important points. One was that the question of excesses committed by

the police during the agitation should be inquired into by an officer to be nominated by me from here. I would like to tell the House that the Director of the CBI, Shri Kohli, has been nominated by me, and the nomination has been accepted by the Chief Minister of Kashmir, to go into this question of police excesses during the agitation.

The other point was that there were certain grievances of the Pandits. On the question of imbalances, economic imbalance, imbalances in employment etc. It was necessary that some sort of a high power committee should go into them. It is now common knowledge that a Committee under the chairmanship of Shri Gajendragadkar has been appointed to be assisted by two other colleagues of his, which will go into this question. Naturally, they will go into the question of the imbalances in development, economic questions and so on. People with the experience of Justice Gajendragadkar, Shri Shankar Prasad and Shri Tyabji are on the Committee and I think the recommendations made by this Committee will be a very useful document both for the Government of Kashmir and also for public opinion in India as a whole. These were the two basic issues on which I gave an assurance and this has been acted upon.

Naturally, I do not want to go into the question of the Hindu girl being married to a Muslim gentleman because it is sub-judice.

... I would like to mention another aspect, and that is about elections that the hon. Member mentioned. Shri Bakshi was not then a Member of Parliament, but, as an old colleague, he wrote to me about it, and naturally I conveyed our feelings about it, our thinking about it, to the Chief Minister of Kashmir. This whole question is now in a way before the tribunals, before the High Court Judges, because most of these matters are the subject matter of election petitions.

I know that election petitions are delayed, I quite concede that point. I do not want to hold a brief for anybody. Delay is delay, and delay in election petitions is not very good, I must concede that, but after these allegations were made, the representatives of the Election Commissioner went to Kashmir, Shri Bakshi himself made a reference to it, and they themselves suggested that it is much better that the election law of Kashmir is brought in line with Indian law, with the law of the rest of the

country. Naturally that could not be done during the election period, that was undertaken immediately after that. As to why it was not done in March or June session, we know the fate of the legislative programmes in our sessions.

So, after this election law was amended, we received proposals from the Kashmir, Government recently. I had assured hon. Member Shri Bakshi that immediately I received these proposals, within ten days I will see that they are through and I want to tell him that the President has issued the necessary orders about the appointment of those Judges. I do not know if those Judges will be the only Judges who will look after the election petitions, these are the additional Judges, they are called ad-hoc Judges. Whether they will deal with only election petitions or other normal judicial work, I do not deal with know, but these appointments have been made. As far it as this point is concerned, I have acted on that, and I wanted to make it clear.

About the development programme of the Jammu and Kashmir Government, many aspects were raised, why expenditure was made on this and that. I have not got all the information from the Jammu and Kashmir Govern- ment to reply to all the points. Therefore I am not saying one way or the other, but I know one thing which I must say, and that is about the attitude of the Jammu and Kashmir Government about infiltrators, because I really came prepared for that, because this was the major aspect on which the motion was moved.

There I must say that this is a fact of life which has to be accepted, it is no use saying whether there is any communalism or not, I would not go into that; Acharya Kripalani has said much about it, it is much better that we take a realistic attitude. It is very difficult to say that there is no communalism, but one thing that must be said is that where there were violent communal clashes in the other parts of India, even though there were cormmunal feelings - I cannot say there were no communal feelings when I visited Kashmir - there was absolutely no communal clash between Hindus and Muslims. That must be accepted. No Hindu was attacked by a Muslim; no Muslim was attacked by a Hindu. There is something in the Kashmir tradition which we must accept. Who can say that there may not be communal feelings ? But the point is, so far as day to day work with each other is concerned, Kashmir has some lesson

to offer us. That must be conceded.

At the same time, I must say that so far as I have understood, the Kashmir situation, certainly there is some sort of minority complex among the people. I had long talks and of course, it is rather very risky to make some sort of a general assessment about this. But I found everybody in Kashmir suffering from some sort of minority complex. A Hindu in Jammu feels he is a minority in Kashmir. Muslim in Kashmir feels he is a minority in Jammu. A Muslim in Kashmir Valley feels he is a minority in India. That sort of peculiar complex is there, which needs some sort of treatment and some sort of understanding. Therefore, I would say that any easy solutions suggested here and there are not the right solutions.

I am not going into the other aspects of it like the defence aspect, etc. I do not know who was a better Prime Minister there or Chief Minister there - Sheikh, Bakshi or Mr. Sadiq. I do not want to go into comparisons. But one must concede that Mr. Sadiq is a completely secular person, who has faith in secularism, Politically he is a liberal person. I know there are certainly some restrictions in civil liberty, because of certain inherent conditions in Kashmir. It is not something which I can say is very ideal. That is also because of certain local conditions there. But Mr. Sadiq is certainly a democrat and a liberal person. I must say after Tashkent Declaration, nearly 35 spy rings were broken by the Kashmir Government and large number of people were arrested for spying activities. Some illegal arms which were dumped in different parts of Kashmir were also unearthed and confiscated. Some prosecutions have also been launched. Therefore, as far as the national security aspect is concerned, Mr. Sadiq himself is taking as keen an interest as any of his predecessors. This must be said to the credit of the present Kashmir Government. What are the other defects of the Kashmir Government, this is not the occasion to go into them. But it cannot be said that they have done nothing about development. As Defence Minister in 1965 I had occasion to discuss many development aspects of those areas. I must say that it is not merely a question of what happens in Srinagar. Really speaking, the most important thing was what was happening in the interior, rural areas and in those border from which the infiltrators were threatening to come in. From that point of view, the Sadiq Government

certainly has taken more important steps and definite progress has been achieved in those areas. I have seen it with my own eyes. It is not merely a question of quoting statistics here and there. He has got that democratic approach.

I entirely agree with Acharya Kripalani that the only solution to solve the Kashmir problem is to go to the people. I have no doubt about it; it is not only through this man or that man that we can solve the problem. Ultimately we have to go to the people and win their hearts. It is the people of Kashmir who are more important, not some small document to which Mr. Madhok referred. He may be believing in that. He has every right to believe in what he thinks to be right.

... Talking about political and democratic matters how can you forget the people. How can you say, if you do not want you go to Pakistan ? No. They will have to remain in India. If they are less patriotic we will have to work with them, create a feeling of friendliness and make them believe in India's future and further participation in the Indian common life. That is, really speaking, what will have to be done. This is the approach we have to pursue in these matters. I am not holding any brief for any particular government, but my only point is that as far as the national security aspect is concerned we are alive.

I must make a personal explanation because a reference was made to what I said before the infiltrators came in August 1965. I think it was on the 1st or 2nd.

... I had said, it does not mean there is no danger of infiltrators. Some body cannot just try to take a sentence out of context and throw it at my face just SOW. But the fact remains.

Sadiq's one contribution we must accept. When there was such a very serious threat Kashmir in 1965, when such a large number of infiltrators come in, during that time he maintained law and order position in Kashmir in such a way that it is something very creditable. We must give him whatever is due to him.

...One good thing about Sadiq is that he is hundred percent secular (Interruption). I know there are feelings of grievances of pandits. I never say no to it. The question of pandits need to be handled more carefully, more sympathetically. There is that feeling. I understand that

that feeling is there. I do not want to say that Sadiq has this feeling and therefore the pandits have got this grievance.

**Shri Bal Raj Madhok :** The grievance is not against Sadiq as such, it is against Sadiq Government.

**Shri Y. B. Chavan :** Ultimately the attitude of the leader of the Government is reflected in the Government also.

**Shri Kanzvar Lal Gupta :** What about Pakistani slogans raised in Jammu and Kashmir ?

**Shri Y. B. Chavan :** As I said, I do not say there are no people, who would not welcome Ayub's regime in Kashmir. I have not said that. That would be closing eyes to realities in Kashmir. There are some people.

... The existence of few such people need not excite us to feel that everybody thinks the same way. There are some people. I do not take the position that there is nobody in Kashmir who does not want Pakistani infiltration in Jammu and Kashmir. There are some such people. But we must know them, we must shake them, we must persuade them, we must try to convert them, not in the other sense, but converting their point of view. We should know who they are and carefully watch them. That also we are doing. And I would like to tell you that; not that we are unaware of it.

... The only point that I would like to stress is this, that it would be wrong to say that the pro-Pakistani slogans have started only now, because then it becomes party politics. There is something like Kashmir politics. There is something like Indian politics which is involved in Kashmir, and party politics is something different. Therefore, if you want to criticise the Kashmir Government today. I can understand a criticism based on national issues. That certainly one can do. But when there is this partisan attitude, as far as politics is concerned, I would like to say that the criticism was very unfair.

**Shri J. B. Kripalani :** Will it take into consideration my last suggestion ?

**Y. B. Chavan :** I am glad, he has reminded me of it. I forgot that point about sending the best administrators to Kashmir. This has been continuously done in the last two years. The best officers have been

selected by the Sadiq Government. It is not that we send them there but the Sadiq Government themselves have asked for the best officers and they have always welcomed the good officers.

SECTION 3

CHAPTER 16

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STATUS OF JAMMU & KASHMIR -  
ABROGATION OF Art. 370

*Lok Sabha on 6 December, 1968*

The Minister of Home Affairs Shri Y. B. Chavan : Mr. Speaker, Sir, the debate which was initiated by Shri Atal Bihari Vajpayee has raised only one basic question as a result of his speech or motion and that is, that Article 370 should be abrogated. This is the specific suggestion that the Resolution makes.

... He has used some very fine expressions to express the feeling. What he meant was that there is some psychological problem with a political complexion which exists as far as Kashmir is concerned and I should say that, that is a realistic assessment. He made three or four demands. I will go into them later.

Of the other hon. Members who spoke, very few of them supported Vajpayee's demand. My task has therefore become somewhat easier. Some of the Hon. Members representing parties have explained why it is not necessary to abrogate article 370. Everybody has tried to examine

this problem of Kashmir from his own point of view and has tried to explain the great variety among those problems. I do not want to say anything which Possibly might create more problems than solve them.

Coming to Article 370 Sir, we know the history of it, how it has come about. It has got three clauses. In case of clause 1(a) Shri Vajpayee very rightly said that it has become completely superfluous. I agree with him. It refers to Article 238, which does not exist in the Constitution. It is a good as abrogated. Then, he made a mention of clause 3 of Article 370. He asked why the President does not make use of the power under Clause 3. May I read it for the benefit of Shri Vajpayee ? It reads

“Notwithstanding anything in the foregoing provisions of this article, the President may, by public notification, declare that this article shall cease to be operative or shall be operative only with such exceptions and modifications and from such date as he may specify.” -

And then this is important

‘Provided that the recommendation of the Constituent Assembly of the State referred to in clause (2) shall be necessary before the President issues such a notification.’

This clause was again, an exercise of power, once only, that was, when constituent assembly recommended to make it operative. That is the scope of this clause. But there is no longer any constituent assembly and there is no scope for any constituent assembly to make any recommendation, and therefore there is no scope for exercise of any power under this clause. It is as good as nothing.

It is the remaining part of article 370 which is more important. We have got to consider whether the remaining part of article 370 is useful or not. That is, really speaking, the sum and substance of the whole thing. If we look at article 370, what is the remaining part of article 370. I would like to borrow a phrase which was used by my predecessor here while describing Article 370 and he has described it as a sort of bridge between the Indian constitution and the affairs of Kashmir. Really speaking it is clause (b) which is more important.

It says :

“the power of Parliament to make law for the said State shall be

limited to -

“(i) those matters in the Union List and the Government list which, in consultation with the Government of the State, are declared by the President to correspond to matters specified in the instrument of Association governing accession of the State to the Dominion of India as the matters with respect to which the Dominion Legislature may make laws for that State ....”

This reference to Dominion Status - Shri Vajpayee also alluded to it -described only the status of India then when accession took place; it is nothing more.

Than (ii) is more important :

“(ii) such other matters in the said Lists as, with the concurrence of the Government of the State, the President may by order specify.”

This part has been very extensively made use of in the last few years. Shri Gulam Mohammad Bakshi made a reference to it.

The hon. Member said there is a separate head of State. My hon. colleague, to my right, was the first Sadar - i - Riyasat of Kashmir, and the first and the last. He himself later became Governor. So the head of the State of Jammu and Kashmir is no longer a Sadar - i - Riyasat. He is Governor. Formerly, the Chief Executive of that state was called 'Prime Minister', which my hon. friend, Shri Bakshi, had the privilege to be once. But there is no longer any Prime Minister there; he is Chief Minister as in any other State.

I can mention a long list of things that have been done; I do not think I should take the time of the house in detailing them and say how many Acts have been applied to the State in the last five years. The jurisdiction of the Supreme Court is made applicable, the entire judiciary, the entire Election Commission machinery has been made applicable; then representatives to Parliament will be elected from the State under our Act. Very basic changes are coming about.

So the role of art. 370 is a sort of bridge. Do we want to break that bridge by taking away Article 370 ? Personally, I feel one has to be rather very realistic about it. It is not a question of being sentimental about it. I understand the hon. Mover's sentiment; I share it. When

some people try to think that Kashmir has a different future from that of India, they are completely misleading themselves. I have no doubt that the destiny and the future of India and Kashmir is identical - there is no doubt about it. At the same time, let us not be unrealistic and say 'abrogate Article 370'.

If people think that they should be able to go and purchase land there. If this is the only idea of unity of India, that some rich people may be able to go there and exploit, the unity of exploitation, if this is the idea of Indian nationalism, I really do not understand why that should be done.

**Shri S. Kundu (Balasore) :** Bridge is a wrong analogy. He admits a guilt.

**Shri Y. B. Chavan :** I have not used it as an analogy.

I did not say it was bridge between Kashmir and India. I said, it was a bridge for applying more and more articles of the Constitution to Jammu and Kashmir. A constitutional bridge.

There are certainly some problems. Take the process of integration. We say that we have to yet achieve national integration. We have got a National Integration Council in regard to the rest of India also. What does it mean ? It means that the process of integration is not yet complete. We have certainly political unity. We have the same Constitution. We have got fundamental rights. Still we say that we have yet to achieve complete national integration, because national integration is something different from Political unity. It is something different from economic development.

... When we say that there is no national integration, it does not mean that we are not a nation. These are two different things. To have national integration means, really speaking, to have some sort of ...

... national consciousness, a feeling of oneness, an emotional stake in the national life. This is, really speaking, what we have to achieve. This process will have to work for a long time with patience, with understanding, with a sense of friendship, with an idea of giving others a sense of participation. That is the only way we can go about it.

I do not want to say anything more about this matter.

There is the other side of the picture, what has been ha Kashmir in the last 20 years. Some members did make mention about in Sheikh Abdullah. We have all respect for Sheikh Abdullah as he was the first man who fought for the secularism in the land of Kashmir. He fought for the freedom of the people fo Kashmir. He led the struggle against the invaders of Pakistan.

At the same time he was the man who was instrumental for the accession of Kashmir to India. Unfortunately he has forgotten all his past. That is our present difficulty. He is making speeches. I do not want to make any adverse comment or create any new problems for India and Kashmir, but one thing is certain that the great man that he is, he is still in search of him self if I may say so. He is trying to find out what is in mind. This convention, about which my hon. firend Shri Abdul Ghani Dar made a This very eloquent speech was an attempt to find out what he really wants. It is his problem, it is not a problem for us. We know where we are. I must say that Mr. Jai Prakash Narain who attended the convention did a singular service to the cause of Kashmir by forthrightly telling him what the reality of politics there is. Unfortunately Sheikh Abdullah has neither supported what Mr. Jai Prakash Narain said nor rejected it.

My impression is that he has neither accepted nor rejected. They have decided again to meet and find out what they really want. It is their right to find out what they want, but as long as the reality is not realised by those who want to discuss this question, nothing is likely to materialise. This is the reality. We have to take this as the reality and work on that basis. Our efforts for the development of Kashmir are continuing, will continue.

The hon. Member has mentioned how many hundreds of crores were given to Kashmir. I do not want to go into those details. Certainly large amounts have been given. What is wrong about it ?

... You think that because the money in Kashmir is not well spent a parliamentary committee should be appointed from here. Why not appoint a parliamentary committee for all the States? Why choose only Kashmir? They have got their Public Accounts Committee and other things. Why do you want a parliamentary committee to find out how they are spending the money ? This is an attitude of suspicion. Once we

start looking at these problems from this point of view, then the people in Kashmir will say that we are not merely giving them money but we want to find out the way they are spending.

.. I agree with the figure that the hon. Member has mentioned that in the last 20 years nearly Rs. 300 crores have been given by way of loans and other things. There is nothing wrong, but his only point is they should have been given more. There Mr. Bakshi Ghulam Mohammad may be right. I do not share this view that we should appoint a Parliamentary Committee because the whole money is ill spent because in the last 20 years money was spent by Sheikh Abdullah. Bakshi Saheb and the present Government of Mr. Sadiq.

The Auditor General and other organisations are there to see how the money is spent. They have got their own State legislature. They are going into it and finding out what is done. The Public Accounts Committee is there to see what exactly is done. Do you say that the Parliamentary Committee is for this function ? Have you done it before in any other State ? When we talk about it only in respect of Jammu and Kashmir we are not bridging the gulf but we are, really speaking, trying to widen it. It is wrong. Now, some Members took objection to what was happening to the elections. This has become a fashion to say that elections in Kashmir were rigged.

... Of all the persons, hon. Member Shri. Bakshi Ghulam Mohammad has no right to say that the elections were rigged. How were you elected to this house ?

**Shri Bakshi Ghulam Mohammad :** By the people's votes.

**Shri Y. B. Chavan :** Those members who gave him votes also gave votes to those people who are sitting in the Assembly. What is the use of saying this ? Your membership of this House, your right to address this House is the result of your election, which you say is rigged. A very wonderful idea. (Interruptions)

**Shri Hem Barua :** You are scoring a debating point only.

**Shri Y. B. Chavan :** What am I supposed to do in the debate ? Am I supposed to lose the point here ? We are in a debate.

... What I have said is, whatever has happened about these matters,

they are before the Election Tribunals. Some of them were rejected. The judges have decided about those matters. Action is being taken about it. What is wrong is wrong. To say that the whole elections are false is not correct. Can you say that the tradition of elections was false in Jammu and Kashmir? Where he was concerned the elections are good. It is taking a partisan point of view. I do not want to get involved in this. Therefore, our whole approach to this problem will have to be a problem of understanding, problem of practical approach and an attitude of realism which will alone help us to create that affinity between us and the people of Kashmir. That, really speaking, is the main thing I want to say. An hon. Member suggested that we can start negotiations with Kashmir. Shri Vajpayee has suggested, "Don't look at him".

We are very clear about the place of Kashmir in India. There is no doubt on that question whether we meet anybody or not. We can always consider the problem on its own merits. Considering all the aspects of the problem as I have already stated in this hon. House. I do not want to add anything more or subtract anything out of that. I would say this to the hon. member, Shri. Vajpayee, who may not be convinced because I know it is difficult to convince him.

I can only say that his main demand was to abrogate article 370. It is not in the interest of anybody to abrogate this article at the present moment. So, I request him to withdraw the resolution.

PART II

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**HOME :**  
**LAW AND ORDER**

## SECTION - 4

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### MAINTENANCE OF LAW & ORDER

#### **EDITORIAL NOTE**

Yashwantrao Chavan became Home Minister in November 1966, on the resignation of Shri Gulzarilal Nanda as Union Home Minister following the serious law and order situation that arose in New Delhi on 7 November, 1966 and the manner in which the same was handled by the police. Chavan thus became the Union Home Minister with a serious law and order situation on hand.

On 16 November 1966, he faced the Lok Sabha in connection with "a National Students March" which had been announced for 18 November.

During the next year, namely 1967, he was confronted with agitation by Delhi Police, deteriorating law and order conditions in West Bengal where gheraos had surfaced as a new phenomena and the Naxalite movement etc.

In order to arm the Central Government to deal with the several complex, law and order situations, Shri Y. B. Chavan had to handle in the Parliament several legislative measures, including Police Forces (Restriction of Rights) Bill, Preventive Detention (Continuance) Bill, Unlawful Activities (Prevention) Bill and the Border Security Force.

This section contains important selected speeches delivered by Shri Y. B. Chavan connected with the law and order situations. Also some speeches delivered by him while piloting legislative measures.

SECTION 4

CHAPTER 17

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NATIONAL STUDENTS MARCH

*Statement in Lok Sabha on 16 November, 1966*

**Shri Y. B. Chavan :** A demonstration before Parliament by students from different parts of the country described as National Students March" has been announced for 18th November. According to information available to us, the demonstration is being organised by Samajvadi Yuva, Jan Sangh

... The Students Federation and the UP Students' Action Committee. Efforts are being made in several States, and on a particularly large scale in Uttar Pradesh, to mobilise students for the projected demonstration. An order under section 144 of the Code of Criminal Procedure prohibiting processions, public meetings etc. in the neighbourhood of Parliament House, Connaught Circus and Chandni Chowk has been in force for a long time. The Delhi authorities, however, used to allow processions to be taken out to the Parliament area subject to conditions prescribed by them. Following the disturbances in Parliament and other neighbouring

areas on 7th November, the Deputy Commissioner, Delhi, has issued an order under section 144 of the Code of Criminal Procedure prohibiting processions, public meetings etc. in the entire Union Territory of Delhi.

Taking into account the general climate of violence in the country, the very unfortunate involvement of certain sections of students in acts of violence and destruction of public property, and more particularly the experience in Delhi itself on 7th November, the Delhi authorities have decided that the projected demonstration on 18th November should not be allowed.

They have taken care to publicise their decision so that students who are intending to participate in the demonstration and their guardians might know in good time that such participation would be unlawful and would expose the participants to criminal prosecution.

Any attempt on the part of any person to interfere with the discharge of his duties and functions by a Member of Parliament is a breach of the privilege of Parliament and as such a serious matter.

We should pause and consider whether demonstrations by large numbers of people in the neighbourhood of Parliament House, which may hamper the functioning of the entire Parliament in a peaceful atmosphere, is something which we should view with complacency and acquiesce in. If any section of the people has any grievances, they have means available to them to have the grievances raised in Parliament in one form or another. In addition, rule 160 of the Rules of procedure and Conduct of Business in Lok Sabha provides that a petition can be presented to this House on any matter of general public interest. If certain sections of students wish to bring any matters of importance concerning them pointedly to the notice of this House, it is open to them, subject to your consent, Sir, to present a petition. But I am clear in my mind that it is essential for the proper functioning of our democratic institutions and in particular, of this supreme body that no attempt should be made to influence Parliament by bringing to its gates large bodies of men to raise slogans and make other kinds of demonstrations. As I have said earlier, there is danger at the present time of such demonstrations leading to disturbance of the public peace and destruction of property, and I am sure the whole house will agree with me that what happened on 7th

November, or anything approaching it, must not be allowed to happen again.

May I also take this opportunity through you, Sir, to make a general appeal to students throughout the country. They may have genuine difficulties, and they may have grievances of one kind or another.

But it is of utmost importance in the interest of students themselves, and the country as a whole, that the methods they adopt for achieving their objectives are right. The future progress and well-being of the country will soon be in their hands, and if the students do not conduct themselves with full sense of responsibility, the future of the country will be in jeopardy. We, on our part, are always prepared to discuss things with them, to find out and remove their difficulties, explain our difficulties and limitations to them.

SECTION 4

CHAPTER 18

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POLICE FORCES ( RESTRICTION OF RIGHTS) BILL

*Lok Sabha on 29 November, 1966*

*In mid 1960s, certain political Parties were actively advocating unionisation of Police Force, particularly in Delhi. This had serious implications for the discipline and morale of the Forces as a whole.*

*Shri Y. B. Chavan, soon after taking over as Union Home Minister had to introduce in the Lok Sabha on 29.11.1966 a Bill to restrict rights conferred by Part III of the Constitution in their application to Members of the Police Force.*

*Two speeches included in this Section are intended to bring out Chavan's grasp of the problems faced by the police Forces. As he mentioned in his speech before becoming the Union Home Minister, he had dealt with the problems of Police Forces for over 16 years as a Deputy Minister, as a Home Minister and as a Chief Minister of Maharashtra.*

**Shri Y. B. Chavan :** I beg to move :

"That the Bill to provide for the restriction of certain rights conferred by Part III of the Constitution in their application to the members of the Forces charged with the maintenance of public order so as to ensure the proper discharge of their duties and the maintenance of discipline among them, as passed by Rajya Sabha, be taken into consideration."

I would make just a few observations at this stage. The purpose of this Bill is to ensure that the police force and its fine tradition may not be spoiled by trade union activities and agitational activities which might ultimately lead to the breach of discipline in that fine force.

After Independence of this country, the police force in India has by and large proved to be the finest force. But recently there have been tendencies to introduce some sort of trade union activity in that fine police force. As We are all aware, this is the most effective instrument to keep public order in this country. The framers of the Constitution had contemplated this position. If you look at Article 33 of the Constitution you will find that the framers of the Constitution had certainly thought of a particular position where it would be necessary to restrict the Fundamental Rights guaranteed by the Constitution. The Constitution has contemplated two services where it may be necessary to restrict these fundamental rights. One is the Armed Forces and the other is the 'Forces charged with the maintenance of public order.' These are the two categories ; in the case of these two categories of services it was thought that in order to ensure the proper discharge of their duties and the maintenance of discipline among them these Fundamental Rights could be restricted by undertaking certain other legislation. In the case of the Armed Forces, section 21 of the Armed Forces Act which was passed in 1950, section 19 of the Navy Act passed in 1957 and section 21 of the Indian Air Force Act provide for such restrictions. Those were the laws contemplated under Article 33 for the Armed forces. But for other services, namely the forces charged with the maintenance of public order, such legislation was not undertaken so far. Now, this piece of legislation removes that lacuna in the situation.

I do agree that the police forces also need to have their own association which should not indulge in trade union activities. Therefore, this bill contemplates that under prescribed rules, they can have such organisation, association etc. for the purpose of recreational or such other activities. I am as much aware as any other Member of this House, if not more, that there are certainly some welfare problems of the police forces which have to be attended to.

... I was mentioning that some of the problems of the police force are, in my personal experience as Minister in charge of police affairs in another State a few years ago - for this reason, I can claim to know of the welfare problems of the police as intimately as anybody possibly can - are worthy of consideration. There are certainly some problems which need to be looked into with sympathy and consideration, problems of aid to them during times of distress etc. Therefore, some provision is

necessary for that purpose. For that matter, they certainly can have some sort of association with the previous and specific sanction of the Central Government. That sort of organisational freedom will certainly be there.

But our idea is not to allow it to have any trade union activity which can encourage them to engage in agitational activities which will certainly undo the strength and discipline of the force which is, really speaking, the most important instrument to maintain law and order in the country. We have done the same by enacting the necessary legislation in respect of the army, navy and the air force. The role of the armed forces is certainly different.

Most important, no doubt. At the same time, internal security against the external threat is important. But the base of protecting the country from external threat is the guarantee of internal security. That is really speaking the foundation of security of the country, and the police force, which is the most disciplined force in the country, is the only guarantee of that. Its discipline has to be kept intact which is the responsibility of not only those who are responsible for the administration, but also the bounden duty of every citizen of the country. But unfortunately we see trends now a days in some people to very light heartedly try and tamper with this very important strength and discipline. Government, therefore, felt that they would fail in their duty if they did not come before this House to seek its sanction for this piece of legislation which will guarantee the strength and discipline of this very important force.

This, in short, is the purport of the Bill. Clause 43 explains what are the restrictions, what are the freedoms, what are the responsibilities and what are the rights. I need not go into it because the structure of the legislation itself is very simple and does not need any explaining in detail.

SECTION 4

CHAPTER 19

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POLICE FORCES ( RESTRICTION OF RIGHTS) BILL

*Lok Sabha on 30 November, 1966*

**Shri Y. B. Chavan :** Mr. Deputy Speaker, Sir, I have heard all the speeches with all the attention that they deserved. I must say that those Members who have opposed this bill, and certainly those who supported the Bill also have certainly done one good thing : that they have certainly highlighted purpose of this Bill, the purpose for which this Bill is being brought forward. I need not go into the constitutional aspect of it, because most of them who supported the Bill have said that it is essential. But one argument has been repeated by more than one Member, and that is, why is it that this bill as not contemplated so long, for the past 15 or 16 years after the Constitution had made this provision, and why is it, that it is only now that the Government is thinking of bringing in this Bill.

Some hon. Members have asked whether the Government have lost their confidence in the police force or whether the police forces have

lost their faith in Government. I would say that nothing of the sort has happened. Even while speaking on the motion for consideration of the Bill. I said that I have nothing but praise for the way the police force has functioned in this country; even in this city, the latest proof, if proof was needed, was seen on the 7th November. And, therefore it is not that we have lost our confidence in the police force. Our confidence is there as it was before, and it will continue to be there for days to come or for years to come. But certainly I have lost confidence in some of the agencies which are trying to tamper with the loyalties of the policemen. That really speaking is the wrong that has been done. Even now, unfortunately, the hon. Member Dr. Lohia made a speech as usual; he never cares about what other people have to say about it. He appealed to the policemen, and he told the policemen not to obey orders if they consider them improper. He has given this right or discretion to the policemen, to decide what is proper and what is improper. He has given this right to the constable. The constable has to work on occasions immediately and he can only act on the orders of his superiors. Whether the superior has given a proper order or an improper order, is a matter for which there are other ways of judging.

**Shri Joachim Alva :** If he says it outside the House, he will be liable to prosecution.

**Shri Y. B. Chavan :** If such speeches can be made by such responsible people on the floor of the House, we have all to listen to them; and the whole country listens to them; we are all responsible leaders and we should not make such speeches, in respect of the duties of the policemen. But this is being supported and that is what is happening in this city. Speeches have been delivered and wrong types of instigations have been resorted to. But it is, really speaking very creditable to the police force that despite all this instigation, they still, remain good; it is certainly creditable to them.

I do concede one thing. There are grievances of the police force. I must concede that. I have almost half of my public life been dealing with police problems. Before I entered the high offices of Government, along with many other political workers in this House, or in this country, we had to deal with police personnel. Later on, I dealt with these problems for six years as Deputy Minister in the Home Department; later on, as

Home Minister for nearly 12 years I have been dealing with the police problems, and I do concede that there is certainly a large scope for looking into the problems of the police. Let me say this with all the sincerity that I can command : that I consider, as the Home Minister, the head of the family called the police force. I think it will be my duty and my responsibility to say that I am responsible for piloting this bill in this House, and I must assure this House and at the same time as sure the policemen of Delhi that it is not only my legal responsibility and duty but my moral duty and responsibility to see that their genuine grievances are redressed and redressed sooner rather than later.

... Let me say that this bill is not against police force; it is not against the members of the police force; it is not, as has been propaganda outside that this is a Kala Kanoon. I must say it is not so. When it is found that it is necessary to have associations, and associations are permitted even under this bill, when we feel that associations are becoming necessary, than that is the time when we will come before this hon. House for a law which will ultimately permit them to have associations but in a regulated way which the Constitution itself has contemplated.

I would tell the hon. Member who is a veteran public worker, that I really was wanting to say that he should rather try to learn the law. I do not say that, but I wanted to say that, he being a veteran worker. The purpose for which an association can be had is also mentioned; what is mentioned is that they can certainly have an association with the previous sanction of the Government. The idea is not to debar them from having associations for the purposes which clause 3 mentions. Certainly, it will be there. But the intention is not to allow them to get mixed up with the trade union movement.

So, the point is not to debar them from having their own association, but it must be their own association. I do not want any political association or political influence to come in and mix up with the police force nor could any other trade union influence be mixed up with the police associations. That is really speaking, the basic approach to this problem.

As I said, I concede that the housing conditions of the police force require very immediate attention. Their service conditions certainly do require immediate attention. It was with that very precise purpose that

the Government appointed a Police Commission. This Police Commission is meant for the Delhi Police. The former Chief Justice of Punjab, Justice G. D. Khosla, would be Chairman of this Commission. Shri Ram Sharma would be a member and another very distinguished police officer, Shri B. N. Mullik who retired very recently will be the other member of this Commission. I would like here to read the terms of reference of the Police Commission. This Commission will enquire into and make recommendations on the conditions of service, work and living of non-gazetted members of the police force of the Union Territory of Delhi, and measures necessary to promote their efficiency and welfare. Though such a Police Commission is appointed for the first time for the Delhi Police, some States have appointed Police Commissions, as Shri N. C. Chatterjee himself has mentioned. He was the head of the Police Commission for Kerala and I remember to have read some of the recommendations of that Commission and I was myself encouraged to appoint a Police Commission in Bombay in 1962, before I came here. I know many other States have appointed police commissions.

The question of housing for the police creates great problems. I remember to have discussed this question when I was Home Minister of Bombay with the then Union Home Minister Pantji. He started a scheme of giving very liberal loans for this purpose and in the last 8 or 9 years, nearly crores of rupees have been spent to improve the housing conditions of the police in the country.

It is very comprehensive. I am sure the commission would interpret the terms of reference correctly and include the necessary questions to be examined by them.

This Bill is not meant to stop some healthy activity. The intention of this Bill is to see that such activity is much better regulated. Certainly we have reached a stage when these people need to have their own association. So, it is better we give them a proper lead in this matter. This bill is called Restriction of Police Rights Bill because that is what the article in the Constitution contemplated. But the purpose is not to come in the way of police welfare, but to help the welfare of the police in a wise and proper way.

I must repudiate some allegations made by Dr. Lohia. He himself said that he wanted to give some sensational information to the House. That

is what they are interested in doing - make some sensational statement. He said some constable with a rifle standing in front of Mr. Kamaraj's residence under the specific orders of the Home Secretary.

I heard it for the first time on the floor of the House today. I asked our officers to get the information from the I. G. The I. G. says that there was no constable with rifle posted outside Mr. Kamaraj's residence on 7th and no rifle of any constable was removed under the orders of the Secretary for Home Affairs. Such cheap allegations should not be made in this house.

Mr. Indrajit Gupta said that some negotiations were held with my predecessor.

**Shri S. M. Banerjee :** With Mr. Hathi.

He also was my predecessor; he was Minister of State in the Home Ministry. My information is, they certainly had some discussion whether it should be called an association or union. They had some other talks also. 'There are the three categories. What the Home Ministry can directly deal with, the Home Ministry will deal with that. What the minister do, he will certainly do. But whatever remains which requires more detailed deliberation, that can be considered by the police commission.

The difficulty is the Hon. Member has functioned only in the trade unions and so he does not know anything about this. He will know in course of time how it can be done. You yourself said that you have no knowledge about associations of police. That is why you do not know how it can be done.

...We decided to bring this Bill now, and not before, because the situation has arisen now that there is a possibility that the discipline of this very important police force is likely to be tampered with by certain agencies. If you see the different agitations in the country, on many occasions you will find the police is made the target. On one side they are made the target of attack; on the other side, they are made the target of sympathy. They try to attack them from outside and they try to disorganise them from inside. That seems to be their strategy. I would appeal to this House and to the country that certainly we have our duty towards the police force and that duty will be discharged. They are a very valuable instrument of security of this country. We have their

welfare and comforts nearer our hearts and we want to do our best for them.

SECTION 4

CHAPTER 20

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PREVENTIVE DETENTION ( CONTINUANCE) BILL

*Lok Sabha on 29 November, 1966*

*On 29 November 1966, Shri Y. B. Chavan placed in the Lok Sabha Bill to further continuance of the Preventive Detention Act. Later on 6.12.1966, he replied to the Debate in the Rajya Sabha.*

*His skills on able Parliamentarian and his ability to put across his views about a measure that he personally dested are clearly brought out in these two speeches.*

Mr. Deputy Speaker, Sir, before I try to deal with some of the points raised by the hon. Members who participated in this very important debate, I must at the outset explain one important aspect which has been referred to by the hon. Members in their speeches, namely, that I used the term 'normal law of the land' in connection with this particular Act. I must say that I used it in a very limited sense. If I had given the impression that I consider this to be a normal law which belongs to the statute for all time to come, I must say, I am sorry for that. That was not my intention. I was only trying to distinguish between the Defence of India Rules which are meant for Emergency and, as they were withdrawn, certain law, which was essential to carry on the work

for the security of the country. It was only in that limited sense that I used the term 'normal law of the land'. The very fact that we are proposing to extend this particular Act for only a period of three years is a proof that we do not want to make it in that sense a normal law of the land.

... I would like to assure the hon. House that I will be the happiest person when I will be able to come to this hon. House and say, this Act is no longer necessary for this country. Honestly I wish I could have done that now. But I cannot do that with the sense of honesty, with sense of responsibility, that one has to carry in the high office that is my privilege to hold today.

The hon. Member, Shri Masani, mentioned how Sardar Patel prefaced his remarks when he moved this Bill. We all share that feeling. Nobody, in that sense, is happy when one has to come with such a legislation for the approval of this hon. House. But the conditions that prevail in this country today have more justification for bringing such a legislation.

Shri Masani made another reference that Sardar Patel had given an assurance that in course of time, they will give some second thought to this Bill and make it more scientific. In the course of the last 16 years, both by the amendments that Government moved and as a result of certain case law, a series of amendments have been moved to this legislation, and if you compare the Bill as it was moved in 1950 and the Bill as it is moved today, or the Act as it is, you will find that there is substantial change.

Then, another important change which has come about is this. It was required that orders were to be submitted to the advisory boards only in those cases which involved a threat to the maintenance of essential services or supplies or foreigners detained with a view to making arrangements for expulsion from India, etc. But cases of persons detained for any other reason, for the defence of India, relationship with foreign countries, for the security of India or the maintenance of public order, were not to be referred to the advisory board formerly. Now, all the categories of cases are referred to it. This also shows the expansion and the scope of the exercise of the veto by the advisory boards.

Another thing is this. Well, that may look rather a minor thing.

Formerly, the number of members was two and that number was increased from two to three. The idea was that if there was a tie between two members, the view of the advisory board had practically no effect. So, the number was increased from two to three. The idea was that there was a possibility of a majority decision in these matters.

The most important thing came as a result of the decision of the Supreme Court when section 14 of the Act was declared ultra vires and the right of judiciary going into the cases of detention and other facts was asserted by the Supreme Court, and as a result of which the amendments were introduced.

Then, the right of the detained person to be heard by the advisory board, if he wished that he should be personally heard, was also secured by another amendment.

I am only mentioning all these details to show that when it was thought in the beginning that we shall certainly in course of time bring about certain important changes in the Act, it was to make it more democratic or a more normal law, if hon. Members may not like to object to the word 'normalcy' here. When these amendments were brought about, the idea was that the executive should not lightheartedly, superficially, tamper with the freedom and liberty of the individual citizens of the country. That is the fundamental approach in this particular thing whenever we think of bringing such an Act.

My hon. friend, Dr. Singhvi, said that I should deal with it in detail and justify why the Act is essential now. The hon. Member can just look around and see the conditions that prevail in the country today. It is not a matter of a very detailed study. If it was essential in 1950, it is perhaps more so in 1966. I wish it would not be necessary in 1968-69, so that further amendment of this Act further expansion of the application of this Act may not be necessary. I wish that that does not arise. But for that we all will have to work very hard to reach that stage. Unfortunately as I look around today, I do not see that these conditions prevail and it is precisely for this very reason that I have come forward to bring this amending Bill for the approval of this hon. House.

Going back again to some of the points that some hon. members made here, I was rather intrigued that Mr. Masani referred to this Act

as a dictatorial Act, an Act which was, according to him, a challenge to democracy. He pleaded for the application of this Act - for making it more democratic in his sense- by outlawing some of the political parties. What is the philosophy behind it ?

**Shri Nambiar:** It is anti-communist.

**Shri Y.B. Chavan:** Whatever it is, what I am trying to aim at is not merely an Act, it is what is the attitude towards the problems of the country. Even this Act is not merely an Act in itself; it is, really speaking, meant to achieve something. What is that something ? We do not want any particular ideology to be penalised or anybody's views to be penalised. It is only meant to prevent certain types of activities, certain types of situations. It is not meant against any particular political thought or any particular political ideology. Those who think that they can certainly in the name of democracy suppress an ideology, I wonder how they can think in terms of democracy. That was my only point.

The point that I would like to make - because Mr. Banerjee has raised it again - is that according to the information that is made available - I can say with my hand on my conscience, on my heart - this Act was not used against any party as such in the course of the last 16 or 17 years.

Some individuals belonging to some party or the other came to be the targets or the victims of this Act. One can say so. But it was not used against any particular political party as such; it was not used against any ideology as such and it will not be used against any ideology or any political party. I would like to give the assurance with all the sincerity that I can command that this Act is not meant to penalise or suppress any particular political party or any particular ideology or any thought, political or otherwise, in this country.

My hon. friend, Mr. Indrajit Gupta, said that it was used against goondas, against certain political workers, but it was not used against any workers who are working on the basis of communal activities, etc. It is not true. If you just take the statistics of one year and then try to analyse it, then you will find that it is not true. I can give figures to show that in 1952-53 this Act was mostly used against those who were indulging in communal activities. The situation in the country changes from time to time. In 1952-53, there was a sort of communal riot;

communal situations were becoming difficult to tackle. As I have said more than once in this hon. House, the atmosphere in the country today is full of violence and if this atmosphere of violence is going to threaten the security of the State, naturally this Act will have to be used and it will be used. I have no doubt in my mind about it. But it does not mean that it will be used against any particular party. I can give this assurance if it is needed. Even if it is not needed, I should volunteer this assurance, a very serious assurance and a solemn assurance that this Bill is not meant for any political purposes. That was the only point that I want to make. I do not want to go into the details of some of the cases that some hon. members have referred. One hon. Member made a reference to some individual cases. I have not got all the facts to prove whether what he mentioned was right or wrong. One member made a mention about certain action taken in the State of Maharashtra. Personally I have no knowledge of those particular cases. But certainly I have a desire to go into the details of those cases. Even though I have not got the cases, I will try to satisfy myself.

**Shri S. M. Banerjee :** Not only in Maharashtra but also in U. P.

**Shri Y. B. Chavan :** He made some reference to U. P. about one case in Andaman. I have not got the facts of the case. But I know that in Andaman, the Government forces were to take certain action. Certainly I will go into that. I assure the hon. member that it is my duty to do it. If certain facts are brought to the notice of the Government, we shall have to go into them and see that this Act is not used for the purposes for which it is not intended. That is, really speaking, the responsibility of the Government and I assure you and, through you, this House and the country that we will certainly take care of this particular point that this Act will be rarely used and only used for those purposes for which it is really meant.

SECTION 4

CHAPTER 21

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PREVENTIVE DETENTION ( CONTINUANCE) BILL, 1966

*Rajya Sabha on 6 December, 1966*

The Minister of Home Affairs Shri Y. B. Chavan : Madam, in this debate many Members participated. Some of them have given unqualified support to the Bill. Others have given critical support to this bill. Some have opposed it, some very angrily opposed, as Mr. Rajnarain did.

The main point that was made against this Bill was that even though the Bill came into existence, in 1950, even after 16 years it is still found necessary. I admit that it is found necessary and I wanted to find out, any Member could make out a case, that the bill or this Act is not necessary. Nobody claims that this Act is an ideal Act. Nobody is proud, not even this Government is proud, that we have to put this Act on the Statute Book India. The point is whether the conditions in this country today justify the extension of the Act. It is not necessary to go into all the details as to what conditions prevail in the country because I hope and I am sure every Member of this House knows about it.

The point is, if the Act is needed, it is not enough merely to talk about the concepts of democracy or the ideals of democracy as an academic

manner. It is not merely enough to offer criticism which is negative. I do admire and I do stand for and I am proud of the Fundamental Rights which our Constitution has guaranteed and this Government is wedded to the protection of those Fundamental Rights; but what is the basis of those Fundamental Rights again? The basis is the freedom of this country, the continuance of democracy of this country, that means the protection of the Constitution itself. When we say that this Act is necessary, it is necessary exactly for the same purpose for which the Constitution is there. Some Members made out a case, one Member wanted facts and another from the other side quoted case after case saying 'Here are examples of excesses and misuse of the Act'. I cannot claim that no mistake was made. That is not my case. I will not make out that case. In some cases possibly certain mistakes were made and certainly our case for this Act is that in the inbuilt arrangement of the Act itself, certain correctives are provided certain organisations or certain institutions are provided whereby these possibilities of misuses or excesses or mistakes can be cured or corrected, like this provision for Advisory Boards and the possibility of taking the matter before the High Court because the hon. Member himself, when he pointed out the mistakes in each and every case that he referred to be himself referred to how these cases were brought to the Advisory Board's notice and how they were brought to the High Court and there the whole thing was found out. When he was making that point, I thought he was possibly giving a defence of the Act. It is true that in certain cases some people may have given wrong grounds and they were found out by the High Courts or the Advisory Boards and the Advisory Boards have certainly done the greatest justice to those who were victims of this Act. I have got statistics -- I do not want to burden hon. Members with statistics- as to how many people ultimately got protection from the Advisory Boards and how many got protection from the High Courts. The point is when we have taken this extraordinary power - it is certainly an extraordinary power- when we are imprisoning the people without trial, we will have to see that his right or authority of the Government or the Executive to put anybody behind the bars without trial is restricted by the authority of the advisory Board, is restricted by the inherent jurisdiction of the High Court and the Supreme Court in this matter. We have found that in many cases these bodies and institutions which are provided for under

the Act have asserted their rights and given protection to the persons concerned. Even somebody can argue and ask: why even this limited restriction should be undertaken?' There comes the assessment of what is really speaking happening in the country today. Hon. Shri Jairamdas Daulatramji very ably explained what sort of conditions prevail in the country today. He used a very effective phrase. He said that the atmosphere of this country is surcharged with violence. It is very much that. I do not expect anyone to read all the reports that the Home Minister has to read every morning but if anybody would casually even sees his morning papers as to what is happening in the country around, he feels sad because one gets a feeling as to what is happening or what is going to happen to this country.

Certainly you have a right to criticise us. You have a right to replace us but what you are doing here is, you say that we are trying to identify the Government with the State. My counter-charge or allegation is that you are trying to really identify the State with the Government. If you are angry with the programmes of the Government, if you are dissatisfied with the performance of the Government, better go to the people, organise your strength and replace the Government but what is happening. If there is a certain grievance - I hope Shri Rajnarain will not be angry with me again - the slogan of 'ghera dalo' or 'Bundh' is raised. What are they ? If you want to replace the Government, criticise the Government; I say you must have the strength of the people behind you so that you may defeat the Government. Mere slogans 'ghera dalo' and 'bundh' will not do for the purpose. By this 'bundh' and 'ghera dalo' who are ultimately the sufferers ?

Thereby you are not weakening the foundation of the Government. Thereby you are weakening the foundation of the State. Therefore, in your anger towards the Government, you are undermining the State (Interruptions.) You are undermining the State.

Now, Madam, some hon. Member made a mention about external threat. With Tibet and China and Pakistan and all these things, it was asked, what is India ? Certainly, Madam, we know what India is. We all know what India is. We all love India and are for the protection of India . Here I certainly like to make my humble appeal to this hon. House to assess this question or appreciate this problem more carefully.

Now external threat increases - I am not speaking now as the ex-Defence Minister, nor am I speaking as the present Home Minister, but I am speaking as a conscientious and enlightened citizen - ultimately, the external threat also increases with the internal weakness of the country.

External threat is not something which exists outside. The roots of external aggression sometimes rest in the weakness of the country itself. (Interruptions) Therefore, Madam, if at all you want to defend the country properly, if at all you want it in right earnest, then certainly internal peace in the country is the most important factor. Madam, I looked into the statistics as to the number of people that had to be arrested under this very Act, people who were creating conditions to weaken that very basic foundation of public order, on which any society depends - it is not only that Government depends. When we say peace and order in the country, it is a peace and order which is necessary not alone for the peaceful conduct of the administrative machinery; it is not necessary for the day-to-day normal activity of a citizen in this country, for the normal life of the people. Ultimately, people want peace in their lives, and they want opportunities to lead their lives peacefully and normally. (Interruptions). Well, certainly there are. I do not deny that there are economic problems in this country. I do not deny that there are political problems in this country. There are many problems in this country, and the existence of many problems is a challenge to every political party. Let us try to meet this challenge manfully instead of trying to be angry about it and try to be not deny that there are certainly very justifiable economic grievances in this country; there are. So please give your solution. It is not merely enough to be angry about it and try to be abusive about it.

The economic problems in the country can be solved only if you have got some constructive solutions whenever we just sit down and try to understand? I was also trying to understand. I was not trying to listen to the speeches merely to find out whether I can find a weakness in them so that I can attack it exercising my right of reply. I was sitting here trying to understand what points of constructive criticism. I as the Home Minister can pick up so that I can correct the administration. Except one point that Mr. Arjun Arora just now made, I did not find any point, which I should take note of and go back to the Home Ministry and, say, "Well,

this is a very good point. Implement it." He said, "This sort of right in the hands of authority to arrest people quickly sometimes weakens their efficiency. When there is a wave of violence and restlessness in the country, has the prosecuting agency prosecuted anybody successfully?" Well, that is the point that he was making. It is a very valid point and I am going to look into that. But others were merely saying that this is bad Act, this is a bad Act, this is a bad Act. The point is : It is not my claim, as I said: I have never said it is a good Act of which I am proud. My point is whether this Act is necessary in the present conditions that prevail in this country, or not.

**Shri Rajnarain** : Not necessary.

**Shri Y. B. Chavan** : My honest reply to it - though it is a regretful reply - is that this Act is not only necessary, it is also essential. I hope it will not be necessary for more than three years. I hope it will not be necessary even for three years.

We are trying to repress the people, who are repressing the people. We are not repressing the people. If at all it is repression, it is repression of those forces which are anti-social forces, which are anti-national forces, and I will not be sorry, Madam...

... I can assure the hon. Member; I mean, there are so many political parties and there are hundreds and thousands of workers in the political parties, and I find that in the last fifteen or sixteen years - some Members said that they had been arrested more than once, more than six times, more than ten times - I find that, under the Act, in the whole period sixteen years, about 4,000 arrests had been made out of a population of more than 500 million people with so many political parties functioning in the country. So it is clear that this Act is not intended for that purpose. I can assure this hon. House, if any assurance is necessary, that this Act will not be utilised for any political parties functioning in the country. so it is clear that against any political party as such; but certainly, Madam, I will not feel any hesitation to use this Act against people who are a danger to the security of this country, who are a danger to the public order in this country.

Some hon. Member made a reference to Madhya Pradesh and Mishraji. it is very strange that some people make very wild allegations,

I should say. He may not like Mishraji, that is his attitude. But the total number of people under detention in Madhya Pradesh at the present moment is about 23. This is up to the end of September, and there are no more additions, I am sure. So, Madam, does he mean to say that the detention of this small number of 23 people is a sort of wild exercise of the right conferred on the authorities by this Act.

... Madam, if you see the Act, if you see under section 3(1), clauses (a) (f), (a) (ii) and (a) (iii) are some of the clauses for purposes of which this Act can be used. Now (a) (i) refers to the defence of India, the relations of India with foreign powers, or the security of India, etc. Now under that particular clause the total number of people arrested was about 160. But the most important among them is the number of those detained for security of the State or maintenance of public order and in that the total number is quite large. It is nearly 3,000. I want to give the House some sort of a break-up of this figure. There are those concerned with communal activities. Some hon. Member said that while this is merely used for political purposes, where communal activities were concerned this Act is not being used. But I find that nearly 300 persons were detained for communal activities. And there are those who harbour dacoits. It appears to be quite a fashionable activity in some parts. Their number is 465. For that 465 persons were arrested. And then for preaching and indulging in violent agitation 1,660 people were arrested, and for goondaism, 1,300. And there are miscellaneous cases, and for espionage and anti-State activities, 28, and for impeding of essential supplies and inciting workers to strike and there are some Naga hostiles. In connection with maintenance of supplies and services essential to community more than 150 persons had to be arrested. I am giving this break-up just to show to the House that it was not used against any political party or against any political activity as such. It certainly was used against certain types of activities which were either going to endanger the peace in the country or which were essentially anti-social activities. For those purposes this Act has been used and exactly for those this Act will be used in future also. This assurance I can give the House.

Madam, I commend the motion for the acceptance of the House and I hope the House will agree to extend the Act for a period of three years.

SECTION 4

CHAPTER 22

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AGITATION BY DELHI POLICE  
REPLY TO ADJOURNMENT MOTION

*Lok Sabha on 24 May, 1967*

Speaker, Sir, I am very grateful to Dr. Ram Manohar Lohia for having moved this adjournment motion - though normally it is not welcome by the Treasury Benches - because it gives me an opportunity to discuss the police problem, as early as possible, in this particular session. Naturally, I am going to oppose the motion that he has moved and I am going to recommend to the House to reject it, but I shall give my reasons for that.

I would just give you the facts as I understand them. I can assure this House that there is absolutely no lack of sympathy on my mind about it. I can on the contrary, say that my efforts from the beginning were to deal with this problem with as much sympathy as possible.

It has been my privilege to serve the police for practically the last twenty Years of my life. Before I came into office, in one way or the other, we were under the protection of police but in a different sense. But after the, as a Deputy Minister, as the Home Minister of a state, as Chief Minister of a State, and later on as Home Minister here. For the

past fifteen to twenty years of my life. I can claim to have had some intimate knowledge of the police problems, and I can also claim some intimate sympathy for their problems as well. I am trying to be personal because I want to assure this House that there is absolutely no lack of sympathy at all in this matter.

I came on the scene of the Delhi police in November, 1966, when there was the problem of the recognition of the union. The Bill which later on became an Act, to which Shri N. C. Chatterjee has now made a reference, was being considered in this House and I assured this House that though that bill was being passed, our attitude would not be to deny them of any facility of association though we did not propose to treat it as a trade union activity. It is much better to be very clear on certain things rather than try to be merely sentimental and emotional and try to say something more than what we could do. That was why I said at that time that we would certainly allow them a forum where they could voice their grievances in order to get justice, but at the same time we did not propose to recognise it as a trade union activity. After that, there were long, delayed and complicated negotiations between the police officers and the policemen for the recognition of their Sangh. The Sangh was named in a particular way; they were very much attached to it; the name was considered by some people to represent a trade union or some association of a trade union. But my predecessor in office had thought this way, and I thought also that, that was very right, that we should not fight on names but we should allow them to have that name. Certain more concessions were agreed to and an agreed constitution was accepted. I thought that the whole thing had been set off to go on peacefully and in the right manner. But, unfortunately, that did not happen. It is not that these policemen were at fault, but possibly they were very badly advised, by whom, I do not know. The advisers can search their own hearts about it, whoever they maybe.

There were certain difficulties. I quite agree. The police force of Delhi has grown up in a very big way, as Delhi itself has grown, in a very big way. About twenty years before, the population of the city was just about half a million, but now it has become a city with about 3 or 3 1/2 million. As the city went on increasing in size, naturally, all the services including the police service grew in a haphazard manner. There were

certainly some difficulties about it.

Certain deficiencies did creep in. Recruitment was done in that manner. There was no police force with an officer cadre in Delhi as such. Naturally many came on deputation from different states. I know the success of a police force depends ultimately upon the officer - men relationship. A force is good or bad according as the officer cadre of it is good or bad. I agree with that, because that was my experience in the armed forces also. Naturally the officer cadre had not got that feeling of belonging to the City. They had to look up to their own careers in their own States. For example, if some people come from the UP force cadre or the Punjab cadre or the Madras or Bihar cadre, they have to look to their future in those cadres. These are some of the difficulties. So naturally, we wanted to go into those and see what could be done. There were certainly some genuine grievances as well. I wanted to give this information to the hon. House not because we did something which was not due; it was certainly due.

One thing was that all these things had to be looked into rather more carefully by a responsible body of experts, if I may say so, because it was not merely a question of giving what was due to the policemen; it was at the same time, a responsibility to the citizens of Delhi also their due, because the citizens are also entitled to have the services of an efficient police organisation.

In order to examine all these questions, a Commission was appointed, headed by Shri J. D. Khosla. He is a very distinguished Judge. He was assisted by another member Shri B. N. Mullick, who was the DIB. But we did not wait for the recommendations of this Commission, because we thought that it was very essential that we should do something to look into the immediate problems of these people. I know the housing problem was a pressing problem. There was a crash scheme of housing estimated to cost about Rs. 50 lakhs. It was sanctioned immediately. The question of getting land is a very complicated question in Delhi, as it is in every big city in India. That question was also solved. I am sure in the course of a couple of years they will certainly start getting the houses they need. There was the question of special allowance when they were on duty for more than 9 hours. There was the question of providing transport when they were coming from other places. There was the

question of providing some sort of winter uniforms. A decision has been taken about that. There was the question.-of providing mosquito nets. These are all human requirements. These questions have been looked into and certain decisions have been taken.

I thought as we were looking into these problems, they had been provided with a new forum where they could voice their grievances and things would go right. But having done all this, I was very disappointed when during the last session, in March and April, we started getting evidence that things were going in a wrong way. Again corner meetings which were not permissible under the Constitution they had agreed to, again slogan shouting, again the same type of trade union activity not consistent with the sense of discipline implicit in the very idea of a police force. Things were going completely wrong.

Then they had the facility to put their grievances before the Commission itself. At the same time, they knew - and were told about it - that the interim report of the Commission was coming shortly, only last month. But no advice was useful. I do not blame the policemen again. But what has to be done ultimately if they accept wrong advice ?

Ultimately, coming nearer to the day when this whole trouble erupted, on the 14th morning, the hon. Member, Dr. Lohia did telephone me and asked me, 'What is the trouble about the police? Why these people are being disarmed?' I said it is not a question of disarming - I am repeating what I Had said - it is a question of taking the people off their duty, changing the duties. It is true that when policemen are not on duty, they are not with their arms. But essentially it is changing their duty, there is nothing wrong in it, it is quite a legitimate thing to do. Strangely enough before, I learnt of it from anybody else, I got a complaint from Dr. Lohia. He was the first man to talk about it.

**Shri Range :** Is it not very strange that with all the equipment that the Government has got for espionage and all the rest of it, Dr. Lohia should be the first man to know about it and not the Home Minister.

**Shri Y. B. Chavan :** On the question of disarming and changing of duty, he was trying to instigate, and naturally I knew it for the first time. It is good he telephoned to me.

It came ultimately to the point that certainly the leaders of some of

these unions were misled because of the wrong activities that they had undertaken. They broke Section 144, and they started a procession. They came in large numbers all the way, despite persuasions, despite certain difficulties put in the way; they reached my house, but that does not matter, they stayed here, they shouted all slogans, they gave all abuses, some people come and addressed them.

They reached there at about 5 o' clock or a little later, sat through all the night. The types of speeches that were made and the type of slogans that were raised is a different matter, may be it was an aberration, I did not take it in a wrong way personally. Certainly, we are used to getting abuses, that does not matter, I forget all this.

The next morning, at about 10 o' clock, when I was on my way to office, I thought, as somebody said, in a family way - ultimately they belong to us I did say that, I told them. "We are a family, we are a team, you belong to me, and I belong to you..."

... Do not go in a wrong way, you have done very wrong, because you are persons supposed to observe discipline and you have broken it."

I said :For God's sake, go back to your duties, even now you can go back to your duties. They did not do so and I do not know what sort of advice they were getting. I had no other alternative but to take whatever action the police felt should be taken. Fortunately, no untoward incident happened when arrests took place. But unfortunately, when they were being taken, one truck got involved in some accident and two persons were killed. Some people say that more than two persons died in the hospital but I have verified, I myself went to the Willingdon Hospital when I learnt about this accident. I saw one dead body there. The other dead body belonged to the border security force and it was taken to some other hospital by them. About 19 people were injured and two persons died unfortunately. The Prime Minister was kind enough to announce that very day Rs. 5,000/- by some sort of compensation for the families of the deceased. Now, what do we do about it? Hon. Member Dr. Lohia gets angry when I said, 'instigate'. But this is what he said in Trivandrum and I quote from the Times of India, May 14, 1967.

"He said that the present police strike in Delhi was a 'revolution'. If the Opposition parties had not kept away from it, "Delhi would have

been under my control, or 50,000 persons would have died."

He is sorry because neither of these things happened. He can take delight in these matters.

... It is a difficult situation. I must warn this hon. House, it is my duty to warn this House, that if we try to tamper with the sense of discipline of the security forces of this country, the independence of this country, and democracy would be completely in danger. If I do not utter these words of warning, I think I would have no right to sit in these Treasury Benches and hold this office which the Party and the Parliament had entrusted to me. I say that this is an incorrect thing to do.

I do not know; his whole approach seems to be somewhat negative. He explained his philosophy by saying: 'Janata bakree hai. (*I. People are sheep.*) He is proceeding on the presumption that the masses have completely gone wrong that they have become weak and sheepish and he wants to make them brave by this sort of things, allotting himself too big a role. He says that the communists are wrong, the Jan Sangh is wrong and the Congress is bad and even his party is rotten. He seems to be the only wise man in the country. During the last world war, when I was a student of law, I saw a very interesting cartoon and when I heard these words from Dr. Lohia it came back to my mind as a flash. The cartoon depicted a group of soldiers on parade and a sergeant was giving the orders. There was one fellow in the parade who was the only person who was not walking in step with the others: The instructor went to him and asked him: "What is wrong with you?" "Nothing is wrong with me", he replied, "the whole of the rest of the platoon is rotten and I am right." Now, the story does not end there and the instructor, then, said: "You deserved to be a parade by yourself. You had better walked out of the line, and walk". He then gave orders, "Quick march". So he went on walking, and when he reached the end of the parade ground, he wanted the instructor to give him an order at least to turn back, right about turn or left about turn and he' did shout, "Sergeant give me my orders." and the Sergeant was a wise person. He said, "Good-bye."

I can only say that, if this is the preaching of Dr. Lohia; I can say "God-bye to this country." I can only say that his philosophy, his approach, his are such that a wise nation can say, "Good-bye."

SECTION 4

CHAPTER 23

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SUBJECT OF GHERAO

*Reply to Calling Attention in  
Lok Sabha on 24 May, 1967*

*In the meeting of the Eastern Zonal Council, held on 18/19 May 1967, the Union Home Minister expressed deep concern on the phenomenon of Gherao which had become a movement. He reiterated these views in a Press Conference.*

*This gave rise to a Calling Attention Motion in the Rajya Sabha during the Course of his reply on 31 May, 1967. Shri Chavan elaborated his views on Gherao within the context of democratic polity. The debate also brought out his skills as a Parliamentarian.*

As Members are aware there have been a very large number of gheraos since the beginning of March last mostly in West Bengal but in a few cases also in certain other States. These gheraos involve wrongful confinement of supervisory, managerial or other personnel and in many cases also criminal trespass. These are all cognisable offences under our criminal laws. Some of the gheraos in West Bengal had occurred in Central Government establishments and undertakings, departmental or corporate. It had come to our notice that certain political parties and trade unions had been instigating workers to take the law into their own hands instead of using the statutory machinery provided by labour laws for redressal of grievances. It had also come to our notice that the police were unable, (Shri Ranga: Unable and unwilling) for various reasons, to afford protection to citizens subjected to gheraos even though it was their statutory duty to afford such protection. These developments had

aroused wide-spread concern in the public mind and caused misgivings and anxiety to the Central Government.

Therefore, when I visited Calcutta on 18th and 19th of May, 1967 in connection with the meeting of the Eastern Zonal Council, I took the opportunity to discuss the problem with the Chief Minister, West Bengal. I may add that I had spoken and written to him earlier also. I further felt that the matter was of wide enough importance for me to make some observations at the Zonal Council meeting itself. I may, Sir, with your permission, read out the relevant extracts from my speech at the concluding session of the meeting:

"I take this Opportunity to express the deep concern of the Central Government at the industrial unrest in West Bengal and the particular form in which it is finding expression. In recent weeks the 'gherao' has become a movement. It is no longer a matter of isolated, spontaneous, demonstrations of briefer duration, and it has given rise to fear and sense of insecurity. We are aware of the problems of workers and the hardships caused to them by retrenchments, lay offs, etc. We have full sympathy for them and would like practical solutions to be found to their problems. But solutions to problems, economic and human have to be found in a peaceful and co-operative manner. We must under all circumstances uphold the Constitution and the rule of law. This is essential in the interest of the country. Without it there will be no peace or progress. This is an obligation imposed on us, and on the State Government by the Constitution, and I sincerely hope that there will be cooperation between us in discharging this obligation. I trust that no further erosion of the rule of law will be allowed and the initiative taken by the State Government to bring the employers and employees together to work out methods of dealing with problems of industrial relations will bear fruit speedily."

I reiterated these views at the press conference later in the afternoon.

I submit, Sir, that the sole purpose of my observations at the Zonal Council meeting was to appeal to the West Bengal Government that the Constitution and the rule of law should be upheld. An advice of this kind had become necessary against the background of the happenings to which I have already referred. I hope that my appeal and advice

would receive due consideration from the State Government resulting in satisfactory maintenance of law.

**Shri Bhupesh Gupta :** Sir, why I have called the attention of the House to this is to raise certain important matters of Constitution and not to get bogged down into a discussion on the incidentals. Here you will see that the hon. Minister himself, in his statement, somewhat truthfully has stated that he reiterated the views he had expressed in the Zonal Council Meeting later in the afternoon at a press conference. Now, the next day, on the 20th May, the Calcutta papers - I have got one here and I can bring others very exhaustively reported what he had stated in the press conference The 'Amrita Bazar Patrika', for example, on the 20th May, gave the news :

"Chavan seeks firm anti-gherao. Then, it is said :

"Gheraos, he said was no longer isolated incidents of sporadic demonstrations of brief duration."

When he was asked about the action to be taken, Mr. Chavan observed: "... this is an obligation imposed on us and on the State Governments by the Constitution and I sincerely hope that there will be co-operation between us in discharging the obligation."

Then he said :

"He was hopeful that no further erosion of the rule of law would be allowed..."

All the papers carried this kind of thing. What is the constitutional position? I would invite your attention firstly to article 246 of the Constitution and then to the Seventh Schedule of the Constitution. The Seventh Schedule has three lists. One is the Union List. Kindly refer to it. I think you, Sir, have been constitutionally a king or figurehead or head, whatever you call it ...

**Mr. Chairman :** I am an active head.

**Shri Bhupesh Gupta :** Active head or whatever you call it. Now, Sir, in List I there are 97 items which relate to the Central Government. If you go through the List you will find that the Central Government Minister or the Union Minister is not entitled to say what he had said at the press conference. Even I concede that he could express his opinion

at the Zonal Council Meeting as a Union Minister. He was, however, not entitled to say all that he said at the press conference. He went outside his domain, outside his province of constitutional jurisdiction. Rightly, therefore, the West Bengal Government and some Ministers publicly took exception to this gross interference in the internal affairs of that State by the Union Home Minister and that too in Calcutta.

India's polity is not a federal polity. India's polity is a Union polity in which there are greater centralising tendencies than federal tendencies in which not only the powers of the States can be affected by a mere resolution of the Rajya Sabha but the State List subjects, subjects enumerated in the State List, can be taken over by the Centre. The States area can be changed by the Centre, by the Central Parliament, and on certain occasions the Centre can take over the powers of the States...

**Shri B. K. P. Sinha :** ... and take over the administration of the States. May I know whether the Home Minister realises that these things make it abundantly clear that the Constitution of India is not a federal Constitution? I hope the Home Minister will not behave like the villager in the story in Hitopdesha who was carrying a goat and when five persons, standing at five different places, each one mile apart, told him that he was carrying a dog and not a goat, the villager fell under the impression that he was actually carrying a dog and not a goat and threw it away. May I know from the Home Minister if the incessant talk of federalism will not convince him that this constitution is a Federal Constitution and not a Union Constitution?

**Shri Y. B. Chavan :** Sir, I thought it was going to be a question - answer session, but it has been converted into a sort of debate. Most of them have not really asked questions, but they have made some speeches, each one putting forward his own thesis about it ...

**Shri Bhupesh Gupta :** You put your thesis.

**Shri Y. B. Chavan :** I will try. The main point is whether what I stated in the Zonal Council was without authority and whether it interfered in the sphere of the State Government. These are the two basic questions, really speaking, that have been raised, and in the course of this many people have made many allegations, charges, etc. I do not want to go into the latter part in detail, but certainly I would like to deal with the

first part. Sir, I was presiding over the meeting of the Eastern Zonal Council to which the States of Bengal, Bihar, Orissa, Assam and the Union Territories of Tripura and Manipur were invited. Now let us see what the powers of the Zonal Council are. Mr. Bhupesh Gupta is a very intelligent Member and I thought he should have not have misunderstood the Constitution. But I cannot understand, Sir, that a man of his eminence can misunderstand a thing. He is trying to look at everything from a partisan viewpoint.

**Shri Bhupesh Gupta : No.**

**Shri Y. B. Chavan :** He does not want to see certain things. What are the functions of the Council are given in section 21 of the States Reorganisation Act, 1956. Section 21 says :

“Each Zonal Council shall be an advisory body and may discuss any matter in which some or all the States represented in that Council, or the union and one or more of the States represented in that Council, have a common interest and advise the Central Government and the Government of each State concerned as to the action to be taken on any such matter.”

So this gives the scope of matters to be discussed in the Zonal Council and any matter in which both the State, or all the States, or some of the States, and the Centre, or the Centre and one State are interested, can be discussed, advice can be given and advice can be exchanged also. That makes the first point very clear. Now about what is happening in Bengal, if the incidents were happening in isolation, probably we may not have taken notice of this. But, as I said in my statement, it has become a movement. And about the type of this movement, academic questions are put as to whether picketing and gherao are the same or whether there is material and qualitative difference between the two. Then, Sir, a reference was made to a picketing. I am one of those who have done picketing. But I may explain that at the time we went to the picketing, we knew that we were breaking the law deliberately? We did not go there with the idea that we were doing something very legal. It was part of Civil disobedience. Now when we are assessing a certain situation, let us try to understand it in its proper context. We are not now considering what happened in 1930 or 1931. We are now trying to examine what has happened in the sixties, after we have accepted the

Constitution in 1950.

**Shri Jairamdas Daulat Ram (Nominated) :** In 1931, we voluntarily accepted Government action against us.

**Shri Y. B. Chavan :** Quite right. That was the point I am making. It was part of Civil Disobedience. But here is a philosopher trying to interpret Gandhiji's intention ...

(Interruptions)

**Shri Bhupesh Gupta :** Philosophers have interpreted the world. The point, however, is to change it. This is what Marx said.

**Shri Y. B. Chavan :** I did not interrupt you even once when you were speaking. Now listen to me. You may not accept it, but you must listen to me. That is my right.

**Shri Bhupesh Gupta :** Fundamental right.

**Shri Y. B. Chavan :** Yes, fundamental right. The point is, really speaking, there is a very material difference between picketing and these gheraos. Gheraos as they stand. If you go in to the factual position of what exactly is a gherao, you find there is also difference from gherao, legally or illegally? Gherao is nowhere defined in any Act and so I cannot answer that question. It depends upon the facts of the thing. The point is that it involves wrongful restraint. It involves criminal trespass. It involves many cognizable offences.

**Shri Bhupesh Gupta :** Not necessarily.

**Shri Y. B. Chavan :** The point is somebody said 'gherao dalo' or 'tala todo' and somebody can take it further and say 'gala kato'. It is very easy to coin or manufacture some catching phrases and throw them about but let us understand what it involves. It involves wrongful confinements, it involves forcible confinements, it involves cognizable offences. Now he referred to article 256. Yes, I did make a reference to it. It says that it is the constitutional obligation of the State Governments and the Central Government to see that the acts passed by the Parliament are properly implemented. May I tell him n (Interruptions) My difficulty is, the hon. Member has not the patience enough to listen to me.

**Shri Bhupesh Gupta :** He is mistaken. Article 256 is nothing of the

kind.

**Shri Y. B. Chavan :** I am telling him that the Criminal Procedure Code and the Indian Penal Code are acts of Parliament. They are the Union Acts and when the implementation of that process itself gets blocked, if it is the duty of the Government of India to give directions to them, cannot they give them advice? It is a very simple thing. It was given in a friendly spirit. There is nothing wrong. Immediately after making the speech - certainly I had made the statement at the concluding time - if the Chief Minister wanted to say something, I would have sat. It would have become an item of the agenda for discussion.

After these discussions I sat for nearly 45 minutes with the Chief Minister discussing the implications of my speech and I have the greatest regard for the Chief Minister of West Bengal. He did not take the technical attitude in this matter. He did not tell me 'You had no right to speak this or that. We were trying to understand each other.

**Shri Bhupesh Gupta :** This is not the point.

**Shri Y. B. Chavan :** The main point at issue is whether I was authorised to speak on that forum and the point the hon. Member has made is that I should have made a confidential speech. What exactly he means by that I do not know. I was speaking on a forum on which I was authorised to speak and whatever I had spoken is there. Here I am speaking on the most important forum and every word I say goes out in the press. There is nothing wrong about it.

**Shri Bhupesh Gupta :** Mr. Chavan, you clarify about it. He held press conference. It was not a question of leaking out. He held a press conference.

**Shri Y. B. Chavan :** You get some facts from me also. You listen to me. Whatever I had said in the meeting of the Zonal Council was released to the press automatically and when I held the press conference they asked me questions about that statement. There was nothing wrong about it. After I made that statement nearly after 1 1/2 hours I walked into the press conference. By that time the speech I had made in the Zonal Council was a public property. It was in the hands of the pressmen.

**Shri Bhupesh Gupta :** Because you wanted to use this forum for political purposes.

**Shri Y. B. Chavan :** Why are you afraid, if I speak publicly something; which is very important and very essential? You want to speak out ever things thing which suits you. Why are you afraid if I speak publicly some things which are very important and very essential? Whatever was in the interest of the country, whatever was in the interests of the nation and whatever was in the interests of West Bengal itself, if I had said that and if I wanted the Government and the public to know about them, there was nothing wrong about it.

(Interruptions)

**Mr. Chairman:** I would request hon. Members to hear the Home Minister.

**Shri Y. B. Chavan :** Some Members made the statement as if we went there to protect the interests of one particular party. It is not true. If you read the statement I made I did make a reference that we were equally interested in the welfare and rights of the working classes. Let not Members go away with the feeling that they are only the monopolists to take care of the interests of the workers. (Interruptions) I am very sorry to say this but really speaking they are misleading the working classes.

The point is this. A man who wanted to suppress would not have gone to give friendly advice but those who are even afraid to look at a friendly advice has something to hide in their minds. What is that 'something' let them find out themselves. It is not a question that we were interested in protecting a particular class of people. What we are interested is the protection of the rule of law and the Constitution and it is our conviction (Interruptions) that by protecting the rule of law and protecting the Constitution we will protect every citizen, every class, every worker in this country.

My point is, this movement of 'gherao' is not in the interest of the economy of West Bengal. It is not in the interests of the economy of India. It is not in the interests of the working classes of West Bengal. It is not in the interests of the working classes of India and Mr. Gupta knows it, I am sure about it.

**Shri Bhupesh Gupta :** This is my personal explanation. He need not presume my knowledge or ignorance. The issue is not that. You being a veteran politician of the country and being a distinguished labour leader know.

**Mr. Chairman :** I cannot express my views unfortunately.

**Shri Bhupesh Gupta :** The issue I have raised is not on the merit 'gherao'. The issue is whether the Home Minister acted within the limits of the Constitution in giving public direction to the State in the manner he did.

**Shri Y. B. Chavan :** Mr. Bhupesh Gupta, you have promised me to listen. I may make an appeal to him. He is angry about the friendly advice we have given to the West Bengal Government because I have given it publicly. I would request that he should give the same advice confidentially to the West Bengal Government.

**Shri Bhupesh Gupta :** It is a provocation masquerading as friendly advice. Mr. Chairman : I would not like anyone to obstruct the Home Minister, kindly sit down. He is very courteously replying to the points you have raised.

**Shri Y. B. Chavan :** I would make my concluding observations. As I said, this gherao is something which is very unusual, unprecedented, and something which is neither in the interests of the nation nor in the interests of West Bengal. Mr. Bhupesh Gupta said that they represent West Bengal. On that, Sir, may I say that we all represent a great entity, a great country called India? Let us try to look at the interests of India. And we want to be helpful to the West Bengal Government in this matter. It is not a question of Centre - State relationship. In the very interest of Centre-State relationship I thought it was my duty to give them my frank and friendly assessment of the situation that took place. If I had carried something quietly and secretly in my mind, it would have been absolutely against the very basic interests of Centre-State relationship. Whether the constitution is federal or unitary, I do not want to go into those academic aspects of it. I leave it to the constitutional pandits; I will leave that matter to the constitutional pandits.

**Shri Bhupesh Gupta :** You are a pandit.

**Shri Y. B. Chavan :** But I know that State governments are given

certain functions and the Union Government is given certain function, and both of them have certain common responsibilities and obligations.

**Shri Bhupesh Gupta** : Within their respective jurisdictions.

**Shri Y. B. Chavan** : Let us all, therefore, discharge our responsibilities properly and - I would say - let us try to be helpful to West Bengal by giving them the correct advice, not mislead them as some of my friends have done.

SECTION 4

CHAPTER 24

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NAXALITES - WEST BENGAL

*Rajya Sabha on 20 March, 1967*

EDITORIAL NOTE

*On 14 June 1967, the Union Home Minister replied to the Calling Attention Notice in which Shri A. G. Kulkarni had drawn the attention to the "extremely disturbed conditions that prevail in the Naxalbari area in West Bengal and the repercussions thereof on the safety of the border areas and the reported functioning of a parallel Government in that area."*

**Shri Y. B. Chavan :** The reports on the developments in the Naxalbari area have been very disturbing specially because of its strategic geographical location. Even before I received any notice of discussion in this House on the subject, I had sent a telegram on the 12th to the Chief Minister, West Bengal, expressing our concern and had also emphasised the necessity for prompt restoration of peace and order in that area. I had requested for a reply. On receiving notices proposing to raise a discussion on this matter in the other House, we had requested for full facts from the State Government. Uptill now we have not received any reply to our communications. I am, therefore, somewhat handicapped in making a full statement on the subject. But according to the information available with us, and I fully realise that such information may not be accurate in its details, the situation in the area under the jurisdiction of Naxalbari, Kharibari and Phansidewa police stations of Siliguri sub-

division of Darjeeling district can be described as one of lawlessness.

We are aware that the population of this area is predominantly tribal and the tribes living in this area have some genuine grievances. There had been complaints about illegal evictions and there had, been disputes about sharecropping transactions. I also understand that tribal tenants do not have adequate security of tenure.

We have been aware that determined attempts were being made to mislead the tribals and incite them to take the law into their own hands. We were afraid that the situation was leading towards a crisis. Our fears were confirmed when on the 24th May a party of police officials was brutally assaulted, as a result of which one police official was killed. The incidents on 25th May, in which about ten people lost their lives by police firing, caused us profound unhappiness. I have received reports that from 8th to 12th June, there had been several cases of loot, assault and forcible taking away of firearms in that area. One jotedar had been murdered on the 10th or 11th June and I understand that there was another murder on the 12th. These reports further indicate that in some cases the members of the unlawful gangs were dressed in police uniforms. According to information available with us, there have been about 80 cases of lawlessness out of which there were 13 cases of dacoity, 2 cases of murder, 1 of abduction and 3 of that of arms and ammunition. We also learn that about 150 persons have been arrested in this area and 12 cases are in courts against about 173 persons. The district administration is also reported to have ordered the immediate deposit of all fire-arms by licencees at the local police stations.

The Hon'ble Members of the House would agree that these reports should cause serious concern to all of us. It is particularly a matter of anxiety because, according to information available with us, there were cases of impersonation of the police in uniform and theft of arms and ammunition. We have grounds to suspect that extremists who do not believe either in the Constitution or in orderly progress have been playing a very prominent role in causing these developments. Some of the reports would seem to suggest that some anti-national and disloyal elements have been active in this area. The State Government had informed us last month that the SSP, Bangla Congress and the Congress had taken out a joint procession on the 18th April, denouncing the alleged

highhandedness of the workers of the Communist Party (Marxist) and that a few representatives had submitted a resolution demanding that demonstrations by the workers of the Communist Party (Marxist) armed with deadly weapons should be banned and that the law breakers should be apprehended. Recent information would indicate that during the past few days the extremists have intensified their activities and have let loose a reign of terror forcing the local people to submit to them.

I am sure that the State government is fully aware of what is happening. It is learnt that six Ministers of the West Bengal government have proceeded to this area. I learn that representatives of Bangla congress, SSP, CPI, the FSM and CPM had met Ministers and criticised the activities of the extremists. It is understood that Bangla Congress and SSP representatives have urged the Ministers to take immediate action to curb lawlessness. A large number of local people are understood to have met the Ministers and made similar requests. I have seen newspapers reports that the West Bengal Government have sent two companies of police as reinforcement for that area. I sincerely hope that the State would do everything in their power to restore normal conditions in that area, to uphold the rule of law, to ensure that all sections of the community feel secure and that nothing is allowed to happen which would in anyway affect the security of our country.

SECTION 4

CHAPTER 25

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DEMONSTRATIONS AND VIOLENCE

*Rajya Sabha on 28 April, 1970*

*Reply by Shri Y. B. Chavan to debate in Rajya Sabha on the Promulgation of Order under section 144 of the Criminal Procedure Code to Prohibit demonstrations and assembly of more than five Persons in and around the Parliament Complex, while the Parliament is in session is of historical interest.*

Sir, I do not want to participate in this debate in a spirit of replying to each and every point that is raised. That is my attitude in this debate, and I do not want to take any particular position about the facts, about what happened during that particular period when there was a clash between the demonstrators and the police. I will give certain facts where I was personally concerned, because these are facts which I know and which, I think, I will have to stand by. But before that I would like to give certain background. The whole thing arose out of the promulgation of the order under Section 144. This one fact is there. And, Sir, there is a long history of this order under 144.

I may be taking a little time over this matter, but I think it is much better that one knows the whole background of the practice of promulgation of this order. The history goes back to 1960, when there

was a demonstration round about Parliament House. There were some six demonstrations near the gurudwara at Rakabganj, or some such thing. And there the police were required to use gas. It was so near Parliament House that the tear gas ultimately infiltrated into the House itself, and the Members of Parliament felt very angry about it. There was a Calling Attention notice about this matter, and the House wanted certain conditions created so that the house could work in a peaceful condition. At that time, Sir, this is what the Speaker observed which I am quoting. Of course, I am quoting from a note that I have got; I have not got the book self but these are the words. He says, "I am interested in seeing that the Parliament House is safeguarded. Therefore, what I may say is that, hereafter whatever may be the nature of the demonstrations, they ought not to be allowed to come within a furlong round about Parliament House." And this observation was communicated to the Home Ministry with the instruction that they should give further instructions to the Delhi authorities to implement this instruction of the Speaker. And, Sir, from thereon, from 1960 onwards, when the Session of the House is about to start, the Lok Sabha Secretariat - and I think the Rajya Sabha Secretariat also - communicate the date of commencement of their Parliamentary work to the local authorities so that they can promulgate this order under Section 144. And this whole thing continued up to 1965 or 1966. But at that time the practice was that the local authorities were permitted to use their discretion and they used to allow certain demonstrators to come up to a certain point. Though the order was there, they used to use their discretion to allow some processions to come up to a certain point. Then there was the infamous incident or notorious incident of 1966 on the 7th of November.

What happened on the 7th November is now history; I do not go into it. Later on, after 7th November it was my duty to take another view about this matter of 144 and the only thing that I added to the practice that was already going on was not to use discretion in allowing demonstrators to come near Parliament. The practice of section 144 was already there.

The practice was to promulgate 144 a couple of days before Parliament activity started. The only thing I modified or I added was the decision that under no circumstances any demonstration should be allowed to come near Parliament which normally was allowed in the discretion of

the local authorities.

... I am giving merely the facts. So my point is that the need and the practice of promulgating section 144 did not arise out of the sweet will of the Home Minister or out of the sweet will of the district authorities but it arose from the need to allow an efficient and peaceful functioning of the greatest forum of the country, namely Parliament. That is one thing.

Now upto 1966 there were occasions when demonstrations before the parliament House were organised by political parties but I must say that after the experience of 1966 many political parties gave me co-operation in adjusting in this matter. Whenever there were such occasions they came to me and I brought about some sort of talks between them and the district authorities. I personally used to take interest in this matter to see that the right of political parties to have peaceful demonstrations is allowed within reasonable limits and at the same time to see that this notification of section 144 was also enforced very carefully. This was going on.

Immediately after the Parliament session ends the order under section 144 is revoked. It is only meant for the session of Parliament. These are the facts and this is the practice all along. It is not only for this one session or that session. Now, Sir, I know at that time certain incidents took place in which one of my colleagues, an hon. Member of the other House, Mrs. Tarakeshwari Sinha, was involved in some unfortunate incident for which we all were very sorry. I immediately telephoned to her and expressed regrets because it happened...

Now whenever Parliament has been in session it has been my constant worry as to what happens to these demonstrations and I would like to tell hon. Members in this case it was not the first demonstration that took place. Only the day before a very big demonstration and a procession by one of the leading political parties whose members are sitting here took place and I do not think that party is very friendly to Government or the Government is friendly to any particular party. It went off peacefully. About this particular demonstration. I will tell the hon. House how my personal conduct came in this matter. Mr. Fernandes, a very leading member of the party and a member of the other House, is also a friend of mine. Though we do not belong to

the same party and we do not subscribe to the same ideologies now, we had participated in the struggle for many years and we are close friends. I respect him; I respect all the Members. Possibly they may not respect me but I do respect them. That is a different matter. He wrote to me. I do not remember exactly the date but I think maybe a week before the demonstration asking me to ask the authorities to give him permission to bring a demonstration to the Parliament House. He also said that people were coming from outside Delhi and so the authorities may be asked to give certain facilities for them. I wrote back to him saying that I understood his point but this permission could not be given. But about facilities for people who are coming from outside Delhi I said I will ask the authorities to get in touch with him, and I did talk to the Delhi authorities. Beyond that what could you do about it? And I thought that things must be going on quite all right. Then a night before the demonstration - I do not remember the exact time of the night, but it must be between 9 to 10p.m., Mr. Fernandes telephoned to me. I was at my residence. And he said : Look here, we met this afternoon and we have decided to hold a peaceful demonstration. That was also what he had originally said. He said, "We have decided not to break 144 and we would like to hold a peaceful demonstration but I have got one request to make. We want to cross that road which is under 144." You see, this Patel Chowk is in that part which is under 144 notification. He said they wanted to cross it. I had told the authorities that if they were peaceful we need not take technical view. He told me that night "We have decided not to break 144 but it is our intention not merely to cross that road but to have a meeting there in the Patel Chowk." I argued with him in a friendly manner and I told him, "For God's sake do not insist on holding this meeting because even though your intentions are good, these are matters which ultimately move from one thing to another and create complications. So please don't do it' I would not like you to have a meeting there because something unprecedented or unwanted might start happening" and unfortunately that seems to have happened. I said, "I cannot agree to this but if there is anything else which is to be done you get in touch with the Deputy Commissioner because he is the person who is dealing with the local situation. I also told Mr. Fernandes that I will ask the Deputy Commissioner to get in touch with him if there are any other points. I did telephone the Deputy Commissioner, "This

is what Mr. Fernandes is saying that he wants to have a meeting there. Better meet and persuade him not to have it." This is what I had told him and that is all. That night I could not do anything more. The next morning I was very worried. I do not know why. I was really worried. I wanted to know what was the next development but I had some other seminar to attend in the morning. I wanted to know what transpired between Mr. Fernandes and the Deputy Commissioner that night. So, I wanted to meet him immediately. I got back from the seminar, which was starting at some time about ten o'clock. I remember I came back at 11.30 or so to my Parliament office and there the Deputy Commissioner had come to tell me what was happening and what was arranged. He told me that he went that night to Mr. Fernandes after I telephoned him, he had discussed with him and he had tried to convince him that it was not right to have meeting there. He said "I cannot permit you to have a meeting." Then again, the next morning when he met me at about 11.30 hours, he told me that he had telephoned Mr. Fernandes again not to have any meeting. The Deputy Commissioner told him : "I cannot give permission for the public meeting." Then I asked him : "Your have told them that, but suppose they hold the meeting what are you going to do?" He said : "As long as they are holding their meeting peacefully we will not disturb it. We do not want to create condition, where-by things might be provoked into something undesirable, unprecedented." I said, it is all right. At the same time, his main intention was not to allow this procession to come through Parliament Street and to Parliament House. This was the one thing that he had to do under any circumstances, because that was the intention of section 144. Even though his permission was not there for holding a meeting in Patel Chowk., he had decided not to disturb that meeting but his main intention was to see that the procession and the participants in the demonstration did not follow parliament Street and ultimately come to Parliament House. Sir, this is what had happened. I do not want to go into details as to what happened next, what went wrong where one went wrong, which officer did what.

There was no question of giving any instruction. I wanted to keep touch with what was happening. Ultimately how was the person to decide the matter, but as it was a political matter, I was trying to keep myself informed about it.

Sir, unfortunately I had some work in Parliament. From twelve onwards I was in the House. At lunch hour I went home for lunch. There I heard that something had gone completely wrong and lathi-charge or cane-charge, whatever it was, had taken place and the use of tear gas had been made. Some people had been injured. Sir, I left my home immediately and rushed to Parliament House.

..... I do not remember exactly who telephoned me, but my office here must have informed me, because I have my people sitting here in Parliament house. They informed me about what had happened. So, I came back straightway. When I came here, I was told that some Members of Parliament were very badly injured and they have been brought to Parliament house. I rushed there. I must say I was very sad. I did not know what to do or what to say and that occasion was described by Mr. Rajnarain. I came and I saw him. I went and saw my friend, Mr. Madhu Limaye. I must say I felt very ashamed. I do not want to hide anything. I have nothing to say in justification of what happened. Well, Sir, this is all that I have to say about this particular matter.

There is no question of contacting because they contacted me through my office. My point is when actually they are on the scene, they are not supposed to contact me and take instructions from me. I am not supposed to give instructions to him.

In these matters it is the officer concerned who is mainly responsible, that is, the Deputy commissioner of Delhi. He is not supposed to take instructions from the Home Minister or from the Home Secretary. This is the way the Home Minister functions in a parliamentary democracy.

This is about as far as the facts are concerned. Naturally I also consider this matter to be of grave concern because whatever be the reason, members of Parliament were injured and there is nothing that I can justify. I personally consider it a matter of grave concern and this must be objectively mercilessly examined. I do not want any other consideration to be taken into account. When I returned after seeing the members, the House was sitting. Naturally there was excitement. Naturally the House was very angry and there was nothing wrong about the House getting angry. On our way Prime Minister mentioned that we would have to hold a judicial enquiry. I said certainly we must have a judicial enquiry. Some Members asked why did not the Home Minister

announce it and why did the Prime Minister announce it.

I was consulted, and I would like to say at my cost, when I found that the house was very angry I wanted to get up and say something about, but the house was so angry and justifiably angry that they did not want me to speak and when the House did not want me to speak, I thought it wise for me not to speak. So, there is no question of the Prime Minister ignoring me. It was a time when the House was angry and it was my duty to respect the wishes of Parliament. I did not intervene then, but I intervened later on when the House was a little calm, because like any person, the House has also certain moods of anger and affection, Both are there. So, naturally as a child of the House I respect the moods of the House. I said, this is not the time for me to intervene. I sat down, but the Prime Minister got an opportunity and she announced the enquiry. Now, let us all wait for the enquiry. I am very sad that one worker of the SSP, Shri Beharilal, died in this whole thing. I share the feelings of Shri Rajnarian, I share the feelings of the hon. House. It is much better that ...

About the terms of reference, the hon. Members has said why the word "alleged" is mentioned. The point is fortunately or unfortunately the man was not found on the spot. He was admitted in hospital at 11 O'clock at night. It is true that the Members have said that he was participant in the demonstration. When it has to be said "alleged", whether it is alleged or true or not, the commission can see. The hon. Member has raised other points. I would like to tell him if he reads it from the point of view from which I am reading it - I know he must have read it carefully - but if I request him to see the whole terms of reference, they are much more comprehensive. He said why is it that the meeting was not mentioned in the terms of reference or incidents that ultimately led to this procession and other things. The meeting is a part of the procession. So it is included therein. If we merely mention the meeting other facts could not be included. He said, why did you merely say "justification" and not "or otherwise". When a matter of "justification" is before the court, "or otherwise" is included in it.- It is a matter of understanding. It is included. A certain thing is justified or is not justified. Then again, if you see part (c) of the terms of reference, it says "any other matter having relevance to the above". If anything is left out of this it is a very comprehensive term "any other matter

having relevance to the above". If anything is left out of this it is a very comprehensive term "any other matter having relevance to the above". So, I do not think there can be more comprehensive terms of reference than these.

**Shri Bhupesh Gupta** : I hope you will appear before the Commission.

**Shri Y. B. Chavan** : If the Commissioner wants me, yes, certainly. Do you think I will shirk appearing before the Commission? I can tell Mr. Bhupesh Gupta that I believe in the rights of the opposition, I believe in democratic functioning. Even before I came here, as Chief Minister it was my misfortune to resort to firing in a certain place in Ahmedabad, and I offered to go before tile enquiry Commission. I took the responsibility. Unfortunately for Shri Bhupesh Gupta, the Judicial will not shirk. If the Commission wants me to go , I will go, whatever the part that I have played in this matter, and face the consequences. Somebody wanted my head. If at all I have to offer my head, at that time you will see a smile on my face.

I am a born democrat. Whether I remain here or whether I do not remain here, I will continue to be a democrat in practice. This is what I wanted to say. I share the feelings of this hon. House. I share the anger of this hon. House. Now, Sir, with all the objectivity, with all the impartiality, with all the sense of democracy, await the verdict of the judicial enquiry.

## SECTION - 5

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### SHIV SENA IN MAHARASHTRA

#### **EDITORIAL NOTE**

Early 1967, activities of Shiv Sena in Bombay city had received national attention. Apart from serious riots which took place, Shri Y. B. Chavan was greatly concerned on the emergence of chauvinist regionalism in Maharashtra. Three speeches included in this Section bring out Shri Chavan's clear and bold condemnation of Shiv Sena and his own perception. He described Shiv Sena as a 'a peculiarly Indian fascist movement' and added "I am ashamed of it."

This Section included speeches delivered in the Lok Sabha on 12. 6. 1967 on 27. 11. 1967, and Shri Chavan's intervention in the Lok Sabha on a debate on 'No Confidence motion' on 9. 2. 1969

SECTION 5

CHAPTER 26

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SHIV SENA

*Lok Sabha on 12 June, 1967*

I am indeed grateful to Shrimati Susheela Gopalan and others who have given me this opportunity to explain the Government's point of view in this matter. Just as everyone of us in the present conditions of India has to be born in some linguistic group or in some region or the other, I have had the privilege to have been born in Maharashtra and of belonging to the Marathi language group. But I do not think that anybody should frown on this particular fact...

**Shri Manoharan (Madras North) :** We are proud of that.

**Shri Y. B. Chavan :** I am glad to hear it. We are all born in certain linguistic groups. As somebody is born in the Tamil group, or Telugu group, I have been born in the Marathi group, and I am trying to serve my country in my humble way.

Unfortunately, the conditions in the country today are full of regionalism and linguism and some poison is coming out of it. Shiv Sena is the result of it. I quite concede that thing especially. But I must say

one thing before I make a statement, I have brought something written and I would like to read it out. But before doing that, I would like to say that the allegations made against me or the Government of Maharashtra are very unfair. Again, I must say that to say that Shiv Sena represents the entire people of Maharashtra is very unfair .....

... Maharashtra has a tradition of nationalism, and Maharashtra has produced leaders as humble servants of the nation. The poison of regionalism or linguism, just as it is making its appearance and is raising its ugly head elsewhere made it somewhat ugly appearance in Maharashtra also. Certainly, we shall have to condemn it and make every effort to remove that poison.

I would like to assure this House that the Maharashtra Government are quite aware of this thing. The Chief Minister and the Revenue Minister themselves have made statements about it and they have assured me that they will take all the necessary action against all manifestations of it, whatever they are.

**Shri Surendranath Dwivedy (Kendrapara) :** Did the Home Minister ever attend a meeting held by the Shiv Sena and address it?

**Shri Y. B. Chavan :** I shall give the details of its presently. I told them that the Shiv Sena people should be ashamed of it. Even before all this, I had condemned it. But unfortunately what I say in Maharashtra about these matters does not make national news. What is said against me in Parliament becomes national news. That is my misfortune about it.

**Mr. Speaker :** I do not think so. I do not think that there is that misunderstanding.

**Shri Y. B. Chavan :** I wish that there had been no misunderstanding but I must confess that my heart is paining, and I must say that I cannot express the pangs of agony in my heart today adequately. But even before I became the Home Minister, in October or November last, months before that, the Shiv Sena had organised a meeting at Bombay, I had just been out of the hospital and I was not yet keeping well; I was asked to unveil a statute of Shivaji at Shivaji Park at Bombay. It was a huge gathering of 3-4 lakh people. I made my first statement there condemning these activities and appealing to the people of Maharashtra

not to take up this linguistic attitude in this particular matter. I am on record about it.

Even recently when I was in Bombay, I held a press conference and about what I said there I was misrepresented in some papers in the south.

There are certainly some problems for Maharashtrians in Bombay - of poor people. I am one of those who believe that whether it is a poor Tamil or a poor Telugu or a poor Kannadiga or a poor Maratha, their problems are the same. The agony and the pangs of unemployment are the same. There are certainly some economic grievances. At the same time, I would say that however justified the economic grievances may be, nobody has a right to take unlawful means in his hands to solve even those economic grievances. This is my approach to this matter.

I would like to put on record a certain statement on this matter.

Our Constitution accepts only one citizenship and all citizens have the fundamental right to reside and settle in any part of India. ... to acquire hold and dispose of property anywhere and to practice any profession, or to carry on any occupation, trade or business. This fundamental right must be unreservedly respected both by the governments in the country and by the people. It is in the interest of the economic development of the country and of national integration that any citizen of India should feel free to go to any part of the country, seek employment or pursue any business or occupation of his choice. He should have the confidence that while doing so, there will be no discrimination of any kind against him and that in a very real sense the principle of equality of opportunity would be respected.

In the matter of public employment, equality of opportunity has been guaranteed by the Constitution itself and this is a guarantee which we have been endeavouring, and will continue to endeavour, to have fully respected by all the public authorities in the country. In respect of the Central Governments' corporate public enterprises, we have been issuing instructions that there should be no discrimination against people who come to seek employment from other parts of the country or against the local people. The only preference which our instructions provide is that at the lower levels of employment special consideration should be

shown to people who had been displaced by a project.

I am sure the House will agree this is a sound and humane policy. Complaints are sometimes made of discrimination in the organised sectors of private employment. This is not a matter in which anything can or should be done through legal regulation, but the wider interests of the country require, as indeed does the enlightened self-interest of the employers themselves that here too the principle of equality of opportunity should be observed.

People will have grievances. Sometimes they are justified and sometimes they are not. Obviously, where there are any legitimate grievances, they should be redressed to the extent possible. But one thing is certain. Nobody has any right to seek redress of his grievances, genuine or otherwise by unlawful means. There can be no justification whatever for creating hatred or illwill, for one section of the community to show any kind of antagonism to another. If there is anything of this kind, it should be strongly condemned and where legal action is possible, such, action should be taken.

Some weeks ago, I said categorically at a press conference in Bombay that any agitation directed against any particular linguistic group deserved to be condemned. I also described the attitude of the Shiv Sena as reactionary and harmful and against the unity of the country. I take this opportunity to reaffirm those observations. In answering a question on 24th May last, I mentioned the report I had received from the Maharashtra Government and the assurance which they had given to the people and to us. Shri Naik, the Chief Minister of Maharashtra, and Shri Desai, the Revenue Minister have also openly condemned the Shiv Sena movement. I have heard from the Maharashtra Government again recently in which the assurances and the determination to take necessary action have been reaffirmed. I am confident that the Maharashtra Government will stand by their assurances and take whatever action is necessary to prevent any manifestation of parochialism.

Certain arson cases were mentioned. In one of my visits, I myself discussed with the Commissioner of Police. He assured me that all the legal action that was necessary had been taken in this particular matter. Certainly people have been put under arrest. So, action has to be related to certain incidents.

**Shri Vasudevan Nair :** There was a murder case in a by-election, and nobody was apprehended.

**Shri Y. B. Chavan :** I have made enquiries about that, and I am also expecting certain information about that, but it cannot be said that investigations were not undertaken.

**Shri P. Ramamurthi :** When actually houses were being burnt, what did the Maharashtra Government do? Did it send the police, or the police just stood there? That is the important thing. The police never interfered with that, things were going on for days together.

**Shri Y. B. Chavan :** I do not think it is true.

**Shri P. Ramamurthi :** Are you prepared to have an investigation?

**Shri Y. B. Chavan :** I am saying so because I personally discussed this matter with the Police Commissioner. I am only suggesting that in a city like Bombay arson cases and murders do take place. (Interruptions)

SECTION 5

CHAPTER 27

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SHIV SENA

*Lok Sabha on 27 November, 1967*

Mr. Speaker, Sir, last time also, we discussed the question and I had the occasion to express my views on this problem. But the hon. members have chosen to raise this question again. I repeat what I said before.

**An Hon. Member :** Something has happened after that.

**Shri Y. B. Chavan :** It is not a question of something happening after this or that. It is a question of properly assessing the problem as such.

Personally, I am convinced that this question is, basically, connected with the socio-economic conditions. This type of problem is not a monopoly of Maharashtra. I find this sort of tendency coming up in practically every part of the country. That seems to be the general pattern of things. Naturally, even though the origin is in socio-economic conditions, these expressing sometimes have some sort of an element of aberrations in it. Shiv Sena is that sort of an aberration in Maharashtra. Therefore, it is reactionary. I have said that the way they propagate against non-

Maharashtrians is harmful and that needs to be condemned. But the condemnation also must not be over\_ done because by overdoing this instead of eradicating such a tendency, sometimes you give power and strength to this thing. I quite agree that there will have to be some sort of a socio-economic solution. I know it is not a simple and easy thing. Naturally, I cannot agree with the solution that is offered by Shri Fernandes.

I must say, at the same time, that the allegations made against the Maharashtra Government are completely unfounded. I know, personally, the Chief Minister's approach to the problem and his handling of the problem. If we are going to deal with people of that high office in a rather casual manner....

**Shri Umanath :** I have quoted him.

**Shri Y. B. Chavan :** You have quoted him completely out of context. You mentioned the speech of the President of the Maharashtra Pradesh Congress Committee. I have read the whole speech. It is, really speaking, worth reading the whole speech. He took the challenge, went to their function and told them that they were wrong and what constructive approach they should have. Unfortunately, somebody has given you the translation out of context.

**Shri Umanath :** You can give the correct translation of both Mr. Naik's speech and of the President of the Maharashtra Pradesh Congress Committee.

**Shri Y. B. Chavan :** I will give you personally. That will help you to assess the problem. It is no use exaggerating the problem. I am very glad you distinguished between the aberration of Shiv Sena and the Maharashtra people. This time, you have taken a very correct assessment.

... This is an improvement today. I welcome that improvement. You are also a member of a national political party, you are expected to look at it from the national point of view. If you say something is wrong in this particular city and, therefore, we should have a judicial inquiry, that itself will be a sort of a wrong thing to do. I cannot assure any inquiry of a particular thing. We are thinking of having a national integration council which will deal with this problem as a national problem and think

out what steps would be necessary in this matter.

About the report that you have sent, I have sent the report to the Maharashtra Government and I have asked them to examine that thing. I am convinced, as far as violent activities are concerned, they are investigating -the causes and taking action against them. What I am doing is the only right thing that is to create a public opinion about this unhealthy expression of this movement and, at the same time, trying to be constructive about the socio-economic aspect of it.

SECTION 5

CHAPTER 28

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NO - CONFIDENCE MOTION  
INTERVENTION BY THE HOME MINISTER

*Lok Sabha on 19 February, 1969*

Mr. Deputy Speaker, Sir, this No - confidence motion is being discussed here for the last two days. I am intervening in this to put certain facts before the House. They do not like it to be called a routine motion. Maybe an accepted routine, but it has certainly become routine, because practically in every session we are discussing this. Of course, it is a legitimate routine. I do not deny that.

After having heard the speeches for the last six or eight hours, I find that two or three things were emphasised. The first was that what happened in Bombay was the result of the movement or disturbances started by the Shiv Sena.

I must say, at the outset, that I am ashamed of what happened in Bombay. But I am sorry that the analysis that some Members made about it - if it were true, certainly I won't mind and if some people are really responsible they should face the consequences - takes us astray from the real problem. I find that Shiv Sena is by its very character, by its

very character, by its very nature and ideology, a peculiarly Indian fascist movement. It is a fact. And, as every fascist movement takes advantage of gullibilities of other political parties - I hope I will be excused for using this term - they have very characteristically exploited those gullibilities of all political parties in Bombay including the Congress. I find that at the time of some by - election and during general elections the Shiv Sena people did push themselves in the Congress ranks and, propagated for the Congress candidate. But that does not mean that they have anything to do with the Congress as such. They tried to win the sympathy of the Swatantra workers. It is a known fact and I do not think anybody can deny it. I can say that this had nothing to do with national leadership the Swatantra Party.

**Shri Ranga :** It had nothing to do with them.

**Shri Y. B. Chavan :** I 'concede that position. But it is a known fact \_that some known Swatantra workers in Bombay are openly associating themselves with Shiv Sena.

**Shri Ranga :** All on their own.

**Shri Y. B. Chavan :** I can see that. I know also that some of the leading businessmen of Bombay are openly holding brief for Shiv Sena because they have somehow convinced themselves that Shiv Sena is an instrument to fight communism. Some Hon. Members may not agree with it, but I have always found that they (the Shiv Sena) have a very clever understanding of the problems, which problems to push and when.

Now they have taken the problem of the regional trouble between two States on the border issue. As is known, this is a sensitive issue both in Karnataka and Maharashtra. It is a very sensitive issue and now they have started taking advantage of this trouble. I may even go further and say that some of the political parties who are now complaining and protesting against Shiv Sena - I wish my prophesy comes untrue and I am wrong - if they think that this issue is something like a stick to use against the Congress and Government and they may possibly have a common front, a united front, against Congress on the issue, with Bal Thackeray as their leader.

It is no use blaming this party or that party because they have

taken advantage of certain basic problems. There is the problem of unemployment. There is a basic issue today. Therefore, naturally the birth of the Shiv Sena was to exploit the regional feeling, and regional feeling is a reality practical, all over the country. We saw what happened in Assam and Telangana. We are unfortunately witnessing what is happening in Maharashtra. So, really speaking, we will have to go rather deeper into this problem. One thing I will have to say here. Unless all political parties, all democratic political parties accept that these issues which are the inherent defects of Indian society historically, namely, the language problem, the communal, problem the regional problem, are not to be taken to the streets under any circumstances, there is no hope for us.

**Shri S. M. Joshi :** It should not be decided unilaterally by the government.

**Shri Y. B. Chavan :** I do not want any problem to be taken to the roads or streets. If we all agree on other problems also, well and good. But, for God's sake, at least these three problems let us not take to the streets.

So, my main point is that regional problems are very difficult problems. These are not problems of any particular party or particular regions. This is a problem on which the nation will have to sit up very quietly, have a little introspection, some self - criticism and try to find out a solution. It is no use somebody from that side getting up and saying "you are responsible" and I myself getting up and saying that it is the other side that is responsible.

Let me come back to the facts about the Shiv Sena. I have something to do with the Maharashtra Pradesh Congress Committee. I think, I should own up any mistakes that the Maharashtra Pradesh Congress Committee has done because I have some share in the work of the Maharashtra Pradesh Congress Committee.

As far as the character of the Shiv Sena is concerned, I would like to say that the Maharashtra Pradesh Congress Committee published its assessment of the Shiv Sena a long time back, in 1967. We are on record. We have published a resolution. I would like to read the resolution for the information of the Members of this House. The meeting of the MPCC, which was held in Poona, had passed a resolution on 23rd August, 1967

which said,

The Executive Committee of the MPCC deploras the activities of Shiv Sena which has created a feeling of uneasiness among certain sections of the population in Greater Bombay specially those belonging to some of the southern States. It declares unequivocally that it believes in the right of every Indian irrespective of any caste or creed to reside in any part of the Republic of India and carry on the vocation he likes. It reaffirms its faith in the multi - cultural character of our people and pledges to do all it can to give the fullest opportunity of growth and development of all the linguistic groups which have settled in any part of Maharashtra and made it their home. It assures them that they are as much part of Maharashtra as Marathi speaking people and are entitled to the fullest protection of the State."

This is not something that is said now. They had incurred the wrath of Shiv Sena even then.

**Shri S. M. Banerjee :** There is no operative part in that.

**Shri Y. B. Chavan :** It was an assessment of the Shiv Sena and it was the on of the faith of the MPCC in this matter. As a matter of fact, there cannot be any operative or inoperative part; the whole resolution is an operative one.

**Shri S. Kandappan (Methur) :** The operative part is to attend their anniversary.

**Shri Y. B. Chavan :** Please do not take it lightly. I would try to explain some of the things.

Yesterday, Shri Ramamurti read some part of the speech that Shri Vasantrao Naik made. I had a talk with him yesterday and tried to find out what exactly the whole thing was. Possibly some of the extracts that have been quoted are taken a little out of context. As Chief Minister - he was also the information Minister of the State - he attended some celebration about the folklore Sammelan or some such thing. In that this Marmik ceremony was there. It was some time in 1966. Shiv Sena had not yet taken its new form. I may tell hon. Members that Marmik was a very popular cartoon paper, the only cartoon paper in Marathi. The editor, Bal Thackeray, was a likable young man. Even in the days of the Samyukta Maharashtra movement of 1955 - 56 he was one of the

popular cartoonists and possible had association with that movement. He happens to be the son of a very old respectable journalist of Maharashtra. His father is known as Prabodhankar Thackeray. There is some respectability about the man's family. Nobody thought at that time that this was going to take the ugly form of Shiv Sena and so on. On that occasion Shri Naik went and addressed the meeting. What he said at that time - what Shri Ramamurti has explained - was not a special thing. What he said was, "Blind men grind, dogs eat away." It is a very popular Marathi saying; it is not something which is special. It is a very popular folklore.

He attended that meeting. I have got a message from him. I have got some statement also from him.

I am, of course, reading the portion that is relevant. In that meeting, he said :

"Poor south Indians, after all, are they not our own people ? They have every right to live with us. Have they not contributed like others to the building of Bombay and building of this nation? They have every right to remain here."

This is what the Chief Minister has said. Mr. Ramamurti quoted him in his speech. At the same time, he also said these things. If you take a little, something out context, that is not fair. As the Chief Minister, he has naturally to go and deal with every section of the people. Even if they are misled people, he cannot say, "You are misled people, I do not want to come and meet you and talk to you." It is his duty to go and find out what their problems are, to go and understand their feelings and try to take them on the right path.

I had called a meeting of the Chief Ministers about the matter of Sena problem. We were discussing this problem. Our revered leader of TamilNadu, late Mr. Annadurai was there - he is on record and he said :

"Don't merely go and blame these people. Like all wise men, call them, find their problems and try to remove their problems. I know they are misled people."

The Chief Minister is like a head of the family in a State. He has to go and try to understand the people. Only because he attended one

function, if you are going to say he is responsible for the movement of Shiv Sena. I am afraid, you are trying to be unreasonable and unfair to him. It was also said that the President of the MPCC went to the function. I had the occasion to explain the position in the other House. He did accept the challenge. He said, "I will love to go and meet them." He went to the meeting and told them : "Your problems may be true. But the methods that you are employing are wrong." He had the courage, the guts, to go and tell them in their own meeting about it. If you merely say that this type of association is meant to be supporting Shiv Sena, that is not fair.

Now, coming to what happened this month, I must say one thing that, whether right or wrong the Maharashtra Government could not anticipate what was likely to happen. May be, there are two reasons for it or atleast one reason for it.

They might have felt that over - reacting at a wrong stage possibly might get things out of hand because it was not Shiv Sena they were trying to treat but it was the sensitive issue of the border dispute that they were trying to treat. That possibly may be the reason why they failed in the assessment of what would happen. That seems to be the fact. At least, this is what I felt. But the moment they saw that the things were taken an ugly turn and trying to be violent, I must say, they acted firmly. Naturally, when things spread in a city like Bombay, it becomes some what difficult to control immediately. So, this is about Shiv Sena. I would like hon. Members to understand the whole problem in its proper perspective and then come to any conclusion they like. But I would, certainly, say that those who are handling the situation would need some sympathetic understanding of their difficulties.

**Shri S. M. Krishna** : What is your assessment of Shiv Sena ?

**Shri Y. B. Chavan** : As far as Shiv Sena problem is concerned, I think, everybody has learnt his lesson about this matter and, I do not think Maharashtra Government also can afford to take a risk of making any mistake in the assesment of Shiv Sena.

I have no doubt and, personally, I had never any doubt about the Shiv Sena. I am the only unfortunate person who gets kicks from Shiv Sena in Bombay and gets kicks in Parliament because of Shiv Sena. I do

not mind it. Possibly I am trying to take a balanced view in this matter.

...

**Shri Hem Barua (Mangalddai) :** You have not condemned the violent activities of Shiv Sena.

**Shri Y. B. Chavan :** I have. I began by saying that I was ashamed of it. I said, it is a fascist organisation and I am ashamed of it.

About Telangana, these are some of the problems which are arising out of the reorganisation of States in 1956. I think, it is every State has its own regional problems. I think, it is very necessary in India. Andhra and practically in all the States, that those who are responsible for the political affairs of the State should not only be responsible for the administration of political affairs but they should always bear in mind the regional balances and imbalances.

Some misunderstanding arose between Telangana and the Andhra part; may be, there was some justification or there was no justification. But unfortunately, whenever such problems arise, the wrong people take hold of it. Sometimes rumours spread and it is the rumour part of it which did the damage to Andhra. The Chief Minister, when he saw that things were going bad, understood the implications of it and passed certain orders and at the same time called the leaders of all political parties and arrived at certain agreements. I am sure that those agreements will be implemented in the proper way.

As far as the employment problem is concerned, we have, in the other House, moved a Bill to extend the continuation of the relevant section in the Parent Act by a further period of five years. If the other House and this House would agree, we would be adding certain more amendments to it, so that the employment conditions may be made applicable to other corporations, etc. We can discuss this when it comes before the House. There also, unfortunately, there was some misunderstanding about it. Every one of us should wish well the Andhra people and the Andhra State and say things, utter things, in such a way that the people of Telangana and the people of Andhra remain in one State and keep their friendly relations.

I think, the two major problems which were mentioned in the speeches.... Shri S. M. Banerjee : What about Central Government

employees?...

About Central Government employees, we have said that we have taken certain positions in this matter. We have not taken any vindictive attitude in this matter. Wherever understanding was necessary, wherever sympathy was necessary, it has been shown. That is all that I can say about it.

About the other issues, I do not think that I should mention them, but I was very intrigued to listen about the analysis of the elections, particularly. This is the main point on which this no - confidence motion has been raised. First of all, let me congratulate the United Front on their very good success in Bengal. We do not mind it; you have won it. But take it with a little courtesy. At least one can understand people who win should not lose their balance. I am glad that they have won. We wish them all well. We wish that they remain together united. ...

As a matter of fact, it is rather too early to make an analysis of the 1967 elections and the midterm, elections. In the very larger canvas of Indian political life, it is rather to premature to come to any conclusion as yet in that respect.

I know the Congress Party is not what it was before ...

**An hon. Member :** Declined. Admit it.

**Shri Y. B. Chavan :** Sometimes it will decline; sometimes it will come up again. It has now become the fashion for everybody to get up and ask 'what have you done for 22 years?' At least, we remained in power for 22 years (Interruption)

Speaking about other political parties, I do not know why Atal Bihari Vajpayeeji is so happy about the result.

I remember at that time in 1967, one of the leaders of the Jana Sangh took pride that they took away one of our important persons from the Congress Party. But after two years that same important person has whipped them out of their position.

Sometimes our friends take statistical consolation in proving that we have got the same percentage of votes. At least, we have some statistical satisfaction. But what about statistical for them?

I do not understand the jubilation of the Right Communists. My Hon. friend, Shri H. N. Mukerjee, was very eloquent about it. Whenever he speaks, we always listen to him with great respect. May I ask him what is the performance of his party in other States? May I warn his party and other political parties in Bengal that after a couple of years possibly they will come to this hon. House and say, 'We are sorry we joined with the other political party.'

I never like to make political prophecies, but I would certainly like to make this political prophecy, that all those political parties who are today very joyful for having united with the Communists (Marxist) will after a couple of years find that they are prisoners of that 'United Front'. If this prophecy proves wrong, I will be happy, but my fear is that I am not going to be wrong in this matter.

My main point is this. They have won the elections there, but why no-confidence in this Government? If you have won the elections, please run that government. I do not see any relation between their victory in Bengal and no confidence in this Government.

Certainly the political background of India is in the process of change. It is some sort of a transitional period. Every political party is trying to put its point of view before the people.

In this matter, whether political parties are wise or not, I am glad that the people of India are very wise. I have got great faith in the wisdom of the people of India. Parties may come and go; parties may prove wrong or right; ultimately it is the will of the people that is going to triumph in this country. We are very glad about it. We are a Government here because people are with us and as long as people are with us, we shall remain here. They may move any number of no - confidence- motions, but that is not going to change the people.

## SECTION - 6

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### COMMUNAL SITUATION

#### **EDITORIAL NOTE**

Two speeches in this Section bring out Shri Y. B. Chavan's perception of the communal situation and his clarity of thinking on measures to deal with the problem.

The first speech delivered in the Lok Sabha on 8. 12. 1969 was in the background of communal trouble in Ahmedabad and the second in Lok Sabha on 20. 5. 1970 after serious communal rights at Bhivandi and Jalgaon in Maharashtra.

SECTION 6

CHAPTER 29

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COMMUNAL SITUATION - RIOTS

*Lok Sabha on 8 December, 1969*

Shri Y. B . Chavan : Mr. Chairman Sir, we are discussing this problem of comunalism for the last two days. We had occasion to discuss the problem of Ahmedabad on a different occasion and I am very glad indeed that the House took the opportunity not merely to discuss the Ahmedabad problem but the entire problem of communalism as it persists in India today.

Many Members made references to the problems of Ahmedabad. I do I'M think there can be two opinions about one thing that what happened in Ahmedabad was a matter of concern to everyone of us. Even those who wanted to give defence of the Government of Gujarat also did not say that what happened there was something which was good or which was justifiable. But I do not want to dwell at length on the problem of Ahmedabad because, as I stated earlier, in another debate, this matter is under the examination of the enquiry commission and it will be wrong for me if I pass any judgement based on certain appreciation of the facts. One thing is certain that Ahmedabad has raised the attention of the country to the problems and dangers of communalism as it has never done before in the last few years.

... The point is, whether this question of communalism can be

isolation or whether it has to be considered as a national problem. Most of the Members who spoke, I think, spoke from this point of view that - naturally, we are concerned and sorry about what happened in a particular case - but, I think, most of the Members who spoke showed a concern about the persistent national malady. Everyone tried to analyse the problem. Everybody tried to find out the causes according to his own point of view and also tried to indicate the solutions in his own way. Some of them tried to put the blame on the respective State Government; some of them tried to put the blame on the Central Government and its policies and some of them tried to put the blame on certain theories of nationalism. If you ask me what exactly is the cause for it, I would say, there cannot be any one cause for it. It is a very complex and an old malady of this country. You cannot merely by over simplification explain away things by giving one single reason. This is, really speaking the reality of the situation. Therefore, the nature of the debate was sort of a search for finding the causes, identifying the causes, and trying to find out the solutions for them. So, I will mainly deal with this aspect of the problem in my reply because I do not propose to reply to every point that was raised here.

As I stated earlier, Ahmedabad is not a case in isolation. If you take the entire problem of communal riots during the last three or four years, it is showing a rising graph. From Ranchi onwards, it has certainly, gone up and up and up the climax has happened in Ahmedabad. I have just tried to take the review of what happened since 1951-52 onwards. There is one very peculiar thing that strikes me, at least from the study of statistics that one can look at, that in the decade of 1950s there was a graph which showed a downward trend of communal incidents in the country. I find the lowest number of incidents that took place was in the year 1960. There were only 26 incidents in the whole of the country. But after 1961 onwards I think, it started with possibly the big riot in Jabalpur in the decade of 1960s, the graph started going up. We will have to find out what exactly happened since 1961 onwards when earlier trend reversed. I will try to give my own impression. I won't say that this is the only explanation of what has happened. We have to sit back and think seriously about this problem.

There was a generally accepted theory that the Hindu - Muslim riots

took place because there was a third party which played Hindus against the Muslims and the Muslims against the Hindus. It was partly true, but only partly because I will explain it if it were completely true then, with the disappearance of the British imperialism, the communal problem ought to have disappeared. But it has not. (Interruptions) Therefore, we have to find out what exactly is the basic cause for this communal problem. My own interpretation - I don't say all of you would accept it straightway - is that even when the Britishers were trying to lay one against the other, it was not only the British imperialism, but it was the political interests and it was the politics that created the problem. It is not the attitude of the government, but it is the politics which is responsible for this problem. It is the political attitude of using one community against the other for political purposes. (Interruptions) What were the Britishers doing? Our charge is that they were trying to use one religious group against the other. The tendency is that when ever one community is fought to be organised and used for political purposes, then the communal tension builds up. This seems to be the general trend of communal politics in the country. That is what I personally feel.

Upto 1960 there was a tendency to democratise the politics of different communities. All communities were trying to go to 'A' Party, 'B' Party and 'C' Party. Really speaking, there was a sort of rationalisation of politics. Something happened after 1960, I think, when people started again making use of religious groups for their political purposes. I think that also is the reason for the growth of communal political parties. I do not want to name them.

... This is one way of looking at it. I do not expect that you will accept the whole thing. But looking at this problem, I personally have come to feel that certainly there are other reason. I won't say this the only explanation of communal problem. But this seems to be one of the explanations for it. We have to find many causes. We have to find many things to explain this. This is the one thing which we have to take note of and I am particularly mentioning this fact in this House because all the political parties working in the country today are represented here. It is a political cause. Therefore, I thought I should try emphasise this aspect here.

The other question which I had posed was : what should be done about it and how to deal with this problem because we know communal incidents and riots take place for many reasons. Some people have tried to explain that because one community starts some trouble, so that community is supposed to be responsible for the communal tensions. We tried to make an analysis of this particular problem as well and, as Mr. Nahata explained, there are some peculiar causes for communal riots, like music before a Mosque or slaughter of cows or many other things which, really speaking, can be explained as religious practices or observance of certain religious ceremonies etc. But, Sir, the studies that we made in this matter show that many communal riots, or, rather, majority of communal riots, have started possibly for non-communal reasons. It will rather seem a mysterious statement when I say, non-communal reasons, that is, not because of the music before the mosque, not because of the cow, or observance of a particular ceremony or religious practice etc., but some quarrel between a Hindu and a Muslim or some other prejudices working against one group and the other. It may be a social cause, it may be an economic cause, and suddenly that incident develops into some sort of a troublesome affair. So, we have to find out how to deal with these things. Personally, I think, there are two ways, two levels, at which such problems can be tackled. One is the governmental level and the other is the non-governmental level, non-official, or, if I may call it, a national level. As far as the government level is concerned, there are three or four stages. The early stage is that of watching the trend of the situation in known areas. Because there are places which have got a peculiar type of communal history. There are large number of places where riots have taken place; they have their own history. As we do in the case of medical case - studies, it is much better to handle communal problems in this way that case - studies are made of the areas which are known for the troubles. In this way the trouble can be certainly located. So, the best thing that can be done is to have a complete and clear intelligence as to what is happening in such areas.

This particular aspect of the problem has been emphasised more than once by the National Integration Conference and I would say, even before that it has been emphasised. It is not something like a wisdom what has suddenly dawned on anybody. But we have found

this : wherever the administration has been negligent about getting the proper intelligence as to what is happening, what is the trend of things, etc., they have failed completely. So this is one aspect which we have to emphasise. Central Government have accepted this again and again. State Governments have accepted the position and it is a question of implementing it. I am sure that wherever there is an effective, efficient, intelligence organisation functioning and wherever they have identified the causes of communal tensions and taken preventive action, things have completely changed. But wherever there was the slightest failure, the slightest negligence, things have gone out of control.

We find that once the communal riot erupts, it erupts with a ferocity and intensity. When there is lack of intelligence, they don't know which the organisation is, what they are organising, which are the sources, who are the leaders, etc. If they had known who were the people who were organising it, formenting it, encouraging it, instigating it, if they could have taken preventive action against these people there, I have no doubt that the communal riots would have very well stopped. But again, this is a matter of experience. The only time to stop a communal riot is before it starts. That does not mean that when it starts nobody should make any effort to stop it. The interpretation should not be that.

So the administration has to be absolutely alert about these matter. I think in this matter, the State Governments have to make it their responsibility of the Central Government in this country?' Naturally I will have to answer that also. But I have no doubt that unless the State Governments make it their responsibility, this matter cannot be tackled. The National Integration Conference has suggested in one of its resolutions to all State Governments and they have also accepted in principle - that unless we make the district or local authorities responsible, the problem cannot be dealt with. If they are made to feel that if there is a communal riot, they will be held responsible, then there will not be any negligence in the matter of intelligence and having some sort of plan for preventive action.

As I was saying, this was one thing where the solution has been identified. What I am trying to say is that the method has been identified. It has not merely been identified, but it has been agreed upon by authorities concerned. I quite agree that wherever there has

been a failure in this matter, things have not improved. I will come to that particular aspect later.

After ensuring against failure of intelligence the most important thing is that there should be absolutely a ruthless suppression of these activities.

... So the point is that once this problem starts, unless the State authorities show a sort of ruthless attitude in this matter, it cannot be nipped in the bud. This has to be done within the first 24 hours. The most important period in a communal riot is the first 24 hours, then it is a matter of anybody's guess. It follows its own logic, it reaches its own climax and then dies its own death naturally. Therefore, if there is failure in the first 24 hours, then it is a failure. There is no doubt about it. I can say this from my own personal experience of administering a State in these matters.

The later part, which was also mentioned in many of the speeches, concerns the problem of prosecutions. I think one or two hon. friends from this side said that prosecutions are not energetically pursued and there are not many convictions in communal riot cases. I tried to find out certain facts about this matter, because generally that is the feeling. From time to time, we have tried to emphasise this matter with the State Governments, particularly so after Ranchi. I wrote to the State Governments immediately after that.

This is not the whole picture of prosecutions that took place in different States, but I have got some sample figures about it. In the case of Nagpur, 58 cases were sent up to courts out of which 27 involving 128 persons ended in conviction. In Aurangabad, 27 cases were sent up to courts out of which 12 involving 43 persons ended in convictions. The State Government have told us that punishment has ranged from life imprisonment in serious cases to rigorous imprisonment for a lesser period and to fines for offences of lesser gravity. What I am trying to point out is that in certain cases convictions upto life imprisonment has also been given.

**Meerut :** 44 cases were registered and after investigation, charge-sheets were filed in 25 cases. So far two cases have ended in conviction. Seven in acquittal, others are pending.

**Allahabad** : out of 203 cases registered, charge sheets could be filed only in 75 cases, seven cases have ended in conviction and 19 have been acquitted; 49 cases are pending still.

**Rourkela** : charge-sheets were submitted in 330 cases; out of these 1169 cases involving 571 persons ended in conviction. Two persons were sentenced to life imprisonment.

**Indore** : out of 215 cases registered, charge-sheets have been filed in 48 cases. All the cases are pending.

... I am merely trying to say that this particular aspect, of carrying on the investigation very energetically and pursuing the prosecutions persistently, is being looked after though there is room for improvement. This is the only point I am trying to make. I am not trying to say that all is well. That is not my case.

Some Members certainly did raise the question of employment. Some Members gave certain statistics. I have not got statistics to prove one way or the other. In these matters one can only take care of one aspect of it, namely whether at the stage of recruitment there is any prejudice working against any particular community or not, whether there is any discrimination working against one particular group of people or not. There was a feeling expressed on some occasions by Members of Parliament, not only by the representatives of the Muslim minority. Therefore, this matter has been brought to the notice of everybody concerned that there should not be a feeling in anybody's mind that one particular community, either Muslim or any other community, is discriminated against as far as recruitment is concerned. I can only give an assurance that if any cases of discrimination are pointed out, or even if there is a feeling certainly we can take care to see that such discrimination does not persist. This is all that I can say about the problem of employment.

... Ultimately we must come to one particular aspect. I say there is the majority community's communalism, there is the minority community's communalism. I do not want to say that it is one way only, it is both ways. But I would like to repeat that in a country like ours the minority community has a special responsibility to demonstrate that their activities are more secular and thereof when some Members criticise this aspect it

is in the nature of self-criticism. He should not misunderstand that India is an ancient country and we are proud of our ancient culture, but at the same time the present democratic, secular form of Government in which we are functioning is something very new for us. The democratic form which we are working is completely new for us and its basis is completely new for us, and its basis is completely new for our social life. I have followed Pandit Jagannath Rao Joshi's speech very well. He talked about advaita. It was all good metaphysics. The main criticism that is levelled against the Hindus is that they think of high vedanta and talk of advaita and so on but their whole social structure is based on inequities. We have to accept facts .. (Interruptions) When we ask other people to assimilate themselves and this and that, we have to ask ourselves this question also. For thousands of years we have remained, divided while preaching philosophies and theories, of advaita and vedanta. It is no use denying that now. I am saying this as a good Hindu; I like to call myself a Hindu.

In my humble opinion I don't think Gandhiji or Vinoba Bhave approved of varnashram. But even if they did, I respectfully disagree with them. It is a matter of personal convictions.

I was reading Mr. Balraj Madhok's book on nationalism which he sent me ... (Interruptions). I wanted to do him justice. I should say that it is a futile exercise in perverting history and nothing more. The way he has tried to read Indian history and interpret Indian nationalism.

I am a democrat and I give you the right to differ and you must also allow me that right. The theory which is very popularly tried to be put out and rightly condemned by many Members here is about Indianisation (Interruptions) Mr. Madhok has stated that Hinduness must be the criterion for Indian nationalism. In this country is it psychologically right or even politically wise to say that in order to call oneself a national, one has to prove his Hinduness...(Interruptions)

**Shri Raj Madhok :** To be fair to you and to me, have I used the word 'Hindu' in the religious sense? I have never used that word in the religious sense.

**Shri Y. B. Chavan :** When I mention the word Hindu used there, you say: I do not use it in the religious sense. That is why I say that it is

a futile exercise in perverting everything ... (Interruptions) If I say that Mr. Madhok is the most fanatical Muslim, would he like that?

**Shri Rajga (Srikakulam) :** Why should he go on after Mr. Madhok's theory?

**Shri Y. B. Chavan :** I am not dealing with personalities. That is on theory that is being put out which is mainly responsible for talk by others also about the Indianisation of Muslims minorities. By doing so we are creating the worst psychology which is mainly responsible for many of our ills.

So, Sir, according to me, whenever there is a riot, people try to find out and discover some mysterious reasons for it : whether these Pakistani agents or whether there were foreigners, etc., there may be. I will not be surprised if Pakistan is interested in communal riots in this country. I will not be surprised; looking into Pakistan's role possibly they would do it. But are we fools in this country, are we less patriotic in this country that we should fall Political victims to the plans of our neighbouring country in this matter? And unfortunately, we are helping those plans of other countries and we are creating a psychology - (Interruptions).

It is very wrong to say that one particular community is less patriotic and another community has got more patriotism or that patriotism is the monopoly of one particular religion, one particular caste, one particular group of people or one particular political party.

My only point is that there may be people who are working against the national interests who may be Hindus, who may be Christians or who may be Muslims also. Therefore, you cannot say that one particular community is less national.

So, ultimately the point comes to this :what is it that we have to do immediately. It is no use merely thinking of a problem in abstract and talking about it in theory. What is it that we have to do today, just now?

So, in this matter, I think the National Integration Standing Committee met, and ultimately, they called the representatives of all the political parties for a discussion and for considering this problem to study as to what immediate action and programme can be undertaken. Some parties were represented there but some parties unfortunately were

not represented there. But those parties who attended it have agreed on one thing : that this is the right time when we have to create a psychological atmosphere in the country by starting a joint campaign. With Governmental action alone we have seen we have not succeeded. I quite see that there is a share of the Government of India in this failure. I cannot say that the Government of India is free from blame.

Now, one hon. Member has suggested that law and order should be a concurrent subject; that it should be in the concurrent list. But looking into the realities of political life today, is it ever possible to follow such a proposition in this hon. House. I do not think it is possible. I know there may be quite an unmanageable voice against it if I come with such a proposition. Naturally, we have to depend upon the goodwill, the co-operation and uprightness of the State Governments in this matter, and given the proper attitude and proper efforts, I do not see why the State Governments would not co-operate in this matter.

We appreciate their difficulties and we will consider it our duty to go to their help and assist them in this matter. There are two things. One is governmental action. But the much more important thing is to fight the battle and to win the minds of the people of India. There is the most important thing, and in that I would seek the co-operation of this House.

SECTION 6

CHAPTER 30

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COMMUNAL DISTURBANCES IN MAHARASHTRA

*Reply to Debate in Lok Sabha on 20 May, 1970*

This House has heard the debate for several hours. During the first few hours when this question was debated here, unfortunately, I was not present. So, I have missed some of the important speeches delivered in the course of the debate on this matter. I do not propose to speak in a spirit of replying to every point that has been raised here, because this debate has been occasioned by very unfortunate and rather shameful incidents that took place in many parts of Maharashtra. Naturally, the country and the Members here also felt angered about it, and criticism was made of the Government of Maharashtra and of this Government here as well. I can understand it as a criticism because it was natural when such horrible incidents took place. I The conscience of the country must be roused and it was roused. I can understand criticism as far as this part is concerned. But what is the intention of this House and of the political parties? Are we going to draw some objective lessons from what is happening in the country because what happened in Bhiwandi has not happened for the first time. We have seen what happened in

1967 and even before that and had to deal with communal riots and the ugly forces which are really speaking at the root of those riots. That is a very dangerous and basic challenge to the very concept of the nation that we call India we shall have to look at it from this point of view. Whether I am at fault - we can certainly go into these questions and come to certain conclusions. Even then the debate has to be ultimately directed towards drawing some lessons. I know we discussed these questions at the time of the riots in Bihar, in Ranchi in 1967. There were other occasions when we debated this question. We met in Kashmir and we came to certain conclusions. Somebody asked a very pertinent question : What have you done about those decisions? I can give some details of what we have done about them. Ultimately, the question is whether we have reached a stage when we can say that we have succeeded. I can of course give information as to what we did about the conclusions we reached there. But one must admit that in spite of having done all those things we have not yet arrived at a solution. The problem remains. We decided on certain administrative steps. We met in different standing committees and we reviewed those decisions and we took further decisions how to implement them. We have sent many circulars and we have discussed it once or twice, just a few months back also. After the Gujarat incidents took place, the Prime Minister invited all the Chief Ministers and we all sat with them and reviewed the decisions that we took at Srinagar and tried to give further directions. The Standing Committee of the National Integration Council met many times and many leaders from the opposition parties have participated in those meetings. We have done all those things. We decided at the administrative level that intelligence agencies would have to be strengthened. Most of the State Governments have responded; they were not only willing but were also taking steps to have some new intelligence cells to find out information. We have also given instructions to see that the District Magistrates and the District Superintendents of Police should be made responsible for the prevention of communal riots; wherever necessary we always try to send assistance in the form of police force, etc. All those administrative steps have been taken or at least efforts have been made in that direction. Ultimately we have realised, not for the first time of course, when we discussed this matter in the Standing Committee then also it was felt that mere administrative steps were not going to

help us out of this particular difficulty. I am not pleading or making any apology for the failures of the administration wherever they may have taken place. I do not want to take that position. Wherever the Governments have failed, whether in Gujarat or Maharashtra, I am not making any distinction between State and State.

If these State Governments are there, and if they are responsible, certainly they will have to face the consequences. Judicial enquiries in both the cases have been instituted. Let us wait for the conclusions of those enquiries. But, Sir, problem is not of mere administrative action. When all the political parties met, it was appreciated that it is not merely the administrative measures that are going to help us in this matter. We will have to create conditions in this country, create an atmosphere in this country, create public will, a very strong public opinion in this country and create such a political climate in this country that the fear of or suspicion against the minority communities must be completely removed. I personally feel that this, really speaking, is the basic cause of the whole trouble. (Interruption.)

**Shri I. B. Kripalani** : Order has come to be established now in Maharashtra. Why was it not done before? "Prevention which is better than cure."

**Shri Y. B. Chavan** : I will come to that. First of all, I will deal with the general questions, because I do not want to give a feeling that I am talking only about the situation in Maharashtra. If I talk about Maharashtra, Shri Vajpayee might say that I am only talking about Maharashtra. Therefore, I do not want to give that impression. I am coming to those details (Interruption.) I do not want to go away without giving the necessary information and my own views about what has happened in Maharashtra.

... So, the basic thing is that the whole trouble has started because -- and I think that was the general view of the leaders of all the political parties which met in the Committee -- an atmosphere is being created in this country in which certain minorities are made to appear suspect in the mind of the majority. And once we create that feeling, naturally, an urge to seek protection is created in the mind of the minorities.

**Shri Pilloo Mody** : It is no solution.

**Shri Y. B. Chavan :** If it is no solution, then what is the solution?

**Shri Piloo Mody :** Stop violence by maintaining law and order.  
(Interruption.)

**Shri Y. B. Chavan :** Certainly, law and order must be maintained but not by merely taking police help ...

**Shri Piloo Mody :** How did you bring it under control ? By enforcing law and order.

**Shri Y. B. Chavan :** I do not deny that law and order machinery will have to be used not only in the case of communal disturbances but in the case of other disturbances also. I entirely agree with you, but if we merely say that, that is going to be the final answer, I think we are deceiving ourselves completely. (Interruption.)

... Therefore, we will have to create conditions and positive conditions in this country to create a feeling that the entire nation stands committed to the protection of minorities in this country. It is in this sense I think, that the Prime Minister said the other day that we will fight, we will fight on the streets ... (Interruption) ... I am sorry; she said we will fight. It is not that she alone is going to fight. When she said that we will fight, - not in the streets; she has not said that ...

... she meant that we will fight for the whole country. She was not speaking personally; she was not speaking for the Government alone, but when she said that, I think she reflected the mind and the voice of this nation as a whole. Therefore, this is the most important aspect of the problem. If we forget this particular aspect, I think we have lost the whole perspective of this problem. (Interruption.)

... Having emphasised this aspect, I will make a reference to one more point. I would make a request to all the political parties. I am very glad we are all meeting on the 22nd of this month. Let us look to what we have to do. Only after two days, we are meeting in the Organising Committee, as we call it, where representatives of all parties, including the party of Mr. Vajpayee, are going to come together to start a general campaign in the country to throw out this particular poison.

... If the Government has to govern, it has to govern in certain ways. It works through the process of law; the rule of law has to function. The

Government has to work through certain procedures. It has to function democratically. This is not a dictator's Government that only because we have the police and the army, we can do anything. It cannot be done like that. (Interruptions)

... Coming to Bhiwandi and Jalgaon, it is a fact that both these places had a history of communal harmony.

**Shri Atal Bihari Vajpayee** : Not in Bhiwandi.

Shri Y. B. Chavan : I would like him to see the history of Bhiwandi. With the knowledge of what little time I have spent in the national movement in that part of the country I can say that a large number of Hindu families and Muslim families were working shoulder to shoulder like members of the same family in the pre-independence days. (Interruptions)

... I do not know what they found objectionable. When I said that relations between both Muslims and Hindus have been very agreeable for decades together. There were Hindu and Muslim families who were traditionally nationalists not only for profession's sake but they had also participated in the freedom struggle for generations together. This is the background of this place.

Unfortunately, in recent years certain wrong trends have started asserting themselves in that part. Some mention was made by Shri George Fernandes that certain speeches were made. Somebody may ask, "Why don't you go and get those speeches examined by the police." I will certainly do so but it is the responsibility of the political leaders to find out what ultimately the man in the last unit speaks. I endorse the request made by Shri George Fernandes that Shri Vajpayee should go and see the speeches delivered by the President of the local Jan Sangh in this matter. There were bodies which were created in the name of Rashtriya Utsav mandal, Sri Ram Mandal and some sort of Mandal. I know there are also Muslim communal elements who asserted themselves in Bhiwandi which is also equally condemnable. I am not trying to protect them. Communal minded forces are also there.

**An Hon. Member** : What about Shiv Sena?

**Shri Y. B. Chavan** : I am coming to Shiv Sena. I am not supporting Shiv Sena. These forces were creating such conditions, at the time of the procession of Shiv Jayanti. I must say it was the effort of very wise

leaders among Muslims to see that this thing goes off peacefully, and some people who do not belong to either of the parties - there were some people who are old nationalists and freedom fighters - wanted to take a lead in this matter and see that an atmosphere of understanding is created. It is a fact that the tension which was being built in that area was known to Government also, and the district officers were taking action in that matter. Some time in the middle of April a meeting of both the parties was called to find out how we could evolve a sort of agreeable programme for this occasion and it was at that time - hon'ble Member Shri George Fernandes read some parts of the speech - that some of the leaders of the Muslim community did make certain suggestions. Unfortunately, those suggestions were propagated as if they were putting impossible conditions. It was the intention of the Muslims to enable themselves to participate in the procession of Shiv Jayanti. They did not want it to be treated as a religious procession as they thought it was the procession of a national leader and it should be treated as a national procession. If they made the suggestion that let us not use 'gula'...

**Shri Kanwar Lal Gupta :** Why?

**Shri Y. B. Chavan :** Here comes the poison. Because it is a question of commonsense, on such occasions it is the experience of every town that whenever such procession go near the mosque there is a tendency to use 'gula' and throw it on the mosque also and it creates trouble. What is wrong about this suggestion? If they suggested, let us not use slogans hurting the feelings of any particular community, what is wrong about it? I should say that this suggestion was very prophetic. Having agreed about the slogans, it is a fact that certain elements in the procession broke that promise and gave slogans "Muslims Chor Hain". I know there were a large number of Muslims in the procession. Their position became impossible. Their position became embarrassing. They had to leave. Some people were arrested by the police. Some hon'ble Members wanted to know what the police were doing? Police was there all the time. When there was an agreed route, agreed slogans they wanted to be there to see that the processionists behave and that the procession is peacefully completed. Nearly 700 police were there.

... When there is a procession of 7/8,000 people, going through very

narrow streets of a city which has a background of tension, if you keep armed police all along the procession, you do not know what will happen. It was a very wise decision of the police that they did... (Interruption)

**Shri S. M. Joshi (Poona) :** May I say that when the Muslims complained that slogans which were not agreed to were being given, the Collector asked them, "What shall I do; shall I ban this procession here and now?" They themselves said that he could not do that at that time.

**Shri Y. B. Chavan :** When a procession is in movement, it is very difficult to take any decision because it may ultimately create a very ugly situation there. Therefore, they tried to arrest some people. Then tension was created and a demand was made not to arrest those people. They again promised that they would not shout those slogans. But again those slogans were shouted. That created a condition which was beyond the control of anybody. I wish sometimes a Member of this House takes the responsibility of controlling processions under those circumstances. Then they will know what exactly law and order means.

... At this point I must say that both the communities played mischief here. I do not say that merely the Hindus did it. The Muslims also did it, because Muslim communalism was also at work there.

Now, whether the police should immediately have resorted to firing or whether they could have effectively done it or not, is a matter of detail; this is a matter of inquiry. In these matter, naturally, the judicial inquiry commission will enquire. But from whatever I saw I must say people went to Thana and other places. They went with all sorts of stories. In these circumstances, no amount of contradictions could help I know, when I was going to Bhiwandi, we stopped on the way at nearly half a dozen places to stop these people from going and we told them, "For God's sake, don't go away. But if you must go, don't tell all sorts of stories." They said that they will not do that. When they went, no amount of persuasion, no amount of contradiction could help in such circumstances. There is some sort of, I should say a madness in this thing.

I can only say that the administration there tried to do their utmost. But when these conditions are created, when the poison is created in

the minds of everyone there, how can you control by police danda or kanoon. It was just not possible.

Coming back to Jalgoan, I have nothing to say in defence of the administration here. Because what happened in Jalgoan is something that hurts me. Possibly again, even now, my hon. friend, Shri Vajpayee, will say that I am feeling hurt and my emotions are aroused because I am from Maharashtra. I cannot help it. Everybody is born in some State, in some language group. Nobody can help it. But I am glad that at least for the people of Maharashtra, I have got tears in my eyes. I wish the same thing for Shri Vajpayee and, I hope, at least for his own people, he will have tears. Whether I am a leader of this small area or even if I am not a leader at all, I pray to God that my human values are kept intact. That is much more important than anything else.

At least, there was some tension in Bhiwandi. But in Jalgaon, there is absolutely no history of communal tension behind it. For the last 40 years, I know that this was the place which has had conventionally, traditionally, a secular character. Even today, although the hon. Member of this House Shri Sayyad Ali, who represents that area, is not a national leader etc. He is a very leading practitioner in Jalgaon was elected with an overwhelming majority from that place. It shows the understanding between the people there. The Muslims in that city are not more than 6 to 7 per cent. That is the history of his place. But this poison of communalism which is created in the country has also got planted there. Something of this madness had reached there also. There was the Shivaji Jayanti procession there a day before and it went off peacefully. And the next day, suddenly, there was some sort of a scuffle at some gambling place -- I do not know whether that is really responsible for it; that is what is given out -- within 2-1/2 to 3 hours, nearly 200 Muslim houses were burnt and many people were burnt in the houses. (Interruption) I found the SP and the Collector, whom according to a Srinagar decision we are holding responsible, went without sleep for two days. When I went on the 9th I saw the District Magistrate without any voice; he had injured himself in this procession and he was doing his best. But when things had gone completely out of control, when indisciplined elements from both the communities had allowed things to go out of control of anybody, it was his effort to see that everything was controlled.

I was asked how is it that they ultimately succeeded after three days. When you organise things properly, when they had the police force at proper places, when they could organise the saner elements in the community also to come to their help, gradually they succeeded in creating better conditions. Things did not come to normalcy immediately.

.... What steps the State government had taken before that is a matter of inquiry. Let the Judge come to that conclusion. If they had failed in their duty, they would certainly face the consequences.

But, as I was saying, the things did not come to normalcy immediately. It took 3-4 days. Immediately from the 8th or 9th onwards, a large number of people were leaving that place when all sorts of rumours were there. A large number of people went to villages; a large number of ...

**Shri J. B. Kripalani :** May I again interrupt him? He has been talking of communalism over and over again. Whose procession was that? Was it the procession of Hindus or the procession of the Shiv Sena?

**Shri Y. B. Chavan :** I am coming to that. Let me go to the question of Shiv Sena again. I have no doubt that Sena element has done the greatest harm to Maharashtra. I can say that -- I have said it before -- I have always suffered at the hands of Shiv Sena; I have always condemned Shiv Sena as a very retrograde force, a force that is not only against the interests of India but, I should say, against the basic concept of human values. (Interruptions)

**An Hon. Member :** Ban it.

**Shri Atal Bihari Vajpayee :** You had an alliance with Shiv Sena in the Bombay Corporation Elections.

**Shri Y. B. Chavan :** Not at all. I would, on the contrary, have to say that your party workers had many things to do with Shiv Sena I am prepared to prove that. There is no use merely holding some Party responsible. But, at the same time let me make a request to this hon. House. Let me make a request now. I forget for a minute that I am Home Minister. I would like to make a very honest request. Don't try to identify the people of Maharashtra with the Shiv Sena. Please don't do that. This will be the greatest injustice to Maharashtra.

I would like to say that this Shiv Sena element also has made the name of Maharashtra bad. Whenever they support the cause of Maharashtra, I think that cause ultimately suffers. The question which is rightly asked is : What is it that the Government of Maharashtra is doing about the Shiv Sena? That is a legitimate question.

**Shri Ranga :** And the Government of India also.

**Shri Y. B. Chavan :** Government of India also. That is a question that you and I will have to come together and solve -- It is not enough to take to merely what the Government of India does against all these regional senas. We are no doubt to analyse the problems of regional forces and of communal forces and their violent activities. But this is the question which the leaders of this House will have to sit and think about. It is not enough if only one Party acts, it is as a House we have to discuss question.

As far as Maharashtra is concerned, I have many times discussed this question with the Chief Minister of Maharashtra. This question has been discussed on the floor of Maharashtra Assembly also very recently. I have got some extracts of the speech he gave in the Maharashtra Assembly. He has given figures that since February, 1968 hundreds of Shiv Sena workes have been prosecuted and many of them have been sentenced. Even the leader of Shiv Sena Mr. Bal Thackeray was arrested under the Preventive Detention Act. Certain prosecutions have been started against him. In one prosecution, he was convicted in the Magistrate's Court. But the District Court acquitted him. The Government of Maharashtra also will have to work through the processes of law. Well, I know, this is a matter which the Inquiry Commission will have to go into. The element of Shiv Sena in Jalgaon and the elements of Shiv Sena in Bhiwandi also are responsible for the trouble. This is the impression I have got. There are matters which are to be gone into very carefully and deeply by the judicial inquiry. I really do not want to make any judgement. Therefore, if I can make an appeal in the name of this house, I would like to tell those people who are being guided or misguided by the Shiv Sena, do take a lesson from this because they are in no way serving the cause of Maharashtra nor seving the cause of the nation. I would like to have genuine co-operation in this matter from any other members with whom possible I may talk on this matter.

There is no question of giving any protection to the State Government when we are committed to certain political ideology because we believe in those ideologies. We believe in certain principles. Therefore, the principles for which we stand have nothing in common with the principles for which any regional organisation or communal organisation stands for.

**An. Hon. Member :** Preventive detention is there for you.

**Shri Y. B. Chavan :** I told you that even preventive detention was made use of. Not that it was not made use of. Preventive detention was used against him but he was released by the High Court.

Somebody said -- I think it was Bakshi Saheb -- that so many people have been killed and 'how many people you have hanged?' I wish I was a dictator hanging people like that. I would speak of Maharashtra again, because we are discussing riots in Maharashtra; I will only give certain facts. In the last year and a half, riots took place in Aurangabad. Riots took place in Nagpur.

Sir, one more item on which we are emphasising is that in the case of these riots prosecutions should be very energetically instituted. I have got some figures about prosecutions pursued by Maharashtra Government. If the hon. Member is interested I can give them. Large number of people were prosecuted in Aurangabad and Nagpur. I am glad to inform the House that in many instances the cases ended in convictions and some people were sentenced to life imprisonment and many people were sentenced from one year to seven year terms. Therefore, it is not that efforts were not made in this matter. If you want to condemn the Government or the Chief Minister, you do so but at least give them their due for whatever efforts they have made.

So far as the Shiv Sena is concerned. I have given my own assessment of it. (Interruptions). My appeal is meant for those who care for it. What is the use of my making appeal to those who would not care for it?

Going back again to the basic question, I have given details about this particular incident. What has happened is something very bad. But we should not merely say that it is bad, but also make efforts to see that such worst things do not happen in this country. And, in that, I quite agree with what the hon. Member has said, that this question will have

to be treated as a national question. It will have to be completely taken out of the party context and therefore, now is a test for us, for all of us. It is a test for all of us in the programme that we are going to have for creating a new atmosphere in this country.

If we do that then alone this country as a nation, has a future. If we don't succeed in this effort, I don't know what is the future that is in store for us.

## SECTION - 7

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### UNLAWFUL ACTIVITIES (PREVENTION ) BILL

#### **EDITORIAL NOTE**

In 1961, Pandit Jawaharlal Nehru, the Prime Minister, had convened a National Integration Conference to which representatives of political parties, some important leaders of public thought, academicians etc. were invited. Pursuant to the recommendations of that Conference, Article 19 of the Constitution was amended to provide that the Fundamental Rights under that Article may, if necessary, be restricted to maintain the sovereignty and integrity of the country.

In the light of deteriorating law and order situation, especially in the North - East and in the South where divisive forces had come to the fore, a Bill was introduced in August 1967. It made a provision to place reasonable restrictions on the freedom of speech and expression, right to assemble peacefully and without arms and right to form associations or unions.

Three speeches made by Shri Y. B. Chavan, the first on 14. 8. 1967 while moving a Motion in Rajya Sabha for a reference of the Bill to the Joint Committee of the Houses, the second on 16. 9. 1967 replying to the debate on this Motion and the third in Lok Sabha on 18. 12. 1967 , moving the Bill as approved by the Joint Select Committee are reproduced in this Section.

These three speeches illustrate Shri Chavan's faith in the functioning of democracy and his running exchanges with Shri Bhupesh Gupta highlight his skills as an able Parliamentarian.

SECTION 7

CHAPTER 31

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UNLAWFUL ACTIVITIES (PREVENTION) BILL, 1967

*Reference to Joint Select Committee  
Rajya Sabha on 14 August, 1967*

**Shri Y. B. Chavan :** Madam Deputy Chairman, I beg to move :

"That this House concurs in the recommendation of the Lok Sabha that the Rajya Sabha do join in the Joint Committee of the Houses on the Bill to provide for the more effective prevention of certain unlawful activities of individuals and associations and for matters connected therewith and resolves that the following members of the Rajya Sabha be nominated to serve on the said Joint Committee :

This is a Bill which we consider to be very important and vital in the national interest. Before I touch some of the points which hon. Member ...

**Shri Bhupesh Gupta :** Who told you it is of vital national interest? Which nation? ...

**Shri Y. B. Chavan :** On, your nation, you mean the other nation outside India?

**Shri Bhupesh Gupta :** The nine non-Congress States from where you have been ousted...

**Shri Y. B. Chavan :** I am talking about dear India...

**Shri Bhupesh Gupta :** Have the majority of the States told you this? Nation does not live in the kitchen garden.

**Shri Y. B. Chavan :** I should like to say with respect that the hon. Member, Mr. Bhupesh Gupta, either does not understand the Constitution, or he misreads it I do not know. What can I do about it? I will explain...

**Shri Bhupesh Gupta :** On a point of personal explanation. He has accused me of ignorance - "either I do not understand the Constitution" which means that he has accused me of ignorance and being an illiterate man, or "I am misreading it", which means he accuses me of malice. In either case, I am liable to give personal explanation.

**The Deputy Chairman:** Please take your seat.

**Shri Y. B. Chavan :** Madam, first of all, he has misread it in the sense that he says that I am receiving the authority for moving this Bill from the Concurrent List, which is a very wrong thing. That is why I said that either he cannot understand or he is misreading. What can I do about it? I will first of all give you the history of why it was felt necessary to have this. Secondly, I will briefly indicate the outlines of this Bill. I think it is an accepted fact that the centrifugal forces in this country are trying to assert themselves over the last few years. It was not only the view of this Government or it was not the view of the Party to which I belong. It was a recognition given by the country as a whole. In 1961 Pandit Jawaharlal Nehru, as the Prime Minister of this country, convened a National Integration Conference to which representatives of political parties were invited, not only the political leaders were invited but also some important leaders of public thought, some academicians, some university men, etc. were also invited to that Conference. That Conference accepted one thing that it is necessary to think and think very deeply and think very seriously how to meet the challenges of the disintegrating forces which are trying to spread and which are trying to assert themselves in this country. As a result of the deliberations of that Conference two Committees were appointed. One Committee

was supposed to go into the problem of communalism. The Committee on Regionalism was presided over by a very eminent Indian, a jurist. Shri C. P. Ramaswamy Aiyar. As the Chief Minister of another State I had the privilege of serving on that Committee. That Committee went round the country and met and discussed the problem of regionalism and the divisive forces that were spreading at that time in the country and they made a recommendation to the government that the time had come when we should amend article 19 of the Constitution restricting the fundamental rights of associations, speech etc. to maintain the sovereignty and integrity of India.

**Shri Bhupesh Gupta :** Where is the report?

**Shri Y. B. Chavan:** As a result of this recommendation - I am sorry Shri Gupta is suffering from short memory - in 1963 article 19 of the Constitution was amended and this proposition was accepted - 'if it is necessary to restrict these Fundamental rights under article 19 to maintain the sovereignty and integrity of the country.' It was accepted and passed by both the Houses.

... Where it is a question of sovereignty of this country and the integrity of this country, it is only this Parliament which is authorised to pass a legislation. No part of a country can pass a legislation for the maintenance of sovereignty and integrity of this country. It is the prerogative of this Parliament to pass this law. So the basic proposals which were the basis of the amendment of the Constitution, which amended article 19 of the Constitution.

This particular piece of legislation proposes to do exactly what was permitted by the amendment of that article of the Constitution.

**Shri Bhupesh Gupta :** No.

**Shri Y. B. Chavan :** Yes. He can go on saying 'no' and I say 'yes'.

Can anybody with his hand on his conscience, say that this House is convinced that there are no centrifugal forces which pose a threat to the national sovereignty and integrity? Then this Bill is not necessary at all. I am prepared to accept the proposition but can anybody say with his hand on his conscience, if he has a national conscience of course, provided he has got that conscience, say that? So what is the scheme of the Bill? The scheme is this, if I can read from the Bill - I hope he has

read this Bill...

**Shri Bhupesh Gupta :** Have you read it? I thought Mr. L. P. Singh drafted it.

**Shri Y. B. Chavan :** I have studied it very carefully and I am prepared to explain to him wherever he has any genuine doubts but how can I help people who have got doubts, who are convinced that nothing should be\_ allowed to be done to protect the national integrity? How can I help them( (Interruptions) Of course the second clause is the most important clause which defines the most important terms of this Bill, particularly the unlawful activity. It is not merely an expression of an academic view that it is trying to penalise, it is not even a mere ... (Interruptions) If you see the definition , it is a very carefully drafted Bill - it says :

(f) "unlawful activity" in relation to an individual or association means any action taken by such individual or association (whether by committing an act or by words, either spoken or written, or by signs or by visible representation or otherwise) -'

Some action is necessary to attract the operation of this Act. It further says :

"(i) which is intended, or supports any claim, to bring about on any -ground whatsoever the cession of a part of the territory of India from the Union or which incites any individual or group of individuals to bring about succession or secession;

(ii) which disclaims or questions the sovereignty of India in respect of any part of the territory of India;

(iii) which disrupts or is intended to disrupts the intended to disrupt the integrity of India."

May I ask what is objectionable in this?

Does this Parliament or does any hon. Member want that any individual or group of individuals who want to disrupt the integrity of India, who want the secession of certain territories from India to go unchallenged or to go unpunished? If he wants it, then he can oppose this Bill.

**Shri Bhupesh Gupta :** Indian integrity is not so brittle as you think.

**Shri Y. B. Chavan :** Of course not. I am glad that you realise it.

**Shri Bhupesh Gupta :** But I have an idea that so long as you are there it is very difficult.

**Shri Y. B. Chavan :** Try to remove us.

**Shri Bhupesh Gupta :** We are trying our best. Even Rajmata is trying.

**Shri Y. B. Chavan :** I am not here as a concession from you. You are certainly entitled to throw me out. I will not have any quarrel with you at all. If you, by democratic methods, can do that, I will come and congratulate You but you have no decency of accepting things as they are. Accept me as I am. I am a part of the Government which is put in power by the people of India.

**Shri Bhupesh Gupta :** I do accept you as the Home Minister.

**Shri Y. B. Chavan :** Thank you very much.

**Shri Bhupesh Gupta :** But this is the type of Home Minister we should not have.

**Shri Y. B. Chavan :** The point is, what we are trying to penalise is this activity which is, really speaking, a basic challenge to the very concept of this nation. I am convinced that there are forces - we have reason to believe - which are working in their own way, which will ultimately pose a threat to the integrity of this country and the sovereignty of this country. There are some people in some parts of the country, who are not merely organising, who are not merely expressing a view but they are making an organised effort to see that a certain part of the country secedes from India.

**Shri D. L. Sen Gupta (West Bengal) :** Why do you not name them?

**Shri Y. B. Chavan :** Why do you not have some patience? For example, a group of people in the Mizo District are organising these things. Have you any objection to that? Do you want to support them in the Mizo District? They wanted me to name something and now they do not say anything.

**Shri Bhupesh Gupta :** For that you do not need drastic changes in

the Constitution of India.

**Shri Y. B. Chavan** : I tell you as a democrat that I would hate to bring such Bill and even after having this Bill passed, I wish that this Act remains a dead letter. We should have it. Certainly when difficulties come in the life of the nation, we cannot start searching for instruments and medicines to deal with them.

Therefore, we have to take care. It should not be left to the sweet will of the executive to decide something finally. Naturally the executive has to take the initiative in deciding a matter, in initiating things. Therefore, we have provided in the very next clause that :

"If the Central Government is of opinion that any Association is, or has become, an unlawful association, it may, by notification in the Official Gazette, declare such association to be unlawful."

And further it is also provided that it has to be confirmed by the Tribunal.

The Bill provides that there will be a Tribunal whose Chairman will be a person who is or has been a Judge of a High Court. Now, it is my intention and I have mentioned it in the other House also, to propose an amendment to this and I will certainly move that amendment in the Select Committee' that the Chairman of this Tribunal should be a sitting Judge is there then...

**Shri Bhupesh Gupta** : It is not a question of having a High Court Judge. In the whole scheme of this Bill the judicial processes open to a Judge, for example, the process of examination and cross-examination, of verification of documents, none of these things would be available to the Tribunal. It will get your order or declaration and then on that basis it will have to decide.

**Shri Y. B. Chavan** : Now you are in a constructive mood. I am glad my hon. friend is in a constructive mood. I can assure him that all such suggestions will certainly be examined by the Select Committee. Be constructive. I have an open mind, not a closed mind like the hon. Member.

**Shri Bhupesh Gupta** : Is it not a personal reflection?

**Shri Y. B. Chavan** : The point is this. A certain notification is issued

which goes before the Tribunal. The Tribunal either confirms it or rejects it. If it rejects it, then the matter ends there. If it confirms it, then for two years the notification stands confirmed. Then there is the provision which automatically gives power to the Central Government to extend that provision for a period of three years it is my intention to move an amendment that Government will have to go back to the Tribunal to get confirmation of that notification.

The suggestion of the hon. Member is that we should defer this matter. But then we have to deal with a situation that faces us. Our country has the rule of law and if we function in a rule of law then naturally we will have the powers under a law when a national emergency has to be dealt with, when there is danger to national integrity and there is danger to national integrity and there is a challenge to our sovereignty. At such a time he wants to defer the thing till that trouble is on us. The troubles are even now there. We are to face them. It is not something imaginary that we are talking of. The difficulties are there even today. He wanted some specific example and I have given him an example. Therefore, this Bill from that point of view is very necessary. If there are any suggestions hon. Members can make their suggestions during this discussion in the Select Committee also. I was very keen on getting this Bill passed straightway. But then recognising the feeling in this House I felt that such a Bill should certainly be examined from all points of view. Therefore, I accepted the suggestion to have it examined by a Select Committee and I do hope this hon. House will also accept this motion.

SECTION 7

CHAPTER 32

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UNLAWFUL ACTIVITIES (PREVENTION) BILL, 1967  
REPLY TO DEBATE

*Rajya Sabha on 16 September, 1967*

Madam, I heard the debate for nearly three or four hours and was trying to find out valid reasons to come to the conclusion that the Bill as moved was not necessary. The hon. Member, Mr. Bhupesh Gupta, has got great qualities in misleading himself. I have heard his speech very carefully and I was trying to find out any specific argument which really speaking referred to the clauses of the Bill. He made a very eloquent speech and I must say, when he was speaking, I was taking down some of the adjectives he used about the Bill. He said it is rotten, objectionable, malicious, anti-democratic, anti-people, dictatorial, preposterous, shocking. I have never seen a person having such a shocking list of adjectives. If he had not a better dictionary With him, I could supply him.

**Shri Bhupesh Gupta :** I have a special dictionary to deal with the Government.

**Shri Y. B. Chavan :** That is where you have gone wrong because you

have very thing special for the Congress, but you have nothing special to find the truth. That is where you are wrong. I would like to help you in this matter. What is the point? When you consider this Bill, the real test is to see whether the basic disease that this Bill wants to remedy is there or not. Are there forces in this country which have got a malicious strength of deviding this country, forces which have got centrifugal tendencies? If they become organised forces, will they continue to be detrimental to the integrity and sovereignty of this country or not? That is really speaking the major question on which the necessity of this Bill or the principle of this Bill is to be accepted or rejected. I heard all the speeches and I must say I was unfortunately disappointed. Mr. Chordia conceded that there are some forces. And what was answer to that? He says, "Strengthen your defence forces." Certainly not for this purpose, the defence forces are to be strengthened for the external threats and that is being done in this country. And the hon. Member has not realised that for the last four or five years, it is exactly what we are doing. But I agree that for the internal troubles of this type, it is not the legal action alone that is enough, there are other methods also which should be resorted to, such as economic, political and other activities, and other solutions will have to be found out. When I am coming forward with this Bill, I do not propose to say that this Bill alone is the solution for it. This is the last resort. And if you have heard me patiently, when I introduced this Bill, I said, "I wish that this Bill remains a dead letter. If there is no occasion for me to make use of it, I will be very happy about it." But, unfortunately, we see situations and we have to think in terms of having legal action also to supplement our political action and supplement our actions in other fields as well.

Now, on this basic question, as I have said, I would like to repeat again - is it not a fact that in this country there are forces at work in an organised way to weaken the sovereignty and integrity of this country? What is the answer to that? I would like the answer to it from Mr. Rajnarain, I would like the answer to it from Mr. Bhupesh Gupta. They ask me, "Give us some illustrations". I gave an illustration. Then they say, "Why only this illustration?" I wish there should not be any cause for me to give illustrations. There were other things in the South. Definitely I am very glad that the DMK has changed its policy, I am very happy about it. I accept their sincerity, I accept their bona fides. I am

very glad about it. But there are other forces. There are forces and I do not want to keep this country in darkness about it; the country realises it. When those questions come up, hon. Members get up and say, "What are you doing about it?" There we are blamed that we are not doing enough. When we want to take full action, we are told, "You want to be dictatorial". In what manner is this going to be dictatorial because this Act is going to operate only against one class of people who in an organised way do things. Some people ask me, if somebody just takes an academic view, will he be penalised? My answer is definitely no. I explained the other day. I read very well the particular clause which defines this thing

'Unlawful activity' in relation to an individual or association means any action taken by such individual or association..."

.. The point therefore is this. There is no doubt about one thing that this Bill is necessary. It is not going to be used against any political party, any school of thought or political ideology. But certainly if an organised group or an individual acts or takes action which will ultimately lead to secession of some area or secession of parts of the country, or creates any situation which disrupts the integrity of this country, this Act will be applied ... (Interrupts). You want the meaning of integrity, disrupting the integrity?

... Some members have certainly raised questions about this clause 13(3) where they say that the Government has got certain rights while the individuals, etc. have not got that right. I think they have misunderstood that particular clause because the right of entering into a treaty is Government's right. And how can Government afford to enter into an act which will displease the people? Then that Government will cease to be a Government. Any democratic process they will have to take, that is the right of Government what does that clause say? It is merely recognising the right of the Government to enter into a treaty. Possibly by that treaty the Government will acquire land also. Possibly, it might have to cede some part; it may have to acquire. He does not know that. The first article of the Constitution says, certain areas and also areas that the State will acquire will form part of India. How will you get that or acquire the land?

**Shri Bhupesh Gupta** : Acquisition is not ...

**Shri Y. B. Chavan :** That means, it is a right of the Government to enter into a treaty. Government has that right. He does not understand sovereignty. It is a basic principle in politics that the fundamental concept of sovereignty includes the attribute to sede certain areas also. So that is a theoretical part of it. If you have got any doubts, on some of the criticisms that you have levelled, I am prepared to discuss further in the Lobby; I am prepared to discuss...

... This is how I interpret it. Well, ultimately the courts will have to interpret it. Naturally, the discussions at this stage become very relevant in interpreting the Act. I know that ... (Interruptions) Please, just let me complete. I will listen to you. Why are you trying to interrupt me? I am prepared to listen to you. I will sit down and listen to you.

... So, Madam, I have explained why we thought it necessary to have it here. But certainly I am open on this point that let us discuss it in the Select Committee. If it is found that it is unnecessary, certainly we will consider it. I am only explaining the reason why it was found necessary to put this particular clause in this particular Bill.

About clause 16, some members have asked, "Why is it that you are not allowing jurisdiction to certain courts?" Madam, the very action starts from the decision or confirmation by the Tribunal. Some Members said that the Tribunal is different...

It starts when certainly it initiates action. But it has to get the confirmation from the Tribunal. As I said, I wanted to introduce an amendment and that is a commitment. There I am making a commitment. The Bill does not include that provision that the Tribunal will be presided over by a sitting Judge of the High Court. And, Madam, a sitting Judge sitting in a High Court is as good as an important Bench of the Judiciary or any other Bench.

**Shri P. N. Sapru (Uttar Pradesh) :** It will not be a retired Judge?  
**Shri Y. B. Chavan :** No. He will be a sitting Judge.

**Shri Bhupesh Gupta :** Here you must differentiate. A Judge cannot function outside the scope of the provision. Will he have an authority to function by applying Civil Procedure Code and have other related powers to apply his judicious mind fully and wholly?

**Shri Y. B. Chavan :** That is exactly what I was going to answer in

reply to Mr. Mathur's question as to why it was not made a part of the Civil Procedure Code because this will have to follow certain procedures. What the procedures will be will have to be laid down by other rules. They will have to follow certain procedures of their own because this is an Act which is meant for special circumstances. This is not something which, really speaking, the Indian Penal Code provides for. Every day situations arise in the life of an individual or society. As this is a special situation, this Bill is to be used under special circumstances.

So, Madam, it is not right to say that there are no procedures for it. There will be certainly procedures provided for and these procedures will be certainly consistent with the accepted Jurisprudence of the country. There is no doubt about that.

These are the major points that were raised. I think at this stage the discussion that took place in this honourable House will certainly be useful to the Select Committee. The Select Committee while discussing the clauses of this Bill, will certainly take into account the debate that took place now. I am sure this House will support the motion.

SECTION 7

CHAPTER 33

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UNLAWFUL ACTIVITIES (PREVENTION) BILL

*Lok Sabha on 18 December, 1967*

I beg to move :

“That the Bill to provide for the more effective prevention of certain unlawful activities of individuals and associations and for matters connected therewith, as reported by the Joint Committee, be taken into consideration.”

The House is aware that the Unlawful Activities Bill was referred to Joint Select Committee in the last session of this House. Considerable discussion has already taken place regarding the general principles of the bill. I had explained the main considerations which had guided us in bringing forward this measure while replying to the general debate that had taken place in the House at the time of its reference to the Select Committee. I would not like to repeat what I said on that occasion. It is, however, clear that we have certain problems - it is no good shutting our eyes to them - and a democratic, constitutional way has to be found to deal with them. It is with this object that this Bill was brought forward.

It has been thoroughly scrutinized by the Select Committee which also had the benefit of hearing the Attorney General on the constitutionality of the bill, about which several members had raised doubts. It is clear from the evidence that the Bill is in accordance with the constitutional provisions and places only reasonable restrictions on the freedom of speech and expression, right to assemble peaceably and without arms and right to form associations or unions. The Select Committee have made, a number of changes in the Bill. I would like to refer only to the important changes as the report of the Select Committee is already with the Honourable Members.

Honourable Members will notice that the first important change made in the Bill is in clause 2 of the bill. The Select Committee felt that instead of defining unlawful activity separately in relation to sovereignty and integrity of India, as had been done in the Bill presented before this House, it would be better to follow the phraseology used in the Constitution (Sixteenth Amendment), Act, 1963. Sub-clause (f) of clause 2 has been amended accordingly. Certain drafting changes have also been made in clause 2 to bring out clearly the intention behind the Bill.

The next significant change is in clause 4. The Bill did not envisage any time limit within which the tribunal had to decide the matter placed before it, although it had been indicated that the tribunal will decide the reference as expeditiously as possible. The Select Committee have now fixed a maximum period of six months from the date of issue of a notification under clause 3(1), within which the tribunal must decide the reference.

The Select Committee have also materially changed clause 5 of the Bill. Previously the Bill had provided that the tribunal will consist of a chairman and two other members to be appointed by the Central Government. Government had moved an amendment to provide that the Chairman of the tribunal will be a sitting judge of the High Court. The Select Committee felt that in order to inspire confidence of the public in the tribunal should consist of a sitting judge of a High Court. Therefore now it will be a one-member tribunal consisting of a sitting judge of a High Court. This is an important modification and would effectively allay apprehensions and fears of a section of the house that the clause as it originally stood could be used to pack the tribunal.

The Select Committee have made another change of great significance. Provison to clause 6(1) had conferred powers on the Central Government to extend the period of operation of the notification confirmed by the Tribunal from time to time by any period not exceeding one year at a time. Even at an earlier stage when I had looked into the Bill, I had given notice of an amendment to provide that in no case will a notification declaring a association unlawful remain in force for more than 3 years. The Select Committee have, however, gone further and have deleted the provison altogether. This means that the maximum period for which an association can be declared unlawful will be two years from the date on which the notification becomes effective.

The Committee have made certain changes in clauses 7 and 8 to mitigate any conceivable hardships that may be caused in the implementation of the provisions of this Bill. They have also reduced the punishment provided for in clauses 10, 12 and 13.

Sir, you will recall that I had, while replying to the general debate on the Bill, pointed out that the Bill was necessary because there were divisive forces in India and effective measures were necessary to counter them. It is not a party matter because the unity and integrity of India is an ideal to which all parties subscribe. At the same time I am under no illusion that a mere legal action would provide an enduring solution.

But other methods, political and educational have to be strengthened by legislative action. I shall be very happy indeed if the powers under this bill are not used, and groups and individuals try to solve the grave problems facing us in a matter that is conducive to maintaining the integrity and unity of this great country. I commend the Bill as reported by the Select Committee for acceptance of the House.

## SECTION - 8

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# BORDER SECURITY FORCE BILL

### **EDITORIAL NOTE**

The Border Security Forces (BSF) was formally constituted in December 1965 following the Indo-Pak War. A Bill to give statutory status to the force was introduced in Lok Sabha on 23 July 1968.

Shri Y. B. Chavan's two speeches, one in the Lok Sabha on 23 July 1968 and the second one in Rajya Sabha on 31 July, 1968 form a useful reference material for the history of India's Central Security Forces, in which the BSF occupies the premier place.

SECTION 8

CHAPTER 34

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BORDER SECURITY FORCE BILL - INTRODUCTION

*Lok Sabha on 23 July, 1968*

**Shri Y. B. Chavan :** Sir, I move :

“That the Bill to provide for the constitution and regulation of an Armed Force of the Union for ensuring the security of the borders of India and for matters connected therewith, be taken into consideration.”

The present Bill is meant for the constitution and regulation of the Border Security Force. This border Security Force was formally constituted on the 1st December, 1965 under the CRP Act. I may give a little history of this force, and the circumstances which ultimately led to this formation which I think are relevant when we are going to consider this particular Bill.

There have been, as you know, in 1965 and 1968 large number of infiltrations and intrusions and even attacks on the Indian borders and therefore it was found necessary to undertake a closer study of the problems of security on the borders of India. Therefore, a series of studies were undertaken and this particular Bill and the formation of the

Border Security Force is the culmination of those studies.

The purpose of this force is, as I have said, to ensure the security of the borders of India, secondly, to secure or instill a sense of confidence in the people living on the borders and, at the same time, to take precautions to see that smuggling and all the types of crimes that take place on the borders do not take place. Naturally, the requirements of such a force are of a special type, and we had to take a different type of organisation, a different type of training and we have practically to give weaponry to this force which is as good as that of an infantry. The type of discipline and efficiency that is expected of them requires a special legislation of this type. So, this is really speaking the genesis of this force and of this Bill and it is the justification for having a special statute which sanctions the functioning of an important force like this.

Coming to the bill itself, I would like to draw the attention of the House to certain important features of it. Those hon. members who have cared to go through this Bill need not have any explanation from me on this point. I think, however, that in a speech like this it is necessary that I run rather hurriedly and explain some of the important features of this Bill. Chapter I deals, as usual, with the preliminary matters of legislation, giving the definitions of important terms that are used in the Bill and explaining some of the concepts of the officers, etc., that are introduced in the Bill. Chapter II explains the constitution of the force and the conditions of service of the force. As I said, our present Border Security Force is already constituted and under this Act this force will be deemed to have been formed. At the same time, I would like to mention what is the organisational structure of the force as it is today. At the head of the organisation there is the Director-General of the Border Security Force, and under him there are three Inspectors - General of Police; in charge of the sectors of our international frontier. The present charter of the Border Security Force is on the Indo-Pakistan borders. There is one Inspector - General of Police in charge of the entire Assam - West Bengal border; another is in charge of Kashmir and the cease - fire line, and the third is in charge of the Punjab, Rajasthan and Gujarat borders. These three Inspectors - General of Police are in charge of these three different sectors and under them function a series of DIGs. Under them function the commandants of battalions. This Force is distributed in the

units of battalions and these battalions are commended by officers of suitable seniority. This is the structure of this Force.

The second chapter gives the basic concepts of the conditions of service and the constitution of this Force. Then we come to Chapter III which gives really speaking, an insight into the problems of discipline and the requirements of discipline. There we have enumerated in different clauses the different types of offences that can be dealt with or that are likely to happen or take place in the working of this Force. Chapter III deals with definitions of offences. From Chapter IV onwards we come to a very important feature of this Act. They deal with punishments.

I can anticipate the criticism that the structure of punishment provided under this Act is somewhat severe compared to what is applicable to the ordinary police force. But as I said, the efficiency and discipline that is expected of this Force is equal to that of an army and we will have to compare this structure of punishment with that of the armed forces. This has to be treated as armed forces. We expect a special standard of discipline and efficiency and the task that is given to this Force is equal to that of any army. Naturally, the structure of punishment will have to be compared with that provided for in the Army Act : I am anticipating this criticism and giving my answer. You may not agree with it - that is a different matter - but I am telling you why I accepted or why Government accepted this structure of punishment (Interruption.)

When we have got a special structure of punishment, naturally this Force will have special type of courts also. As you know, this Force has three types of courts. One is the general court, the other is the petty court and the third is the Commandant which is the summary court. They deal with the different types of offences. They have different forms of authorities. To these courts, certainly, the ordinary Evidence Act will be applicable as far as the procedures are concerned.

Even though the punishments are severe in nature, there are also some special features and some special features and some special rights of the accused also in such courts. For example, when a court is constituted, because the court is constituted of the officers of a certain seniority which is indicated in the Act, the accused will have the right to take objection at the time of constitution of the court against any

officer if he feels he has reason to suspect his bona fides or suspect his involvement in a particular set of facts. Secondly, I find that with all these procedures and involvements and also the working of the courts etc. the punishment is confirmed only after it has been gone through by the Director General or the Government. Even apart from that, the accused will have a right to go in appeal by way of a memorandum to the Central Government against any order or any punishment that is given. Besides all these things there is inherent power in the Central Government to completely annul an order of punishment if it is convinced that it is illegal or unjust. These are some of other features of the trial and punishment by these courts.

I think these are the special features of this Act. I would like to urge one thing. This force is functioning reasonably well for the last three years. Naturally, after the formation of this force, they have their own experience, of their problems and the present formulation for the principles of this bill was made only after very close examination of the problems that they have to face and the experience they went through for the last two years. It is after close scrutiny that the present Bill was formulated and I must say this Bill has certainly a sort of urgency about it.

SECTION - 9

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REPLY TO DEMANDS FOR GRANT OF HOME MINISTRY

YEARS : 1968-69

1969-70

1970-71

SECTION 9

CHAPTER 35

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DEMANDS FOR GRANTS 1968-69

*Lok Sabha on 28 March, 1968*

Mr. Speaker, Sir, before I start dealing with the problems raised in the course of the debate, I would like to thank all the Hon. Members who participated in the debate and for keeping the level of the debate very high. Certainly, they made criticism against the Home Ministry, against some of the policies of the Government of India and some of them have made some personal criticism against me also. All the three aspects of criticism, certainly, I welcome because that gives us an opportunity to put before this House and, through this House, before the people of the country the basic thinking of the Government on many matters that are discussed here.

... This debate was opened by another very distinguished member of this Hon. House, Mr. Piloo Mody. After hearing his speech, I started feeling that the whole country was on the rampage but then I realised that Shri Piloo Mody was an incarnation of exaggeration. (Interruptions) I do not want to comment on anybody's physical stature ... (Interruptions). It would be completely wrong if we take rather an unbalanced view of

things.

... It is not true that all is unwell, because if you take a review of what happened in the last 15 months or so - You may take a period before the elections and survey the period after the elections - many things have happened. But we will have to analyse what has happened and what is what - law and order, law and public order etc. What happened can consist of two types of things : one is the normal crime and the other is a sort of lawlessness arising out of certain political conditions, certain social conditions and certain economic conditions. If we try to review both the things as far as the former part is concerned, the crime is concerned, naturally it has to be dealt with, with better policing, modernisation of police forces, proper enforcement of law, removing the deficiencies in administration and so on. Certainly these can be done. But in regard to many problems which I am going to take one by one, you cannot say that these are problems which are normal problems of law and order. Take for example, the problem that we discussed here today, the problem of communalism, the problem of regionalism, the problems and difficulties and lawlessness arising out of the language problem etc. These are not problems that can be ascribed to some sort of abnormal conditions of individuals who participated in it and those who are responsible for it. These are some of the maladies that we have inherited from the past history of our own country; these are the long projections of the way of our thinking and the way of our life for centuries together. This is not something that has happened suddenly.

If you take the problem of communalism, it is much better that we try to understand the whole problem in all its aspects. Hon. Member, Shri. Vajpayee, tried to simplify the issue; he said, we better find out who started the trouble. Certainly one can find out what started the trouble. But can you merely explain a communal riot in which hundreds of houses are burnt and many people are killed, on how it started ? We need not think how it starts. Even if it starts in a void, it takes a serious turn. At the same time, he said, it is necessary to find out whether the people concerned are loyal to the nation. I must say that this attitude itself is a reasonable cause for such troubles. We should not create a psychosis in this country of suspicion about a group of people, about a community, as if they are not loyal to the country.

... In this country there is a wrong attitude of equating only the majority with the idea of nationalism. This country consists of different minorities and very important minorities - there are Muslims, there are Christians and there are people belonging to some other religions also. If we constantly say that the minorities are entitled to rights only if they observe their obligations, as if they are not observing their obligations, then what will happen ? There may be bad individuals. Black sheep are there in every community. There fore, we should not create this psychology. People say that, as a Home Minister, I must go and attack these things. Certainly one can go and attack, individuals who are found, but these are invisible attitudes, these are intangible attitudes of mind which, really speaking are basically responsible for this type of situation here. It is not right to say that this happened in one type of States, because we have seen it is not really confined to one type of States. It is not only in a Congress State that it happened, but it did happen in non-Congress States also. It did happen in Maharashtra, and I am ashamed of it. But it also happened in Bihar. It started in Bihar where there was no Congress Government. It happened in Uttar Pradesh; the worst thing happened in U. P. when there was no Congress Government. It happened in Kerala where there is no Congress Government but there is a Communist Government - between Muslims and Christians. It is not as if the party that rules is responsible or not responsible for it. It is ultimately the general atmosphere that we create in this country that is basically responsible for it. Therefore, it is no use trying to find a simple explanation for it or trying to find a scape goat in a single person. If the hon. members want to find in me the scape goat if they are not going to be satisfied with this, then I will not grudge their satisfaction. But that is a different matter. That is not going to solve the problem. The communal problem has a certain history in this country and we have to change our entire outlook. I entirely agree with Shri Surendranath Dwivedy who mentioned that we have to change our outlook completely. But merely accusing cannot do this, and merely a decade is possibly not enough for it. We will have to work and work continuously for this.

As far as administration is concerned, naturally we will have to take steps and we are taking steps. He asked as to what are we doing about it. I can from my experience in the last 15 months say that this particular year was a very difficult year, not for us, as individuals, whether it is

good or bad for individuals, it does not matter. Whether it is very easy or difficult for a Minister, that does not matter. Certainly for the last 15 to 18 months were rather a difficult period for the country as such. We are passing through a difficult crisis, I should say. It is not a very easy thing to say, 'Do this way', 'Do that way', because the things are to be balanced. Yes, Sir, I have made a statement in Annual Report which was referred to and read by the Hon. Member, but I want to know, what is the role of this Ministry? The role of this Ministry is not merely a Police. I am not merely a Police Minister, I am a Home Minister. Whoever becomes the Home Minister, he is not a Police Minister, he is the Home Minister. Otherwise, if it was merely police work, it was very easy. What is the approach, what is the perspective with which this Ministry has to work, this Government has to work ? Here, we have to balance the freedom of the people with the public order in the country. Here, we have to balance the constitutional rights of the States with the constitutional responsibilities of the Centre. I am coming to that question of Centre - State relations which some Hon. Members mentioned. We have to see that the freedom does not degenerate into licence, but, at the same time ensure that firm action does not erode freedom.

Sir, most of the subjects that were mentioned here in this debate were individually discussed at times in this hon. House. We have heard the contradictory allegations. Either they say that the Home Minister has excessively acted or he has not acted at all. It is always a balance, a balance between the freedom and public order, balance between the rights of the States and the Centre. And Sir, this balance is a very difficult balance because sometimes some people on some occasion get angry and say, 'What are you doing ? Why don't you go and remove this Chief Minister ?' If for some constitutional reasons a Government was dismissed, some others say. 'Why did you do that ? Damn the Home Minister. He is toppling the Governments.' These are the sort of things which are said in this House.

**My main point is :** we have to reconcile both these aspects in this Ministry. We have to see that constitutionality and the rule of the law is also maintained. We have to see that the sovereignty and integrity of the country is also maintained. We have to see that democracy and the concept of secularism is maintained. That means, really speaking, one has to keep a balance. I wish I could have gone in one direction.

It is rather very easy for one. One could have a single track mind and merely go in for firmness. Here, Sir firmness has to be mingled with, coupled with restraint. It is not merely the firmness that helps you, if certain thing happens in a wrong way. Take for example one incident in the South when some young boys got up and tried to burn the national flag. This is one incident which certainly can provoke a man to make an angry statement because that act itself is certainly bad. But can we, Sir, identify a few tens of students or hundreds of students who tried to do that with the entire people in the South and say that what all of them are doing is wrong. Therefore, one has to take a balanced view of the matter and it is this difficult task that I had to perform in the last 15 months. So any Home Minister has ultimately to strike a balance in this matter.

These difficult times can be faced only with confidence and hope in the future of this country because with all these difficulties I can say that I have a great faith in the future of this country, in the democratic spirit, the sovereignty and integrity and secularism of this country. I have no doubt. There are things happening, but these are some of the strains and stresses through which this country has to go. It appears that it is inevitable. But the point is, how will we go through this period of stresses and strains?

If we just lose our balance and take some extreme view of the matter, then possibly the future of the country would be jeopardised. We are always reminded and asked, 'What are you doing?' - Sir, the last 20 years after independence has been the most trying period for this country - consolidating independence and transforming this conventional society, a conservative Society, into a secular society, into a democratic society. This is very difficult. It cannot be done merely by passing laws or by issuing instructions. We have to live day by day, minute by minute in those conditions and create those conditions in the minds of the people so that we become a democratic society and a secular society in a true sense. This is a difficult task and in this the Home Minister has to be a watchman. He is not merely a police watch man, he is the watchman of the constitutionality, he is the watchman of the liberty of the people.

Sir, I consider that day, a great day for me, when we could decide to issue the notification for the withdrawal of Emergency because that

was the day of the magna carta of the liberty of the people. But when it became necessary to come before this Hon. House to have legislation for taking strong action against those people who are likely to undertake activities like cession or secession, even though I said that we were taking rather too much power, we came before this House and asked for that power.

Sir, in dealing with this problem of communalism because I said after all these communal incidents take place and they are very bad. They are bad incidents. Take for example, what happened in Karimganj. Now, may I ask Mr. Vajpayeeji, really speaking what happened in Karimganj? There was one Muslim boy of 14 - I was told, I met him and also a Hindu boy of 16. Some quarrel took place between these two boys only. Can we say that only because this boy of 14 was little aggressive and took his cow back, was it an enough justification for starting the trouble in Karimganj? Suppose these were two Hindu boys and the same thing had happened, could there have been a communal trouble? Only because a Muslim boy of 14 was a little aggressive and was trying to protect his cow - it is a compliment to him and he was very proud to possess a cow. Really speaking, the Hindu community should have gone and garlanded that young boy. What happened was that a large number of Muslim houses were burnt. This starting point theory is no good. What is important is something basic and wider than that and that has to be looked into. The most important thing in this matter, as I said, is the outlook.

Again I would certainly say is there is communal politics on the Hindu side, there is also communal politics on the Muslim side and I would appeal through you to all those people, let them not create a feeling that the Muslims are the most harassed community in this country. I am not saying there are no grievances. There may be grievances, but those grievances will have to be approached rationally. They can certainly place them before the Government. But to say that the entire Muslim population in this country is a class of secondary citizens - creating that sort of psychosis is also equally bad. I must say that because it is also my responsibility to put it. These basic communal attitudes in using politics for getting justice or for removal of grievances are responsible for these troubles in the country. For that matter our outlook has to be changed.

Certainly the Government has to take some action in the matter. And the duty of the Central Government is of two types - basically guidance and secondarily intervention, if necessary, because, Sir, I am told that the constitutional rights of the States are very important. I believe in them because the rights of States are also equally important and the public order is the responsibility of the State. I am not trying to find an excuse to get away from my responsibility. At the same time, therefore, my work is to energise the State Governments, advise them without giving them a feeling that we are trying to dictate to them anything and, if necessary, to go to their assistance also, send them police force, if necessary, appoint Commissions, if necessary. That is exactly what we are doing.

I have to take the responsibility of taking a view here in public saying that it is much better that you apply the rule of collective fines. It is a rather very harsh step to take, but it helped some State Governments to take such a step. It is necessary to have committees of the leaders and representatives of the people at all levels, at village level, at town level, at district level and at State level, and they must automatically go into it. It is not merely because certain type of Government is there that they should go into it. It is a series of suggestions which have been prepared to guide Central - State Governments and I think some of the State Governments are making use of it.

If the Administration takes a partisan view, and if it is proved, whatever the consequences they have to face, they should face, and I would not come here to plead for such Administration. Even if it is my Administration, I will come and say I have failed in my duty, I can assure this honourable House, if in such matters it happens like that.

Coming to the other question of Central - State relations, my own personal conviction is what I have mentioned in my last speech - last speech means the speech I delivered in the last year's Demands - that the relationship that is embodied in our Constitution today is the best solution for the Centre - State relations. That is my view. This relationship is the result of the lessons that we have learnt in the history of the last many centuries in this country. I have no doubt that the Centre has to be strong. I have no doubt that the States also have to be strong and each other has to help each other to be strong. In this country, Sir,

whenever there was a weak Centre, we exposed ourselves to external aggression and ultimately we allowed ourselves to be dominated by the foreign power.

These are the lessons of history and the founding fathers of our Constitution, with wisdom, with foresight, laid down the basic principles of relationship between the States and the Centre and I have no doubt that they should remain. I do not want to suggest thereby that there is no scope for adjustment as and when sometimes some adjustments become necessary. But for that matter, I have no doubt that our Constitution is flexible enough, to accommodate just adjustments when they become necessary like when the problem of backward State and its development is concerned. I think certainly some mechanism can be found to help them. The Planning Commission was found to be the best mechanism to help this process. That is our experience of the last twenty years. But, Sir, this attitude that only Defence, Communications and Foreign Policy should be left to the Centre and States should be made masters of everything else is a thought which is a dangerous thought, which will ultimately destroy this nation. It is a process which will ultimately lead to the balkanisation of this country.

I know, there are some people whose philosophy is to think that this country is not a nation, but amalgam of many nations. I know this theory has many times promulgated by important national parties. They had kept been it concealed for some time. Now, I will not be surprised if they come forward again with this philosophy when they see that forces of linguism, regionalism and communalism are raising their ugly heads and feel that this is the time to push forward this theory. So, I will not be surprised if they forward with this theory. Sir, this is exactly what the enemies of this country would want. What is ultimately the analysis that we can make of the attitude of Pakistan and China?

Sir, what is ultimately our analysis of the attitude of China and Pakistan? I am not going into the external matters or the problem of defence in this matter. But it is a very obvious thing. The first lesson to be learnt is that China is keen to become the leader of the world by first of all achieving hegemony in the Asian world and they know that our country of this size and of this strength is going to be the basic obstacle in their way. They would like this country to be divided, a sort

of amalgam of many nations. Possibly this is the psychology of Pakistan also.

So, Sir, when we talk about Centre - State relationship, let us not talk in terms of weakening the Centre or weakening the States also. This is a well - balanced relationship that our Constitution has given us, and any further thinking, future thinking and future adjustments that are to be done, will have to be done on the basis of the Centre - State relationship that is laid down in the present Constitution.

The Centre - State relations also poses the problem of language. We have discussed this question many times in this honourable House, and I do not want to say something again which might start feelings here or there. Many times the question of the Act and the Resolution is being taken into consideration in this honourable House.

I have no doubt that nobody has ever so far suggested that the passing of the Act, was wrong, because that is really speaking a basic achievement. And what was that achievement ? The achievement was that Hindi will not be imposed on non - Hindi States unless they agree to it. This was the basic thing which the non - Hindi people wanted in our country, and this was the basic assurance that Pandit Jawaharlalji, Prime Minister of this country had given. We accepted that. Now, some trouble about the Resolution, some difference of opinion about the Resolution started.

Somebody had criticised the amendments that we accepted. Whether certain amendments ought to have been accepted or not is a different matter, and I would have been happy if I could have done without these amendments. But we have to take the view of the whole House into consideration, now that this House has passed the Resolution. What is the Resolution ? The Resolution has got three or four important points in it. Let us try to understand it. When we say something like 'suspend the Resolution' let us try to understand what is there in the Resolution. Resolution says that we should take steps for the development of all languages, including Hindi'. Is it bad proposition?

The third aspect was that at the secondary stage three language formula should be implemented. This is a recommendation to the State Governments. And the most important question was about the

recruitment to the Central Services. I quite agree, Sir, that about this restricted matter, limited problem, there is some difference of opinion. There is a feeling of inequality in this particular matter, and we have conceded this on the floor of the House, I said, yes, there is inequality of burden at the stage of recruitment, because a person knowing Hindi alone can appear for the examination for the recruitment and can pass with a knowledge of only one language, while a non - Hindi person will have to learn his own language and also English, if he takes English, to pass the examination. To that extent there is inequality. And this inequality will have to be removed. And we said that this can be done by holding discussions with the different leaders of the political parties. Now whatever we should do, we should do with maximum agreement amongst different people, because, this is not a party issue. This is a national issue, and national issues should be decided on the basis of national consensus. So our efforts will be in this direction. As far as language is concerned this is our approach. I do not want to go into the other aspects of the language problem. Some Member said here that there should be only Hindi. I was wondering whether he was joking or he really meant that no other language should be there in India. I hope he did not mean it; all the languages mentioned in the Eighth Schedule are national languages.

I am merely mentioning it from this point of view that these are the national languages and they have their place of honour in the life of the people and in the Constitution, and we shall have to take all the steps to see that these languages develop and prosper.

The only question was about the official language. We have accepted for the official language bilingualism. Let us not forget that we have accepted bilingualism. Naturally, Hindi will have to make its progress and we shall have to see that this development takes place as quickly as possible. This is the position about language.

The major point about the language issue is this. As I have said it some time ago here in this House, the difficulty is that in this country on the language issue there are five hundred million opinions; every man has his own opinions and views about it. I am not concerned about what one individual thinks about the language. My main concern is about what the approach should be to solve the problem. That is really

speaking that main issue. Here, Shri Kamaraj says that by himself he is not going to solve the problem; his advice is that let the elders of this country solve this problem important approach. It is the approach that matters. Therefore, we should not try to misrepresent any public man because it suits us politically. I would not like to do that, and I would like other people also not to do that.

I was coming to the regional problems. Some Members did make a reference to the problem of Assam. I think it is my duty to emphasise the importance of the problem of the North East region. It is a problem that we shall have to watch as a nation for some time to come or perhaps a long time to come. There are subversive elements active, There are rebellious organisations active, not only active by themselves, but they are in touch with the Chinese and Pakistanis also. So, we shall have to watch this. And we shall have to watch this problem not from the party point of view, but we shall have to look at the problem from the national point of view. Therefore, let us not rush to any conclusions saying 'Do this or do not do that'. The question of Assam reorganisation between the two parties there, and if not, then certainly decide the question on merits. At the present moment, we have not taken any position about this issue. But there also, I would like to make an appeal to friends who spoke here that let them better try to look at it from India's point of view.

Regionalism also has thrown up many problems, the problem of the Senas, which has been discussed here many times. It sometimes suits political parties to make use of these regional feelings or regional organisations, but sometimes they become Bhasmasuras and ultimately lead to the complete ruination of the parties concerned. This is one thing that I would like to say about this matter.

I do not want to say that the States have not got their personalities. The States have their own personalities and they should certainly try to make progress in their own way. But exclusive regionalism is something which is very dangerous. Exclusive regionalism, communalism and an over-emphasis which an over emphasis on the linguistic fervour - these are the things against which our country will have to be guard for a long time to come if at all we are to be a strong, sovereign, well - integrated, democratic, secular State. This is really speaking the task that is given

to us and it will be our duty and it will be the duty of this Government to see that they try their best to stand by these principles and achieve whatever they can under the present circumstances. This is my general approach to the problems.

Now, I would like to come to some specific problems or issues raised by different Members. First, I would like to mention the issue raised by Shri A. B. Vajpayee. He did make a mention about the investigation of the murder of Pandit Deen Dayalji. We were all shocked by the murder of this great son of India, who has done the greatest service to this country by his personal efforts. From that day, we undertook to go into the investigation of this, and the CBI was asked to investigate the matter. Here, I would like to make one request to you and through you to the House. Will it be wise for me to go into the details of investigations which are not yet complete? The investigation is not yet complete. But I would like to make an appeal to Hon. Members and particularly to Shri A. B. Vajpayee and assure him that the investigation is making progress. Enough clues have been found. Investigation does not mean that we try to reach the conclusion which we want to reach. Ultimately, investigation is such an objective thing it has to grow out of things which are there and one has to find the truth. That is the process and that process has to be proved in a court of law. So the investigating officials have to take full care in regard to what they are doing. I have no doubt that they have enough clues on which they are working. They have put under arrest some people. They have recovered all the articles that were with Pandit Deen Dayalji at that time. If anybody has any other information or clues and he can give them, certainly they can also be made use of by the investigation officials.

He raised another point. He said the CBI should keep its mind open, and the possibility of political motivation for this murder should be investigated fully. Certainly, if there is any information or clue, that will be pursued further. But he made another hint, that the CBI started with an 'accident' theory. It was not the theory of CBI that it was an accident. But when an investigation starts, it has to take into consideration all the probabilities and then proceed on that basis. It was never the conclusion of CBI that it was an accident.

He also mentioned about missionaries and tea planters. As regards

the former, as far as possible in the border areas, we are following the policy of Indianisation of missions. But that will have to be done gradually. We should not do it in such a way that we create a suspicion in the minds of the minorities, Christians, in this country. This will have to be done gradually, because you do not get all the time the types of people that the missions require. Sometime an expert doctor is required; sometimes nurses are required. I know from my own experience - some of the Indian missionaries have told me - I do not know what is wrong with us - that the zeal with which some of these people work is not equalled by our own people. Take the case of leprosy patients; for example. When it is our own people attending to them and trying to do it, they do not like to stay there for long. This sort of difficulties do arise and one will have to take a rather humane view of this matter. So a gradual policy of Indianisation will be pursued in the case of the missions in border areas. That was one aspect which Shri Vajpayee emphasised. On the border areas, we will have to be a little stricter. We are not allowing new missionaries to go. And whenever any doubt about any person concerning the security aspect arises, he is asked to leave. We will certainly proceed with a little more speed as far as Indianisation is concerned in the border areas. I am quite aware of this problem of missionaries in the more sensitive security areas on the borders.

Now comes the problem of Delhi.

The general set - up of Delhi and the administration of Delhi is one of the difficult problems in our administration as such. I know that people like Shri Brahma Prakash and other friends do want a sort of complete statehood for the Delhi area.

As regards this problem, it is not one view that holds the field; there is also the view of this House, because this House has certainly taken a particular view of the matter. Delhi happens to be the capital of the Union. It cannot have two States at the same place : the Central Government and the Delhi Government. The term 'Government' as a concept which is rather an exclusive concept. Two of them cannot function in the same place; there cannot be two States in one area. At the same time, there are problems for which some sort of autonomous arrangements have to be made; certain executive responsibilities have to be transferred, which is being done. There is the Metropolitan Council. There is an Executive

Council working with transferred subjects.

There are certain administrative problems. Unfortunately, there are certain political problems too - I am aware of them; I will come to them a little later. It is creating certain difficulties and initial frictions. But I have no doubt, given the willingness to work it and given the co-operation of all concerned, this can be worked smoothly. If some adjustments are necessary, if some little improvements here and there are called for, they can certainly be thought of. I am not against that. But the basic fact remains as far as this Government is concerned, as far as this Parliament is concerned - because it took a view of the matter only two or three years ago - that in this area there cannot be two States. One will have to concede this position, one will have to adjust oneself to this basic position.

There are three or four bodies functioning here. There is the Delhi Municipal corporation, there is the new Delhi Municipal Committee; there is the Cantonment Board; there is the Development board. The tasks are so different I would like the Hon. members to realise one thing, that the NDMC area has certainly its own different problems, different from what you find in the Delhi Municipal Corporation area.

Take the question of the Cantonment Board. This is nothing peculiar to Delhi. Cantonment Boards function in major cities of India. They have their own functions. Possibly sometimes my hon. colleague, the Defence Minister, might very ably explain the functions of cantonment boards. These are the problems.

Let us go to the problem of jhuggi - jhonpri. It is a problem, a very sensitive problem. It is there in all leading cities of India; the same thing is happening in Delhi also. We all know that after independence the process of urbanisation is going on very fast. A large number of people from the rural areas which have no employment opportunities naturally rush to the cities to get employment. That has created a chronic problem, increasing slums all over India. It is more so in Delhi, because Delhi, in the last 10 years has expanded five to six times and more. Naturally it is a problem here. At the same time, we have also to see that it does not become mere a city of slums. We have to find a solution to it. The problem has been discussed from time to time from the time of Pandit Nehru, because he had applied his mind to it and left

certain ideas behind him. Ultimately, we reached some decisions. I had met representatives of Delhi. A study team was appointed with which most of the important members here were associated. Their report has come. A certain number of people had to be shifted. I agreed that when people are shifted from one area to other areas, the minimum facilities for human beings to live and function must be provided for them. That basic thing I accept as a sort of responsibility on anybody undertaking this sort of operation.

I personally feel this was taken care of even when these activities were undertaken by the Lt. Governor. There can be two opinions as to whether the facilities there are enough or not. Certainly it can be a matter of opinion. I propose to go and visit some of these areas to find out what has really been done. But in this matter, my position is that of a friend and guide, if they want guidance and help.

... I had given view to the Lt. Governor - I am owning it publicly - whether we cannot suspend the operations for some time, and again meet all the friends, those who were the members of the study team and even other responsible leaders, and have some sort of a balanced approach to this problem and then take a decision. But some Members did not like it. I received a letter from Hon. Member Shri Gupta asking why it was being done. It is not enough to have some view on a particular matter. There is always the possibility of another person having another view. The person who is to implement a decision has to take all views into consideration. In this matter also, party considerations should not be brought in. Human considerations are the most important. The removal of slum conditions in Delhi is also in the interest of those who live in the slums it is not only meant for the beautification of Delhi. There are problems of sanitation, social hygiene, environmental hygiene, etc. in slums.

When agitations are launched, law and order problems are created in the city. I concede the right of political parties to have agitations and demonstrations. But at the same time if something is done and the Home Minister and the police organisation do not take action, what happens ? Here again there is the question of balancing. There should be a constructive approach to this problem to solve it wisely with the co-operation of each other. Let us not politicalise the jhuggi and jhonpri

question; let us not think in terms of agitations. If we did that, I am sure that within a reasonable time, we shall find a method to solve this problem.

...Some small things are made important issues. Shri Kandappan mentioned the name of Tamilnad to illustrate the attitude of the Centre. I think he knew the developments. I shall give the facts as they are. First of all the Chief Minister of Madras mentioned some other name for the State. I had occasion to meet him and discuss with him this matter. I had indicated to him that if they wanted to change the name, we should have no objection. They passed a resolution and the suggestion has come before us. According to the Constitution, we had to draft a Bill and sent the draft bill as such for the consideration of the Madras Assembly. It is being done. We are not against the change of name. If the people of Madras want a change in the name of the State, we gladly accept it; it is our attitude.

The problem of scheduled castes, particularly the treatment that is being meted out to Harijans in some areas, is a very sensitive matter. It is not for the sake of formality that I am saying it. I say it because of my deep anxiety about this problem. Ultimately Indian democracy will be judged by what we do to the scheduled castes and tribes in our country. That is my basic feeling. We will have to do our utmost for them. One incident was discussed in this House this morning. It is a terribly bad thing and one feels ashamed of it. We should give thought to it on a national level to find out the remedy, whether we can have any permanent machinery to look into it or whether there should be a judicial enquiry whenever such a thing happens, etc. I will go very carefully into it. I can assure the hon. member that the whole House is with them on this point. It will be the duty of this country to see that not only justice is done to them, but they must also feel that justice is done to them. That will be the ultimate test.

SECTION 9

CHAPTER 36

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DEMANDS FOR GRANTS 1969-70

*Lok Sabha on 31 March, 1969*

Mr. Speaker, Sir, I do not propose to go into every small detailed criticism that was levelled against the Home Ministry but would take a general review of some of the points that were made by Hon. Members and leave the details to be examined further by me so that I can communicate, if necessary, about those particular points to the Hon. Members who made them.

When I say that I would like to take a review of the last one year, I do not propose to confine myself only to what happened in the last one year only. Unless we take a review of a longer period, it will be very difficult to see the real perspective of things that we have to take it account in future.

The year that we passed through has been a very eventful year in which very significant things had happened which are going to have their bearing on future events as well. I know, in this last year many powerful forces were at work . As some Hon. Members said, we are passing

through a very difficult phase of our history. Some of these powerful forces are very welcome. They are forcing and ensuring change in the country but there are also some forces which are threatening to be dangerous to the country.

If we just take for illustration what happened in the mid - term elections, there was certainly one very good thing in this. With all the defects of instability and uncertainty that we are facing in the country, one guarantee that offers itself as a result of these elections is that the people in this country are very much certain of themselves. They have given their verdict and showed that the democratic processes in this country have come to stay.

But, at the same time, even during the very process of these mid-term elections, certain things have been happening which are pointing towards very unhealthy things in our social, political and economic life. As we are all aware, in some of the States the poorer sections of society were prevented from going and exercising their right to vote. It merely throws a floodlight over some of the weaknesses in our whole body politic. At the same time some of the divisive forces, which have asserted themselves in our life, like communalism and regionalism are showing us the dangers that we are likely to face in the years to come. I just took as an illustration a very important event in our national life, that of the mid - term elections, which is pointing towards the forces of strength and also the forces of weakness.

These forces are, in a way, a challenge and we have to see exactly as to how we propose to deal with these threats that are facing us. I would like to explain the underlying philosophy or the considerations which influence our policies and direct us to go in a particular direction.

I would like to take event after event, questions after questions, if I can. First of all, I would like to point out that during the last year, we had to deal with the problem of running the administration under President's Rule in nearly five States, to begin with Haryana, followed by West Bengal, U. P. and Punjab. I must say that the President's Rule period was really a challenge to the democratic processes in a sense in these States and though the proper legislature were not functioning we met it in a democratic way through the Consultative Committees composed of Members of Parliament. We had to overcome one wrong

conception about the President's Rule, that was many people's view that the President's Rule was a mere caretaker administration. It is true that major policies of taxation or policies reflecting the lives of the millions of people cannot be formulated by such administration. Even then, being of caretaker nature was a rather negative approach to the problem of administration and, we did not take it that way but wanted to undertake certain progressive social measures also. I must thank the Hon. Members of the House who happened to be the members of the Consultative Committees. We met, practically, in every State more than twice and functioned as informal legislatures. There were criticisms, angry exchanges and interruptions - I am looking at Mr. Jyotirmoy Basu on the other side - and even then, I must say, we undertook certain important social legislation as well.

I can make a reference to one very important legislation that we undertook in the case of Bihar. The problem of land alienation had become very difficult in the tribal areas of Bihar. A team was appointed to go into different aspect of the problem and, based on those recommendations, certain legislation was passed, I think in the form of the President's Order. I can say that though, by itself it may not be a complete thing, it initiates a new process of legislation which will protect the interest of tribals in that particular area. Economic insecurity had become a very important root cause for the discontent and trouble in the tribal areas. I just made a mention of the President's Rule in these States and our approach, towards it because that was a major event during the last year.

After that, certainly some new problems have arisen. One other thing that I would like to make a mention of I do not want to take time of the House on that particular aspect - is the problem of Assam reorganisation. This honourable House had an opportunity of the discussing the matter and, unfortunately, because of certain happenings, this House will have another opportunity to discuss the matter again sometime, if the House approves, possibly sooner than latter.

This problem is also a very difficult challenge to us because the eastern region of this country is of crucial importance to us from the national security point of view and the problem of discontented people in that region is the greatest danger to security. Therefore, we tried to

find a solution and succeeded in evolving certain consensus on which was based the Twenty - Second Constitution Amendment bill which we discussed in this House.

The other problem that we continued to face in the last year was the problem of insurgency in two areas, one in Nagaland and the other in Mizo districts. I would like to outline again the approach that we adopted towards this problem. In these areas of insurgency it is not merely the sanction of force or the use of force that is going to help us. It is a political approach combined with the sanction of force which is going to help us to solve the problem. But such methods do not produce results very quickly.

That takes some time. I must say that it grinds slowly but it grinds small as they say. This approach of combining the political approach with the use of force, has given some results in Nagaland recently.

Shri Hem Barua ( Mangaldai ) : Nagaland is not under you.

Shri Y. B. Chavan : It is not a question of being under me or under 'A' or under 'B' or under 'C'. It is a government's problem of insurgency. Maybe, the administrative problems of Nagaland are under the Ministry of External Affairs, but there are many aspects of the problem which the Home Ministry has to deal with. There is nothing wrong in that. Certainly the administrative co-ordination is done by the Ministry of External Affairs (Interruption.) That point was discussed in the House before.

As far as Mizo district is concerned, there also we found that dealing with the problem merely by the use of force was not going to give results and that it had to be combined with a certain political approach, and I must say that policy is giving us very good results in Mizo area as well.

I am merely mentioning some of the problems because it is much better that when we take a review, we see the major landmarks of the problems of the country.

There is another problem which is being discussed in the country today, and that is the problem of communalism. Many things have been discussed and said on the floor of the House. I do not want to repeat the same things again because it would be repeating the hackneyed phrases

which is not very good for the purposes of this debate. But we must not miss one point that, in the course of the last 20 years, there is a particular trend that manifest itself in the problem of communalism. I do not want to give detailed statistics, but I can mention the trend. After 1947, the graph of the incidents, if I may say so, showed a very sharp decline. It went on decreasing and decreasing upto 1960. But in 1960 the graph started going up and, I think, it was the highest in 1968. Personally I do not want to say whether party 'A' or group 'A' is responsible for this because that would be rather an over-simplification; I know that. That is a wrong approach. But I have no doubt that the incidents rose from the time of communalisation of politics for the purpose of elections, etc., when communal approaches were made use of - that started round about 1960.

Shri Hem Barua : You have said what you did not want to say. Shri Y. B. Chavan : Have I said that ?

Shri Hem Barua : Yes.

Shri Y. B. Chavan : I have succeeded in conveying what I have to convey, I have done well. But that is not the point. The main point is this. When we analyse the causes of communal incidents, certainly there are certain suspicions on one side or the other; there are sometimes some local reasons for these troubles which have to be gone into. There are certainly failures of administration also in taking preventive action, etc. These reasons are there. But the basic cause, as far as I can see, is communalisation of political thinking. That is mainly responsible for the present communal problem. This communalisation is on both sides. Why only both sides, it is there on all the sides ...

Once upon a time, all of us in this country believed that the communal problem-Hindu-Muslim problem was there because of British intervention. I have ceased believing in that theory now because Britishers left this country 20 years before and even now we feel that communal problems are there and they are increasing. It is no use blaming some third party, some foreign party, for this. In this matter all of us have to search our hearts, whether our thinking is right or wrong. That is, really speaking, going to be the main test in this matter.

Hon. Member, Shri Vajpayee, made a reference this morning to some

remarks made by some other members, I think the remarks made by some other members blaming that the Dayal Commission were labouring under some sort of prejudices were very very unfair because the Dayal Commission consisted of three eminent persons. I do want to go by the religions of these persons. For the information of this House I must say that the three Members belonged to three different religious groups. There is no question of the Commission being influenced or led any religious prejudices in this matter. Therefore to label this Commission as prejudiced is not correct. I am prepared to accept that this Commission is making an impartial and objective assessment of what happened. It is true that the Commission has said that there was no pre- planning as far as the incidents were concerned. I think many detailed recommendations that this Commission has made are a matter of very important study and scrutiny. The important suggestions and recommendations that the Commission has made have to be gone into. We have sent it to different States. On some of the recommendations that we have ourselves to consider, we have started examining this matter Administrative steps that are required, the political steps and the educational steps that are required - all these matters have to be gone into. I made a reference to this because the hon. members made a reference to it. Dayal Commission's work is not yet complete. They have merely considered so far only incidents of Ran-chi and Jammu and Kashmir. Now they are discussing some of the problems in Maharashtra. Particularly, four States stand out in this trouble. They are Bihar, Uttar Pradesh, Andhra and Maharashtra. These four States have made very unfortunate contribution towards this problem. The States have to take a very serious note of the situation.

Another problem, a debate about which is going on in the last few years, if I may say so, after the 1967 Elections particularly is the problem of Centre - States relations. I do not propose to say anything which possibly might prejudice the consideration of this question with open mind in days to come because very recently the Standing Committee of the National Integration Council has considered this question and have decided to study this problem in depth. At the same time, I would certainly like to give a general outline of the problem which we face. I think it is true of all Federations that this sort of debate continuously goes on about the relations between the States and the Centre. It has

happened in other Western Federations. There is nothing un-natural that such a debate should go on in this country as well. There is nothing wrong about it. It should go on. But what should be the criteria for this study? That is, really speaking, the most important question. In a country like ours some people think that this problem has arisen because of the political results of the elections of 1967 when the state of the same Party having rule in the Centre and the States ended. It is attributed to the new situation that has arisen because Governments of different colours are coming up in different States and the Centre is controlled by one political party. It may have perhaps emphasised the debate. But I personally do not believe that the problem has arisen because of that. I have to say that to maintain that the problem has arisen because of governments of different colours coming in the States is not a statement of fact. Otherwise, they would say that it is rather over-simplification of the problem. Possibly you can bear me out that even before the 1967 elections when there were Congress Governments in all the States, there were problems of Centre - State relations.

Shri Atal Bihari Vajpayee : It is a family problem.

Shri Y. B. Chavan : They were not family problems. Let us see what are the problems. You yourself headed an important State of India. I had the privilege of heading another State. We know we had problems. The problems are the problems of economic advancement and economic progress. That is, the basic problem because we feel different States are at different levels of development. They have got their own problems, their own requirements which need to be supported by the Centre. This is not the first time that the problem is enunciated. The problem is more emphatic. It has become more acute. Rather I would not to say acute, it is argued rather strongly now a days. It is finding expression in stronger and firmer terms. Not that the problem is a new one. It is called a domestic party problem. That is what Hon. Shri Vajpayee has said. It is not a domestic party problem. Really speaking it is a national problem. In respect of Centre - State relations, certain frank talks should be held. Arguments should be made. All points of view should be carefully examined and any conclusion that seems reasonable should be arrived at. But when we look at the problem as Centre versus State, then it does not remain a problem of Centre - State relations. I am not mentioning

any particular Government or any particular party in this matter. But what we have to take care is to see that we do not treat this problem as Centre - versus - State, because then the very perspective is completely changed.

Shri Ranga : That also is there.

Shri Y. B. Chavan : The problem is also there. We have to consider all these things. There is also a theory that all the States are in a way some sort of nationalities. This theory, we have to remember, ultimately aims at weakening the Centre. I do not want to speak exclusively for a strong Centre etc. Our intention is to evolve a sort of co-operative federalism in this country. We do not want to have a situation where the States are pulling in their own directions weakening the Centre. That is the basic question which we have to go to answer and answer objectively. Our aim should be a co-operative federalism giving every State the opportunity to express its own personality. I think this problem of Centre - State relations is becoming a problem of underdeveloped economy of the country; basically it is that problem.

I would, in passing make a mention of a very general trend that has created many political difficulties in the last two years, namely, the problem of defections. As hon. members are aware, as a result of a Resolution passed by this House, a committee was appointed to go into this and it has produced a very important report. I know the process of defections is still continuing. In that committee, we could not come to any major conclusions about the problem of defections as such. It was felt that it was not on the basis of legal action but the agreement of political parties to lay down certain principles on the basis of which we could develop new traditions and conventions which could tackle this problem.

This problem has created a problem of another type, namely, the controversy going on about the role of Governors in this country.

Shri Ranga : So far as defections are concerned, any assurances would be coming from him about the future.

Shri Y. B. Chavan : This is not a question on which any party or individual can give an assurance, unless there is some basic understanding on all sides.

Shri Vajpayee made a specific mention of the role of Governors. I know there may be some difference about the interpretation of the Governor's role. I would not look into the past, as to what happened in different States in the last two years, but I would certainly look to the future. One matter which has been argued over and over again is the use of the discretion. He quoted my speech during the debate on Madhya Pradesh two years before. I have it with me. I was dealing with a particular problem that was raised, and was mentioning about the discretion specifically given by the articles of the constitution. In that context I quoted Mr. Seervai. In the course of many discussions that took place in the House, it was mentioned that inherently there are situations in which even though discretion is not mentioned specifically by any article of the Constitution, the Governor has to exercise his discretion. One specific issue was raised as a result of what happened in Rajasthan immediately after the general elections. If a situation arose where no single party had a definite majority. what is the Governor supposed to do ? It is patent that though discretion is not indicated by the articles of the Constitution, the situation dictates that the Governor should use his discretion. We discussed this matter in the house and it was decided that I should sit with the leaders and evolve some sort of guidelines so that the Governors can be helped in this matter. I do not know whether Prof. Ranga chose to participate in that.

The recommendations of that committee are to be debated and accepted and legislative and other decisions have to be taken by the House. It is not a matter for any individual discretion; it cannot be done.

So, there are certain situations in which the Governor has used his discretion. What conventions should be there to guide the Governors is a matter which needs to be further examined. In this matter I feel that all the parties, irrespective of what is happening around us should sometime sit together and try to enumerate the situations in which the Governor will be asked to use his discretion and lay down certain guidelines.

I had referred to some general problems that arose in the course of the last year which had a great impact on the political life and the parliamentary institutions in our country and they created sometimes

pleasant and at other times bitter controversies. If we learn some lessons for our future guidance from our experience in the last few years, some of those bitter things will not be repeated and possibly we may be able to face the future of our democratic institutions with more confidence and more faith in ourselves.

I want to make a passing reference to some other leading questions that were raised. I must congratulate Shri Vajpayee for the good stand he took about the problem of untouchability in this country. For the first time I must say that he spoke for the whole House. It is something very good.

So, Sir, really speaking, I was very happy when I heard that remark from Mr. Vajpayee, because that gave us some more faith in the future of democracy in the country. That is what we wish and therefore I wanted to make a specific reference to that matter.

Then, some Members referred to Telengana and some were very excited about Telengana. Some people said, we should act from here only. These are matters in which I think the Central Government should act with a little caution, consideration. Any word that is spoken here, must be such that it may not add to the problems which are already there. Our approach in this particular matter is that, on the feeling of grievances that the people of Telengana have, we are prepared to help the State Government and we are prepared to all efforts to remove those feelings of grievances. An hon. Member made mention about inequality of services and that certain decisions on the integration of the services were not properly implemented etc. It was only for that very purpose that we are thinking of sending a team of officers; we have not yet sent it.

It is no use merely becoming emotional in this matter. If we just take a very isolated view of every problem and decide it, I do not think we shall be doing any service to the nation. All these problems have a national bearing; they have to be considered, examined and acted upon from the national point of view. In this matter, I do not want to say one way or the other, in a very determinate manner and a very partisan manner, and the only thing that this Parliament, that this Government would wish is that some opportunity is taken but the parties concerned to understand each other and remove any feeling of grievance or injustice that may be

there. And in that process the Government of India is prepared to help and make all the efforts that are necessary.

Some Members, and particularly the Hon. Member Shri Kushok Bakula, made a reference to certain problems of Buddhists in Ladakh. I am in touch with the Jammu and Kashmir Government in this matter. He mentioned certain incidents as having taken place there, where certain flag of the Buddhists came in for controversy or something like that. I am told that the matter has been looked into by the local authorities and certain prosecutions have also been launched. I have no doubt that the Jammu and Kashmir Government is keen to give protection to all the religious minorities in the Jammu and Kashmir State. I have no reason to suspect that.

Shri Ranga : Why not tack it on to Himachal Pradesh ?

Shri Y. B. Chavan : Well, that will be starting again or playing the game of attaching some place to some other place. (Interruption). While referring to Jammu and Kashmir, I would like to make a mention of the Gajendragadkar Commission's recommendation's. This Commission was appointed ...

I assure the House that we will certainly look into the problem of Ladakh, because Ladakh is more important from the national point of view and the security point of view of the country. Therefore, we are very much concerned about it. The only thing that I wanted to say was that the Jammu and Kashmir Government is equally concerned about the problems of Ladakh.

The Gajendragadkar Commission was appointed by the Jammu and Kashmir Government and the report is under their examination. I have no doubt that the Jammu and Kashmir Government will certainly closely and objectively examine the principles guiding the recommendations. Till they take view on this matter, I think we should not start creating any doubts or suspicions I should say that things are improving in Kashmir and by creating such suspicions possibly we might make the Kashmir problem more complicated.

I cannot answer about all the commissions appointed by State Governments and undertake the responsibility of laying their reports on the Table.

Sir, the problems that we faced last year in this Ministry were certainly very challenging problems and I think we have tried to face those problems with confidence and faith. I have no doubt that the support of this House will help us to face them effectively in future.

SECTION 9

CHAPTER 37

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DEMANDS FOR GRANTS 1970-71

*Lok Sabha on 3 April, 1970*

Mr. Chairman, the demands of the Home Ministry have been discussed for nearly ten hours and I am glad that so much time has been devoted by the Hon. Members. It shows how concerned they are about the problems which are dealt with by the Home Ministry.

To begin with I should like to make one submission. Most of the speeches dealt with problems which had been discussed in some depth on previous occasions and on those occasions I had explained the Government's position on those matters. While dealing with those problems in my speech, I may be forgiven if I have to repeat some things which I had said earlier in the House. Let me make it clear at the outset that I do not propose to deal with minor points or specific issues raised, because it is not possible to do so within the short time. I am also not going to repeat the points dealt with by my colleagues, the Minister of State Shri Shuklaji. That represents the division of work in dealing with problems. Possibly some Members are exercised over the border question. I have nothing more to add to what Mr. Shuklaji said

on this question.

...Some major questions were raised, and rightly perhaps. The law and order situation in the country was one of them. It is true that it is a very important question. I do not want to merely repeat what happened in one State or another State and go on multiplying the incidents. I think in a debate of this type it is much better to see the whole problem in its proper perspective. There was violence for one cause or the other. It is much better to see what is the character of the situation which gives rise to the violence that takes place. It is not purely a law and order situation in that sense. It is not purely a police situation in that sense. Basically violence is an expression of certain social, economic and political tensions that exist in the country, that exist in our system as such. (Interruption)

.. If you see from 1967 onwards, this violence has taken different forms. Sometimes it is a communal situation; sometimes it is a situation of violence arising out of land problems; sometimes, it is a situation arising out of the problems of youth; sometimes it is an expression of certain extreme political philosophy. These are the different facets. I know there are some purely law and order problems also, where dacoities or murders take place. These problems are there.

A point of view was expressed, namely that when such things are happening, what was the Central Government doing. I do not want to shirk the responsibility of the Central Government. I do accept the general principle that ultimately for the integration of this country, for the sound working of the Constitution, the Central Government is responsible. I do not want to give up this overall responsibility. But, at the same time, whenever we say that the States have the responsibility of doing certain things, it is not merely as a sort of cover for what we are not doing, but it is due to the clear distribution of work which is indicated in the Constitution itself. I say this because in the debate, I saw some contradictory arguments. Some said, whatever happens in every State, the Central Government must take up the responsibility and act. Others said, we must not forget the distribution of responsibilities between the States and the Centre. Naturally, they raised the question of Centre - State relationship. In a way, I would say both the approaches are partly correct. Therefore, these problems will have to be seen in their proper

perspective.

If you take problem after problem I would say that the Centre - State relationship is certainly a very important issue. Its importance is not new. It has been so even from the very beginning, when the Constitution started functioning. It has become a little more vocal, after the 1967 election, because there is a change in the political pattern of the governments functioning in this country. But even before 1967, these questions were there in one form or another. On this question of Centre - State relations, it is not that we suddenly became aware of the problem. Formerly, there was one party ruling both at the Centre and in the different States. The mode and tenor of the problems were different; but I know from my personal experience in those days that there were several problems between the Centre and States. We had many times raised this question. There were many views in different States; because even then there were the problems of the States, problems of development, aspirations of the people; linguistic aspirations or other aspirations. Sometimes, there was some sort of contradiction between the demands and the aspirations of people in one State and the people of another. So, the problems were there. They became, more pronounced after 1967, because there are different parties functioning in different States. So, as a matter of fact, the question of Centre - State relationship needed some consideration; needed some study.

Many suggestions have been thrown up in the last few years. This question was taken up by the Administrative Reforms Commission. They appointed a Study Team presided over by our eminent jurist Shri Setalvad. They have produced a report. Even the Administrative Reforms Commission itself has made certain recommendations. Their report reached the government sometime in June, 1969, and after that, the report is being studied, and I think the Government will be in a position to come to certain conclusions about it soon. This matter was also raised in the standing committee of the National Integration Council. It was decided there that this problem will be discussed. As a matter of fact, some persons who participated in the debate in the National Integration Council agreed to give their points of view about the Centre - State relations. I think the CPM has sent its paper. Even the PSP has sent its own point of view.. But we thought it much better that the problem should be studied in all its aspects.

One important recommendation of the ARC was - somebody yesterday read a part of it; I do not remember exactly who it was - that the study of all the Centre - State relations indicates that it is not necessary to amend the present Constitution, because the Constitution is flexible enough to find solutions to the problems that arise from time to time. There is no question of amending the Constitution or making structural changes in the division of powers between the Centre and in the States. It is not necessary. Really speaking, the problems are limited to two or three different areas. One is about the role of the Governors, which has become a matter of great controversy and debate. The other is about the financial aid or financial contributions that are given in one form or the other. These two are the most important spheres, because it is in these fields that there is a continuous dialogue, a continuous debate. So, we will have to go into these problems first of all.

About Governors, unfortunately it is said that Governors in different States observe different standards. The only question about which the Governor has got discretion is about two or three special problems. One is about the appointment of the Chief Minister. The other is about the dismissal of the ministers. The third is about the dissolution of the Assembly. The fourth controversial matter is about summoning and prorogation of the Assembly. These are the different issues that arise in the States. The question first arose in Rajasthan. If you take the history of the last three or four years they are very rich in experience so far as the working of the Constitution is concerned. All varieties of circumstances came up.

... Now, questions arise about Governor's powers about selecting the Chief Minister. What does he do ? The situation arises only when there is no single one party which is in absolute majority. This arose in Rajasthan. The Rajasthan Governor decided to call the largest party to lead the Government. That question was raised here and debated. My hon. friend, our senior colleague, Prof. Ranga, raised it. I remember to have said then that there is scope for examining this question. I did not take any particularly inelastic position. Later on, we went into it. I do not want to repeat what I said the other day. It was found that there is scope for laying down certain conventions and guidelines, which can be helpful to the Governor to decide who should be called. There is a consensus among the jurists we consulted in the matter that the

Governor should try to convince himself by consulting different political parties whether the man to be invited commands a stable majority in the House. This should be really speaking, the criterion in this matter. I would like to say that in all the subsequent events, the Governors have followed this principle. I have no doubt about this.

... The other question was about dismissal. That question arose only in Bengal. Whether those particular circumstances were right or wrong is a matter of debate, and it can remain a matter of debate, but the power of the Governor to dismiss the ministry has been conceded. The third question is about the right of the Governor to dissolve the House. Fortunately, so far this question has not arisen. So I would not offer any comments, so far as the application of that principle is concerned.

Now the fourth question which has become a controversial matter is about proroguing and summoning the house. In that matter some of the parties have taken the stand that we have changed the position according to our convenience. It is not so. On the other hand, I would submit, some of the parties have tried to interpret the right of the Governor in this matter according to their convenience. When certain political parties in UP wanted the governor to call the session and when the then Chief Minister of UP, Shri C. B. Gupta took the stand that he will call the Assembly the next month, it was pressed by some people that it is the duty of the Governor to call the session earlier.

.... The point in Bengal was that the Governor wanted the Chief Minister to call the session; he did not himself call the session. In Bengal he dismissed the Government. Here the point at issue is whether the Governor can himself summon the House, or prorogue the House, or he can only act upon the advice of the Chief Minister. In Bengal he wanted the Chief Minister to give him advice to call the session earlier, not that he wanted to do so in his own right.

... The right of dismissal of the government is there. As far as summoning and prorogation are concerned, let us forget the party interests and let us forget what happened in what State. But certainly, at the same time, let me make my position very clear. Sometimes, it is quite possible that the Chief Minister may give wrong advice; one cannot say. It depends upon the circumstances. Suppose, for instance,

there is a no - confidence motion pending before the House, if the Chief Minister gives an advice to prorogue the House, personally I would feel that it is wrong to give such advice to prorogue the house.

But it is not the fault of the constitutional position; it is the fault of our politics. Let us try to understand this. Whatever is wrong with politics, let us not try to attribute it to the working of the Constitution. Unless we show consideration for the working of the Constitution, unless we try to keep the values of the Constitution above the interests of the political parties, the political difficulties are bound to arise from time to time.

As a matter of fact, some Hon. Members are trying to make the Governors despots by their interpretation of the Constitution. We are the protectors of the rights of the people. We must interpret the Constitution in such a way that the rights of the people are protected ... (interruptions) I cannot carry on a dialogue with all of you simultaneously.

... I was trying to discuss the problem of Centre - State relations of which the Governor's power is one aspect. I would like Hon. Members to take care of one thing. It is the basic responsibility of the Central Government to see that the Constitution is properly worked, that we encourage the forces of integration and that there is the administration of peace. At the same time, the States are also equally responsible so far as their sphere of activity under the Constitution is concerned.

...Whenever it was found necessary for the Central Government to intervene during the last three years it was not shirked. In more than five States the Central Government had to intervene and take over the administration. How can you then say that we have failed in our duty ? It had never happened before 1967. No month of a year had passed without having some State or other under President's rule.

It is indicative of two things. First is that there is something basically wrong with our party politics.

... We had in 1969 mid - term elections in five States before the five years were out. Unfortunately, we find that those very States are still sick States. I do not mean "Sikh" States; I mean, "sick" States - S I C K, sick. We find that only in those five States there is again a change of government and one of them has again come back under President's rule. So, we have to examine what is wrong with us. If at all we want to

have some proper solution, it is necessary that we do so. Merely trying to find somebody as a scapegoat and beat him sometimes angry or confused people try to hold up somebody and beat him and if you want to make a scapegoat of me, I do not mind being one is not going to lead you to a solution as such. The solution, as a matter of fact, is that all the political parties should go deeper into the causes of the trouble of the country today. I would not merely tell this to others. It is much better that all of us sit down and go into it.

... Extreme political ideologies are responsible for the violence today. There is no doubt about it. There is a sort of ferment going on in all the political parties.

Some Members raised the question of definition of defections. I hope, all the leaders of parties, who were present in that discussion which we had in the Committee on Defections, will remember what we discussed and what was our basic conclusion. Our basic conclusion at that time was that it is difficult to define defection.

... I must say that the committee's examination of the problem at that time was more realistic than now. It was said that we were passing through a phase in our country when there was a perpetual readjustment of political thinking and loyalties. At that time it was anticipated that there would be a possible splitting and amalgamation of parties which later came true. The only limited part of defection that was considered necessary to be dealt with was the tendency of leaving parties to get office. The Defection Committee - it was not merely a committee appointed by Government; it was a committee representative of all the political thinking in this country - came to the conclusion that what we could effectively deal with was not the general problem of defection, because it was very difficult to define defection, but the changing of parties by people from one side to the other only in order to get office (Shri Piloo Mody : Or for profit) and whether that could be controlled for one year. They made another suggestion also about the ceiling on the size of the Cabinet etc. That was also another important suggestion.

... We had discussed this problem in a small committee. Then, we had decided that the Report should be properly discussed in both the Houses and that, after assessing the view of both the houses, then we could go ahead in formulating the Bill based on those discussions. This

Report has been discussed in the other House. The Report is going to be discussed in this House. I had given notice of during the last session. I am not complaining about it, I am merely stating a fact. Unfortunately, we have not been able to get time to discuss the Report. Let us discuss it again in full forum and then come to conclusions. We are, in that sense, committed to bring in a legislation based on the discussion in this honourable House.

I will now refer briefly to the communal riots. Communal tension is one of the saddest things that has happened in our country. I have no doubt about it. We have many times gone into the causes of it. We have never, said, as some Members tried to indicate, that a Government publication has said, that many things have happened because Muslims were taking the initiative. The Government has never taken that stand. Some political parties may have taken that stand.

... I have said many times before and I would like to repeat it here that a feeling has been created which is responsible for communal troubles, that one particular community, is not loyal to this country. When such a basic suspicion is created in the minds of the people, all the difficulties arise. The so-called demand of Indianisation looks quite an innocent thing. But when we raise a doubt about one particular community as such ... (Interruption)

... Sir, we met in a standing committee of the National Integration Council and, fortunately, all the political parties were there - I am talking only about the constructive part of it - and we came to a conclusion, including Jan Sangh party, that we should create a joint campaign in the country to see that no particular community should be maligned in this way.

.. Ultimately coming back to the problem of communal tension, we will have to take care of one thing. This one question is going to be the real test and trial for the political parties in this country. Unless we succeed in creating an atmosphere of peace and understanding and create amicable relation between all the communities in the country, nothing is going to happen. (Interruptions)

Now I would like to touch the other problems referred to here. I know I have a very short time at my disposal. Naturally, questions were raised about statehood for Union Territories.

... The question of conferring statehood on the Union Territories has been raised from time to time and I was referring to this question when I was answering some of the questions this morning. A major demand has come from Himachal Pradesh and the other from Manipur, Tripura and other places. We are aware that there is a strong feeling in this matter. But we will have to go by certain criteria and these criteria will have to be on certain financial considerations. Naturally political aspirations also cannot be forgotten. I don't deny the force and strength of the political issues. In this matter we will have to go in a more orderly manner and certain objective criteria will have to be followed. In this matter our present policy is this that we must see that at least some financial stability is likely to be maintained after giving them Statehood etc. Ultimately the problem is of giving them enough facilities and resources for the people to develop economically and socially. This is really the problem. It is not a question of State or their territory. At the present moment in some of the States, in some of the Union Territories, the Central Government has to take a heavy financial responsibility. We have started a process in this matter of having discussions with Himachal Pradesh. A paper was prepared with the help of the Planning Commission and on the basis of that we had some discussion with the Chief Minister of Himachal Pradesh and I hope that the discussions will ultimately fructify and led to the solution which is so much in the minds of the people of Himachal Pradesh today.

... Sir, one significant achievement that I must mention is, that only yesterday the autonomous State of Meghalaya was inaugurated. This honourable House has endeavoured for a long time and ultimately the bill that we passed here has resulted in the actual creation of a new autonomous State. I take this opportunity to give our greetings to the people of Meghalaya.

... Sir, one Hon. Member mentioned about pensions to freedom fighters. I know the number of freedom - fighters in the country runs into lakhs. And, it has been the accepted policy so far that it is for the States concerned to look after the problem of the freedom fighters and some States have prepared some detailed schemes about it; and they are being implemented. But we found that one particular group of freedom fighters was not given attention to, as it should have been that consists of some of the leaders or some of our political sufferers were

sent to the Andamans from early twenties. Therefore we selected this problem for the special consideration of the Central Government and we have now worked out a scheme whereby a prisoner or political sufferer who has spent sometime in the Andamans.

Shri Bakar Ali Mirza : 5 years; not some time..

Shri Y. B. Chavan : That has been amended now. Even if he has served his sentence in the Andamans for a day ultimately his responsibility will be taken over by the Government if his total term of sentence was not less than 5 years. Under that scheme we have started sanctioning provisional pensions to those people. I think in some cases we have given pension of Rs. 200, in some cases, Rs. 300 and so on. We have taken this as our responsibility.

... There is one other point, and that is about the Scheduled Castes and Scheduled Tribes and their problems of employment. I think it was our duty to see that whatever we did in this matter, we did it in a proper way. I would like to tell the honourable House that in respect of whatever we have done in the course of the last few months and the steps that we have taken in this matter, were directed towards the two aspects of the problem. One is, a very vigorous implementation of the policy of reservation. We found that some times there was some slackness in the process. We took certain steps to see that the policy which is accepted is rigorously implemented. The other aspect of the problem today is to increase the extent of reservation as such. I would like to say that very recently we reviewed this question and we found that the present percentages of reservation were based on population of 1951. So, we reviewed the position in the light of census figures of 1961. We found that the reservation had to be increased. I would like to tell the honourable House that accordingly instructions were issued. According to them where direct recruitment is made on All India basis by open competition, the percentage of reservation for the scheduled castes has been raised from 12.5 % to 15 %. In the recruitment made otherwise than through the open competition, the reservation for them would continue to be 16.2/3 %. For the scheduled tribes, the percentage of reservation for direct recruitment either by open competition or otherwise has been raised from 5 % to 7.5 %. We have also decided that the period for which unfilled reserved vacancies for scheduled

castes and scheduled tribes may be carried forward be increased from two years to three years to ensure that this quota of reserved vacancies is not permitted to lapse easily.

... Also we have decided that in matters of promotion from one category to another, persons belonging to scheduled castes and scheduled tribes should be given certain special concessions. In case of the scheduled castes and scheduled tribes persons who are senior and are within the number of posts to be filled, the selection has to be made on the basis of fitness and they will be given one grading higher for placement. This is a new decision taken and I hope that the implementation would improve the situation and more facilities would now be available.

... The subject of illegal alienation of the land of the tribals particularly in Bihar was discussed many times in this honourable House. The honourable Member raised this when we discussed this problem in Bihar Consultative Committee. At that time the Consultative Committee of Bihar had passed a legislation for this. And it is being implemented. It has also created some new problems which will have to be considered. And I think that the present Bihar Government will pursue this policy more vigorously.

... Some Hon. Members particularly Shri Bakar Ali Mirza, made a mention of Telengana. I do understand the importance of the problem. We have discussed it many times in the House. Merely repeating the same demand for separation is not likely to help either the people of Telengana or the country or the State of Andhra. Really speaking, one has to go into the problem in a constructive way. What are the basic problems : First, the necessity of giving more opportunities for the development of that area. Second, giving a right sphere for the employment of the local people. The whole trouble started out of that. After consultations, discussions and deliberations with all, the question of surplus was gone into. The report of the committee presided over by the Supreme Court Judge appointed for the purpose was received. They suggested a certain amount after taking all factors into consideration we decided the surplus to be spent as Rs. 45 crores.

As for employment possibilities, there are two aspects. One is the problem of the integration of the different services. That has to be expedited. Certain deficiencies were there. Remedial steps were taken.

Certain committees were appointed. They went into the matter and discussion is still being continued.

The other question was about trying to get employment for the local people Mulkis as they were called. The relevant enactment has been struck down by both the High Court and the Supreme Court. So there is no legal way out. But we appointed a committee of jurists who went into the matter. They have suggested a way out, that recruitment should be decentralised, and if it is done at the district level in the cases of class II, III and IV, particularly class III and IV, this will give large scope for employment of the local people. The Government of Andhra has accepted that recommendation.

Then the question was about the Regional Council contemplated in the Constitution when Andhra was reorganised. We thought it necessary to give it some more powers. Even the financial arrangements being made for the development of Telengana area can now be discussed in that committee. We have decided to enlarge some of the powers of the Committee.

I think the House should give its blessing to these proposals - these are the constructive approaches of the problem - and see that they are worked properly. I require keen co-operation from all sides of the House in this matter.

... Mention was made about the death of the late Prime Minister Lal Bahadur Shastri. I do not know what the hon. member who raised it wanted to say. This question was discussed in the House before, immediately after Shastriji's death.

... The External Affairs Minister at that time, who is the recent Defence Minister, made a detailed statement on the floor of the House. There were questions and answers on many things. I was there. We are all very sad to have witnessed one of the worst tragedies in our national life. The man who led the nation in a triumphant manner in an armed conflict when he went to seek peace did not, unfortunately return alive. That was the greatest tragedy in our national life. But let us not add to the dimensions of it by creating suspicions about the death. I was there myself. I had seen Shastriji in good condition. He was active throughout the day. From four in the afternoon onwards I was with him most of the

time till about 9.30 or 10 in the night. He was active.

... He left us a few minutes before 10 when we were all in a reception given by Premier Kosygin there. He was mixing with people, talking and joking with friends there. After that they had arranged an entertainment programme. I think we sat in the same row two or three places apart. He was having some interesting jokes with other people. A little before 10 O'clock he took leave of all of us and particularly the leaders of Soviet Russia, and that was the last time that I saw him. After that we know that he had a talk with some family members in Delhi. He was given milk by his personal staff. He took the milk and retired by 12.30 or so. Because the very next morning we were supposed to leave Tashkent for Kabul, we were going to stop at Kabul.

After we went back at 10 p.m. we were busy packing as we had to leave early morning. I was awake till 10' clock in the night and had just gone to bed when suddenly my assistant who was with me came rushing to tell me that Shastriji had taken ill. It was about 1.30. We were staying in the Tourist Hotel and the villa in which the Prime Minister was stationed was about 200 to 250 yards away. It was mid-night and we had no conveyance at that time. Practically in our night dresses we ran there. When we went into his bedroom, Dr. Chugh, the doctor who accompanied us, and one or two persons were trying to give him massage, they were making some efforts. Then started coming the Russian doctors. I think, in between, came the Prime Minister Mr. Kosygin himself. They tried to give him more treatment certain other treatment. We find that they have given a medical certificate for that matter. Our own doctor who accompanied us specially, a man who was competent doctor, himself treated Shastriji in his last minutes. Then, there was the history of the heart trouble.

Under the circumstances I even now say we are all sorry and sad, at least will remain sad till the end of my life, having gone through this experience but we cannot say that there was any thing suspicious about the death of Shri Lal Bahadur Shastri. This is my personal conviction. Whether I will be able to convince some of the Members who are very concerned about it, is a different matter, but I feel that there are no reasons for a suspicion about the death of Shri Lal Bahadur Shastri and as such there is no necessity of any enquiry.

... Some Members mentioned about the privy purses. I should like to tell them that Government's decision in this matter is to give some transitional allowances to the rulers. That scheme is being prepared; it is not yet finalised. When the Government comes before this House naturally we shall communicate it to the House.

Shri. Indrajit Gupta raised certain matters yesterday about certain Supreme Court Judges hearing the case on nationalisation of banks. I am not taking any particular view in this matter. Certain facts have been given to me by the Chief Justice of India and I want to give these facts for the information of the House so that the whole thing can be seen in its proper perspective. The Bench was constituted by the Chief Justice minus himself because he had given assent to the Bill as Acting President. The facts are as follows. When the question came up, Justice Shah informed the Counsel that some Judges had some accounts with these banks and some Judges had shares and asked whether there was any objection for their sitting on the Bench? On behalf of the government the Attorney General replied that there was no objection.

... I do not want to take more time of Hon. House. I have put the entire question of law and order in its proper perspective. I know it is a very difficult task for the Home Ministry as we are passing through a very difficult phase of our national life.

