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THIS CRIME AGAINST INDIAN DEMOCRACY

HISTORY WILL NEVER FORGIVE NEW AGE

COMMUNIST PARTY WEEKLY

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As we go to press, the papers carry the report that the Union Cabinet has taken the decision to intervene in Kerala and establish President's rule. Formal proclamation to this effect, it is said, will be issued in a day or two.

What grounds will be advanced in justification of this thoroughly undemocratic action has yet to be seen. It is necessary, however, to draw attention to certain significant facts.

RUMOURS about imminent central intervention became persistent from Saturday, July 25, the very day the Vimochana Samara Samiti—of which two top Congress leaders of Kerala are members and which is the real organiser of the struggle—announced their new "plan of action". On August 9, "massive forces" will "march into Trivandrum". The Secretariat would be "besieged" by 25,000 volunteers. They would quit only after they have attained their "objective"—the resignation or dismissal of the Kerala Ministry. This would be the "final and decisive phase" of the struggle.

It is to be noted that this plan was worked out only after Smt. Sucheta Kripalani, the General Secretary reached Kerala. It is to be noted that the Joint Council of Action, of which the Kerala Congress is the leading constituent, had fully endorsed the plan and called upon its followers to join the proposed "march" and "siege". Finally, it is to be noted that the announcement of the new plan almost coincided with Smt. Indira Gandhi, the President of the Congress meeting Dr. Rajendra Prasad, the President of the Indian Republic and demanding in her own words, "It is high time for the Central Government to act in Kerala".

Conscious of the "constitutional difficulties" that stood in the way, she declared later in a public meeting that there was "no room for legal quibbling". If the Constitution stood in the way of Central intervention, the Constitution "had to be altered". The meaning of all this is too plain to need elaboration.—provocation on a scale vast-er than ever before.

Seldom, if ever, has such a diabolical plan been worked out in a civilised country with such brazen-facedness and callous disregard of human life, democratic conventions and decencies of public life. A cold-blooded crime is planned before which pales into insignificance all that the Congress has done during the last twelve years of its rule.

What has driven them to this position? Why have they become so desperate?

Because, all their earlier plans miscarried. These plans ended in resounding fiascoes. Never in its long chequered history did the Congress suffer such political and moral defeats as during the last two months. Never did its prestige sink so low.

In alliance with dark forces of communal reaction, unprincipled politicians and

Editorial

by Ajoy Ghosh

frustrated careerists, the Congress in Kerala launched what they hoped would be "a short and swift struggle"—a struggle that would wipe out "within a week" the greatest achievement of the popular movement since India became free—the democratic Government of Kerala. They hoped to bring about a state of lawlessness and paralysis of the administration which would justify Central intervention. And they hoped that by raising the bogey of the "menace of Communism", they would be able to win mass support all over the country for their outrageously undemocratic and unconstitutional action.

These plans did not materialise. The vast majority of the people of Kerala refused to be drawn into the ill-conceived struggle. The school-closure movement failed despite acts of intimidation, arson and stone-throwing. The call to workers for general strike on June 29 evoked little response. Attacks on buses, heavy damage to State property and injuries to passengers created popular revulsion. The picketing of collectorates was a miserable failure.

Then, they announced that from July 9 to July 15, the struggle would be "intensified" and this "intensification" would bring down the Government. July 15 passed but nothing spectacular happened.

In desperation, they launched a campaign of provocation, assaults and even murder of supporters of the Government, hoping thereby to bring about mass clashes all over the State. This too failed thanks to the admirable restraint shown by the people.

Simultaneously, in the name of intensification of picketing, attempts were made to force mass entry into collectorates, keeping women in the forefront, so as to provoke firing and butchery in the heart of Kerala's capital. Here again, they failed.

In place of the "upsurge" which they had hoped would "paralyse the administration," there grew in Kerala a real upsurge of the people—an upsurge against hooliganism, an upsurge in defence of the Government. Vast meetings took place all over the State, declaring their support to the Government, de-

manding that the struggle should be called off. In a number of localities, units of the Nair Service Society dissociated themselves from the struggle. So did many followers of the Muslim League and the Catholic Church. Even more striking was the failure to enlist popular support for their "cause" outside Kerala.

They had hoped for intervention by the Central Government. What took place was another kind of intervention—intervention of democratic public opinion. All over the country, people from all walks of life, people holding all shades of opinion, condemned Congress tactics in Kerala as violation of the principles of parliamentary democracy and subversion of the Indian Constitution. Rallies and demonstrations took place in every part of the country, the like of which has not been seen for many years. Leading newspapers who have never harboured friendly feelings towards the Communist Party, nevertheless denounced Congress tactics as fraught with grave consequences for Indian democracy. The campaign in defence of Kerala and against Congress tactics developed into one of the biggest campaigns India has ever known.

The Congress High Command wanted to isolate the Kerala Government. They found themselves isolated. People's intervention stayed intervention by the Central Government.

Relying on growing mass support inside Kerala, backed by democratic public opinion all over the country, the Kerala Government defeated every effort of the Opposition to unseat it. Its firm

and principled stand, its conciliatory attitude and readiness to make all reasonable concessions, its moderation and restraint in dealing with the lawless movement launched by the Opposition won for it the respect and admiration of the whole country.

The struggle was dragging on, doomed to eventual defeat.

An unjust struggle, waged by unjust means, for an unjust demand could expect no better results.

But this, while it would be a triumph for democracy, is precisely what the Congress leaders of Kerala as well as the Congress High Command could not tolerate. They knew that the debacle of their adventure in Kerala would have far-reaching consequences for the whole country. The breach in the Congress monopoly of power which was effected when the Communist-led Government was formed in Kerala would get widened if the new onslaught on the Kerala Government failed.

The defeat they had suffered in the second general elections could be passed off as a defeat only for the Kerala Congress. Defeat in the present struggle would be looked upon by all as defeat of the Congress High Command itself. The Indian democratic movement would get a powerful impetus.

This was a prospect which they could not view with equanimity. Hence the plan was worked out for 'march' and 'siege' on August 9. All pretence of non-violence was thrown overboard. Methods were adopted strikingly reminiscent of those by which fascism rose to power in a number of countries.

A blood-bath of unprecedented dimensions was planned—the very threat of which might supply the pretext for the Centre to intervene.

It was the duty of the Congress High Command and of the leaders of the

Central government to denounce the provocative action and to warn the organisers that no government worth the name could yield to such tactics of blackmail. It was their duty to tell their followers in Kerala that they must abandon their plan.

They did not do that. They seemed to have felt that if the new plan suffered the fate of earlier plans, as was very probable, that might well mark the beginning of the end of the whole Kerala adventure.

Such was the background of the Union Cabinet meeting which started on Wednesday, July 29.

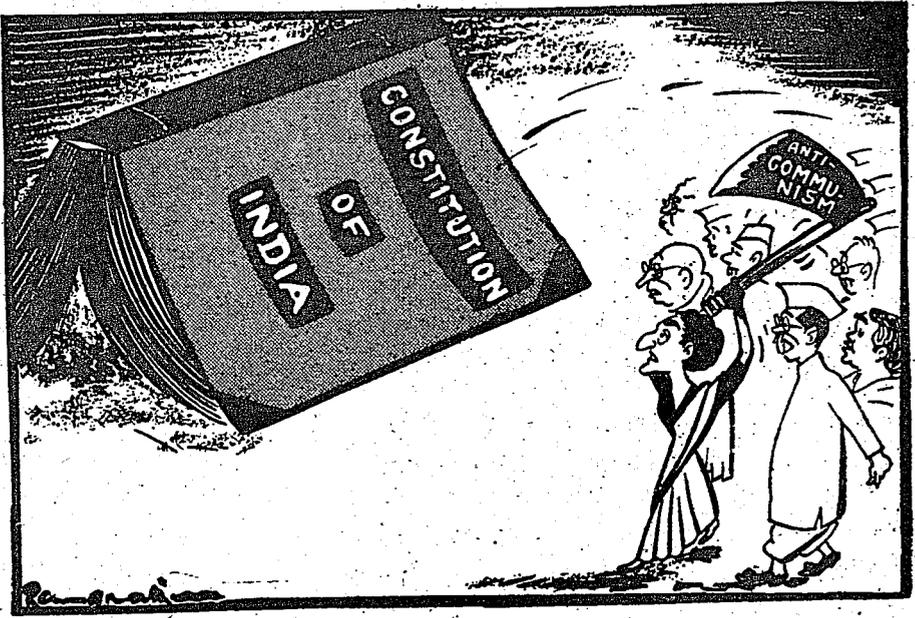
The crisis that has developed over Kerala is no ordinary crisis. Issues vital for the Parliamentary system of government, vital for all that our national movement has stood for, vital for the cause of democracy are at stake.

The demonstrations that have been planned for August 3, acquire a new importance in the present context. They must become a vast and disciplined nationwide rally in defence of democracy, in solidarity with the people of Kerala, in condemnation of those who are striving to destroy the Constitution at the behest of the vested interests and their allies.

With confidence born out of the successes already won, conscious that the cause we are fighting for is the cause cherished by the masses, resolved not to fall victim to provocation and to adhere to peaceful and democratic methods, our Party faces the future.

We know that the final word does not lie with the Congress High Command or the Central Government. It lies with the people who are determined to defend democracy and bar the road to reaction and fascism.

July 30.



CONGRESS RECORD IN KERALA

By C. Unni Raja

The President of the Kerala Pradesh Congress Committee in a statement issued on July 21 said that the "struggle in Kerala is not the struggle of the people of Kerala alone. It is really the struggle of the democratically minded people of India against totalitarianism which gained a foothold in Kerala. The question is not whether the Union Government has jurisdiction to intervene in Kerala or not, but whether India should lose the democratic way and go the Communist way."

His anti-Communism is but the logical conclusion of the policies that the Congress has been following in Kerala for the last two years and a half ever since the Communist-led Government assumed office. When the Kerala State Political Conference of the Congress met in Cannanore in 1953 April, the Pradesh Congress President said in his speech that "the immediate task of the Kerala Congress was to meet the challenge of Communism. If they failed to do so, democracy will perish not only in Kerala, but also in the rest of India." The then Congress President Sri Dhebar was present throughout this Conference. Under his guidance the Conference passed a political resolution in which it was stated that "the urgent problem facing the State was to defeat the Communist menace to democracy and progress."

This was further elaborated by the leader of the Congress Party in the State legislature when he said at a press conference in July 1953 that: "the aim of the Congress organisation in Kerala was first to isolate and then to annihilate the Communist Party."

The phrase "war of liberation" now used by all to characterise the present extra-constitutional "direct action" was itself coined by one of the Congress leaders, an ex-Chief Minister, Sri P. Govinda Menon last year soon after the Cannanore Political Conference. And it was he who pleaded at the AICC meeting in this May that the Congress in Kerala should be exempted from any constructive work. He said that "constructive opposition" was impossible under the circumstances prevailing in Kerala.

"Any effort on our part to implement this programme will lead to frustration. Unless such frustration is followed by some scheme of resistance we shall be surrendering in every way to an undemocratic Government"—such was his plea.

And this attitude of the State Congress leaders was approved by the Congress President Smt. Indira Gandhi herself when she said at the same AICC meeting that the "climate in Kerala was difficult for constructive work as far as the Congress was concerned."

In March or April this year Smt. Indira Gandhi and other all-India Congress leaders had discussions in Delhi as to how to integrate the work of the State Congress organisations and the State Governments in carrying out the kharif food production campaign. They decided to set up a liaison organisation between the Governments and Congress or-

haps the KPCC Chief might say that it was a "lapse" on the part of the Kerala Chief Minister to have appealed to the Congress for cooperation in food production drive, for did he not know that the Congress was not in power here!

So it is the deliberate policy of the Congress leaders in Kerala which has made the climate difficult for them to engage in constructive work.

When the present government assumed office Chief Minister Nambudiripad in his first policy statement had appealed to the parties in opposition that "we would welcome every step they take by way of criticising our Government," but "their criticism should be such as to help us in correcting our mistakes" and at the same time "they should offer us their support whenever we do something which is good and beneficial to the people."

The all-India Congress leaders also used to say formally that Congress as an Opposition party should act as a responsible and constructive Opposition. One of the Congress General Secretaries Sri Sadiq Ali when he visited Kerala last year had said that "opposition here had a dual role: Firstly, it had to play the constructive role of participating in the work of national reconstruction. Secondly, it had to play the critical role...."

But that was just words. If the aim of the Congress was to isolate and annihilate the Communist Party, if its immediate task was to meet the challenge of Communism, it could not play any constructive role of participating in national reconstruction. Only two courses were opened before the Congress:

1) Either accept and recognise the reality that the people have elected a non-Congress party in Kerala to power; wait for the next general elections to seek to come back to power again; till then behave like a responsible Opposition criticising the Government whenever necessary as well as supporting and cooperating with the Government in common national reconstruction work;

2) Or refuse to tolerate any other party in power and work for overthrowing it by all means.

The Congress in Kerala followed the second course; leaders of the all-India Congress endorsed and encouraged their followers in Kerala to go along that path. That was how the climate was made difficult for the Congress in Kerala to participate in constructive work; that was why constructive work in cooperation with the Government became a cause of frustration with the Congress.

Attitude To Food Production Drive

Take another instance. The Kerala Government drew up a programme to increase food production by 15 per cent in the State during the next agricultural season. The Government proposed to set Village Production Councils of peasants, entrusted with the task of working out and implementing a programme to increase food production in each village and in each plot of land in the village.

The Chief Minister wrote a personal letter to all members of Parliament, members of State Legislature, members of the State Planning Advisory Committee and District Development Committees and also to all Presidents of Panchayat Boards, appealing for assistance and cooperation in implementing this programme. The Congress in the State just ignored this appeal. Per-

Kerala Government to find resources for implementing the fourth annual programme of the Second Plan. Leading members of the Association are well known Congressmen including the Congress member of Parliament Sri George Thomas Kottukappillil.

The landlords of Kuttanad have declared their intention not to cultivate the tens of thousands of acres of paddy fields owned by them in the Kuttanad area until the Communist Government is removed from office. Their leaders also are Congressmen including an ex-Minister. A Congress MLA led a deputation of landlords to the Governor to represent to him that the Communist Government should be sent out and proper conditions created for the landlords to cultivate the land.

No Congress leader either in the State or in the High Command has openly criticised this deliberate move of vested interests to sabotage food production and Five-Year Plan.

Strikes by workers for living wages and for decent working conditions or against victimisation or against rationalisation are vociferously condemned by Congress leaders in every State as anti-national because they hamper production. But refusal of bankers to contribute to public loans and the plot of landlords to keep land owned by them fallow are not only not criticised but condoned and encouraged as "mass upsurge" against the Communist Government in Kerala.

The policies of the Congress in Kerala are characterised by not only non-cooperation and sabotage of Plan implementation, but also by consistent and persistent opposition to any and every progressive and democratic measures of social and economic reforms.

The attitude of the Congress to the Education Act from the day it was introduced in the Assembly as a Bill is well-known. The Prime Minister said at his press conference on July 7 that the Congress had not opposed the Education Act. But everybody knows that the Congress Parliamentary Board itself has demanded suspension of the Act even after it received the assent of the Union President, which meant the approval of the Central Government. It was not long ago that the Opposition leader declared in the Assembly that the Congress was opposed to the Education Act as a whole.

The Congress also argued for a higher rate of compensation to be paid to the landlords not only when surrendering the excess land above the ceiling to the Government but also when the tenants make use of their right to purchase the ownership of the land they cultivate on lease.

Congress members in the legislature also wanted fair rent to be fixed at a higher rate. One Congress member moved an amendment to the effect that fair rent in respect of paddy fields should be half of the gross produce.

Thus, it can be seen that the Congress in Kerala opposed all the vital provisions in the Kerala Agrarian Re-

lations Bill and wanted them to be amended in favour of the big landlords. While paying lip service in speeches to the Nagpur Congress resolution by opposing redistribution of excess land to landless agricultural labourers and poor peasants in the name of vesting the excess land in Panchayats to be cultivated by cooperatives formed by agricultural labourers (they also opposed the provision for assigning Kayal land above the ceiling to cooperatives of agricultural labourers, for they wanted no ceiling on Kayal land), the Congress was openly and unashamedly acting as advocates of landlords in the Assembly.

This is inevitable, because the logic of the Congress policies in Kerala cannot be escaped. Just as the Congress is supporting the move of the Kayal kings of Kuttanad to

leave their paddy fields uncultivated as a part of their struggle to remove the Communist Ministry from office, the Congress leaders have become the champions of the same landlords against land reforms introduced by the Communist Government.

What all Congressmen throughout India should seriously ponder over is where blind anti-Communism and intolerance of the existence of a non-Congress Government, even in a single State, are leading the Kerala Congress leaders to, dragging the Congress High Command also behind it. Deliberate non-cooperation and even sabotage of Plan implementation and naked opposition to democratic reforms may be intended to cut the Communist nose, but they are by their action disfiguring the face of our nation. Can political exigencies be allowed to throw to the winds all principles and to endanger national interests?

cluding sharecroppers of various types. The Congress opposed this provision. They wanted fixity of tenure to be given only to those Varamdars (sharecroppers) who were cultivating land for a continuous period of six years.

Since the majority of Varamdars possessed no document to prove that they were cultivating the land for many years, the Congress proposal, if accepted, would have resulted in giving free reign to landlords to dispossess the sharecroppers of their land who constitute 75 per cent of the tenants in Travancore-Cochin area.

Some of the Congress members moved amendments to provide for landlords to re-secure land from the tenants, up to the ceiling limit for self-cultivation. What would have been the result if this amendment was accepted? Tens of thousands of tenants would have lost their land and all the best land would have been grabbed by the landlords in the name of resumption up to the ceiling area.

The Congress unanimously wanted landlords to be given freedom to transfer excess land owned and possessed by them above ceiling area within a period of one year after the Bill became law. As a consequence, the Congress also wanted no restriction on alienation of land by landlords with a view to circumvent the provision for fixing ceiling after the Bill was published.

Such a provision would completely sabotage in practice the major principle of land reforms namely fixation of a ceiling on the possession and ownership of land.

The Congress opposed the principle of classification of land for fixing the ceiling as provided in the Bill based on acreage taking into consideration the nature of cultivation and the crop raised. The Congress wanted classification on the basis of income.

It may be remembered here that the Nagpur Congress resolution on ceiling definitely stated that ceilings should be expressed "in terms of area of land (preferably in standard acres) and never in terms of net income."

Congress members moved a large number of amendments to exempt Kayal lands, coconut, arecanut, pepper and other garden lands, land belonging to public limited companies, better managed farms, land supposed to be set apart for plantations, etc., from fixation of ceiling.

This would mean that nearly 75 per cent of the entire cultivated land in the State would be kept out of the provisions for fixing a ceiling.

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VIMOCHANA TAKES DANGEROUS TURN

EMS Draws Centre's Attention

Comrade E.M.S. Nambudiripad issued the following statement on July 25: I desire publicly to draw the attention of the Prime Minister of the country, the President of the Congress, and other leaders of the Central Government and of the Congress High Command to the dangerous turn which the "Liberation Movement", headed by the Vimochana Samara Samiti and participated in by political parties including the Congress, has taken during the last few days.

When the movement was started on June 12 and 13, it was stated that it will be completely peaceful and non-violent. Congress leaders including the Prime Minister and the Congress President had stated that the Congress was participating in it with a view to preventing its taking undesirable and violent forms.

The Prime Minister did repeatedly make it clear that he was opposed to any form of direct action, but that he was agreeing, as a matter of compromise, to the "purely token" picketing of one (and of only one) batch of five persons picketing Government offices each day; even this token picketing should gradually be withdrawn. As for the picketing of schools and transports, he was in total opposition to them.

These clear directives of the Prime Minister were violated not only by the other parties and by the Vimochana Samara Samiti, but by Congressmen themselves. There are innumerable instances of leading Congressmen, including Congress MLAs, actively participating in and helping such anti-social activities as attacks on schools and transports, including attacks on the person of passengers and crew of transports and students and teachers of schools, under the ostensible innocent garb of "schools and transport picketing."

As for picketing of Government offices of 5 persons picketing a day, this restriction was never observed anywhere, in the State. Dozens of batches each composed of more than five persons picketing an office under the leadership of well-known Congressmen, or mass

picketing by 50 or 100 and sometimes even more—again under the leadership of well-known Congressmen—these have been common occurrences. It was this open violation of the Prime Minister's instructions by the leading members of his own party in Kerala that made me more than once remark that what is really required to-day is that the all-India leadership of the Congress should intervene in the affairs of the Kerala Congress and enforce all-India decisions on its own Kerala unit.

The leaders of the KPCC and their allies of the Vimochana Samara Samiti were doing all this with the fond hope that such activities would so "paralyse the administration" here that the Ministry would be forced to resign; or in the alternative, the Central Government which, after all, is one working under the guidance of the Congress High Command, would intervene, dismiss the Ministry and establish President's rule. Neither of these hopes, however, has been fulfilled. The Ministry refused to resign. As for the Central Government, the hopes of the Opposition are receding further and further.

Sri Mannath Padmanabhan, the leader of the Vimochana Samara Samiti, and Sri Pattom Thanu Pillai, the leader of the PSP, are known to have come back disillusioned. Sri Pattom has actually made bitter complaints of the "hesitations" on the part of the leaders of the Central Government. As for Sri Mannath Padmanabhan, he has asked his followers not to pin their hopes on Central intervention, but to "act on their own." Sri Mannam, Sri Sankar and

CONGRESS RECORD

leave their paddy fields uncultivated as a part of their struggle to remove the Communist Ministry from office, the Congress leaders have become the champions of the same landlords against land reforms introduced by the Communist Government.

What all Congressmen throughout India should seriously ponder over is where blind anti-Communism and intolerance of the existence of a non-Congress Government, even in a single State, are leading the Kerala Congress leaders to, dragging the Congress High Command also behind it. Deliberate non-cooperation and even sabotage of Plan implementation and naked opposition to democratic reforms may be intended to cut the Communist nose, but they are by their action disfiguring the face of our nation. Can political exigencies be allowed to throw to the winds all principles and to endanger national interests?

This and the next day's lathi charge on the RSP picketers have been made much of as instances of "ruthless repression" resorted to by the Government. Those who make this charge, however,

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a few others have also vaguely talked of the need for "amending the Constitution if the present Constitution does not allow Central intervention in Kerala now."

It would appear that they have all come to realise that, when the Opposition in a particular State starts a movement with the declared objective of paralysing the administration, the Constitution enjoins on the Centre to intervene not against, but in favour of, the State Government. That was probably why Sri Mannam in one of his statements in Delhi said that, if the Centre cannot remove the State Ministry, it should at least allow the people of Kerala to act, in which case, he said, he was confident of "removing the Ministry by the people's forces."

Such a dashing of the hopes entertained by the Vimochana Samara Samiti seems to have made them take to more desperate and violent measures. Sri Mannam is reported to have told his followers that what remains to be done now is to further intensify the struggle, give up all scruples regarding peacefulness and non-violence which may well be left to Congressmen, and that too for talk.

The leadership of the Vimochana Samara Samiti is reported to have taken certain decisions on the ways and means of this intensification of the struggle which are to be discussed and finally adopted at a meeting of the representatives of the Taluk Vimochana Samara Samitis being held today at Chengannacherry.

Details of the decision taken by the leadership of the Samiti are not yet available. Yet an inkling of the way in which the minds of the leaders are working may be got from the following facts:

1) Attacks on the leaders and members of the Communist Party, as well as non-party people who are opposed to the "Liberation Movement" have been on the increase during the last few days. To take only a few instances of such attacks in and around Trivandrum City, it may be mentioned that Communist MP Sri Easwara Iyer and Communist MLAs Sri Sadasivan, Sri Prakasam and Sri Ravindran were attacked while they were travelling by bus or car. A van carrying bundles of copies of the city daily Kerala Kaumudi was also attacked. Attacks on the Communist Party offices and some offices of the SNDP Yogam and other Backward Class organisations have also taken place in various parts of the State.

2) Such attacks on the Government have led at least to two deaths. One of these was in Trichur District where one Payilappan, reported to be a Communist sympathiser, died on July 22 at the District Hospital, Trichur. He had sustained a stab injury as a result of an attack on him and his companions on the night of July 13/14. The other is also from Trichur where about 26 supporters of the Vimo-

chana Samara Samiti are reported to have trespassed into the house of one Varunny at Ollur in search of his brother, Raphael. Varunny and members of his family are known as Communist sympathisers. Aliya, Varunny's father's sister, an old woman, who was laid up is alleged to have been thrown down from the verandah to the courtyard by three of the attackers and died as a result of the shock.

These are only two incidents of actual deaths, while there are hundreds of instances of the allegedly peaceful and non-violent volunteers of the "Liberation Movement" assaulting and seriously injuring the sympathisers of the Communist Party.

3) A series of incidents have been reported from various places where armed bands are moving about harassing the people; and when there is a possibility of the police party arriving, preventing their arrival through laying of obstruction on the road, demolition of roads and culverts, etc.

The latest of such incidents is that from Chengannur where yesterday the local authorities received reports of obstruction having been put in several places on the National Highway near Chengannur and Tiruvella. A Chengannur police party detailed to police patrol party detailed to attend them found that there were several barricades erected between the 73rd and 74th mile stones. Meanwhile, in-mile stones. Meanwhile, in-

formation was received that some bridges on the roads were also being demolished. A police party headed by the Circle Inspector which proceeded to the scene found that the bridge was barricaded with big boulders from the parapet wall on the one side which had been entirely demolished for the purpose. The action of the police party to remove these obstructions attracted big crowds who began to pelt stones and to try to encircle the police party. They had to fire two rounds in self-defence, though fortunately there was no casualty.

4) Picketing of Government offices is also taking more violent forms. It is worthy of mention here that on July 22 when a batch of 70 picketers was led by ex-Chief Minister Sri T. K. Narayana Pillai and others and when their picketing was over another batch of nearly 500 women collected in front of the Collectorate and started mass picketing and tried to force entry into the Collectorate. It is reported that Sri Narayana Pillai and other Congress leaders themselves told these new batch of picketers that the day's quota of picketing was over and that they should, therefore, disperse. It was against this advice that the crowd of picketers tried to force entry. The police had to resort to a lathi charge to disperse the crowd.

"Ruthless Repression" Cry

This and the next day's lathi charge on the RSP picketers have been made much of as instances of "ruthless repression" resorted to by the Government. Those who make this charge, however,

forget that the organisers of this picketing make no secret of their intention of "capturing the Collectorate." As a matter of fact, four days previous to this incident, a crowd of picketers forced entry into the Collectorate and even put the flag of the PSP alongside the State flag in the Collectorate building. This is not an isolated incident, but should be seen in the context of the repeated calls of the leaders of the "Liberation Movement," to "capture Government offices including Secretariat."

5) Two incidents, one of which happened yesterday afternoon and the other this morning are symptomatic of the way in which the "Liberation Struggle" is likely to be "intensified." The first of these incidents happened at Chemmanattukara, three miles away from Valikom in Kottayam District, where at about 3.15 pm yesterday some 500 persons, under the leadership of Sri Kurumpashakkal Palley, an advocate, and armed sticks and daggers assembled in front of a Lower Primary School and assaulted some Communist sympathisers of the place.

When the Inspector of Police and an armed police party reached the place, the crowd ran away, but the police party chased them and arrested 43 of the rioters. Nine sticks, three metal rods and two daggers were recovered from the arrested persons. Five Communist sympathisers were reported to have received injuries, one of them with a serious injury.

The other incident was that four unknown persons scaled the walls at one corner of the Secretariat building, threw a lighted torch on one of the thatched sheds in the Secretariat compound housing the offices of the Director of Public Relations. The night watchman on duty detected it and called for the help of the fire engine but the miscreants had in the meanwhile run away. The timely arrival of the fire engine prevented the huge destruction that had obviously been planned, but a part of the thatched shed had been destroyed.

I would like to ask the Prime Minister, the Congress President, and other leaders of the Central Government and of the Congress High Command, what they would do if such acts of violence and destruction were committed in other States by the Opposition parties there. I am sure that, if ever five per cent of this had been done by the Opposition in other States, the heavy hand of the State and Central Government would fall on them. Here, however, is a State where their own party is aiding and abetting these anti-social activities while the Congress High Command is charging the State Government with "ruthless repression."

I would ask the Prime Minister and other leaders of the Central Government: Are we not entitled to the same protection at your hands against these miscreants and instigators of violence and disorder as you have been giving to other State Governments. Are we to be denied this protection, simply because our Government happens to be one formed by a Party different from yours?

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FOOLING THE PEOPLE

AN inspired message appearing in the *Statesman* (July 28) says: "There is every hope that the physical targets included in the 'core' of the Second Five-Year Plan will be achieved to the extent of 90 to 95 per cent and that the expenditure on development will 'very nearly' reach the stipulated figure of Rs. 4,500 crores."

This tom-tom-beating hides the ugly fact that this 'core' of the Plan was fixed after a 15-20 per cent cut in the original targets and that this cut was made in the midst of the Plan to show a good record at the end, of targets fulfilled, and escape public criticism from the non-fulfilment of the original targets.

Let us have a close look at our economy amidst this self-cheering official propaganda.

The *Times of India* (July 27) comments: "An official statement makes the stunning revelation that in 1957-58 the national income fell from Rs. 11,000 crores to Rs. 10,830 crores. There was a drastic reduction of Rs. 320 crores in agricultural income. The non-agricultural sector was also less buoyant, with a decline in the annual increase from Rs. 290 crores to Rs. 150 crores. Total national income has fallen from 5 per cent to minus 1 per cent. The average for 1953-54 and 1957-58 is 2.8 per cent. If the increase in population is taken into account 'the per capita income has remained where it was seven years ago.'"

The core of the Plan is being fulfilled, but we remain where we were and keep slipping back!

WEST-BENGAL ACCUSES

COMRADES Bhupesh Gupta and Jyoti Basu, top Party leaders of West Bengal, have submitted a memorandum to the Rashtrapati. When our readers read it in the daily press they will see the difference between a real charge-sheet when made by the Communists and a bogus charge-sheet as made by frustrated Congress leaders of Kerala.

The Memorandum is packed with carefully documented facts on corruption, nepotism, repression and wilful neglect of the people's welfare. It has dealt at length with the manner in which the monied and landed interests in West Bengal have been aided and assisted to loot the treasury—in return for cheques to the Congress! Rampant interference with the administrative services for partisan political ends has also been spelled out.

We hope to make available next week some of the main high-lights of this damning indictment of the B. C. Roy regime. In the meantime our congratulations to our West Bengal comrades for their sober and yet bold initiative.

Herewith a little background. The West Bengal food situation on all accounts is worse than any previous year. Despite a bumper crop, and all the aid from the Centre, the prices did not come down. The West Bengal Government removed all food controls and the prices went further up. The latest from the Bengal Food Department is to increase the price of rice, sold from Government fair-price shops, by Rs. 2/- per maund. Dr. Maitreyee Bose, President of the West Bengal IN-TUC has characterised the official food policy as "the biggest killer of the farmers' urge to grow more food."

The "rebel" group of Congressmen have sent out organisers to the districts to persuade the DCC's to pass resolutions criticising the official food policy. Such resolutions have already been passed by a number of District Congress Workers Conventions and if they persuade a few more DCC's to pass such resolutions the "rebel" group plans to hold an all-Bengal Convention of Congress Workers and publicly press for the resignation of Sri P. C. Sen, the Food Minister. The INTUC unit of West Bengal is supporting the move.

The Famine Resistance Committee has gone all-out to organise and start the "biggest-ever" movement against the food policy from August. Reports pour in of meetings and demonstrations from district after district, to say nothing of

NOTES OF THE WEEK

Calcutta.

Here is a real issue, food for the people, it is moving all honest democrats, both within and outside the Congress, and they are getting into action in their own ways. This is how a genuine people's movement begins and takes shape.

THE REPLY

THE Kerala Government's reply to the KPCC Memorandum has been published. It is a devastating document massing facts upon facts against lies upon lies. But the struggle in Kerala has reached a stage that facts cease to matter and principles don't shame the Opposition and its mentors in New Delhi.

When the Rashtrapati and the Prime Minister faltered, when the Law Ministry raised constitutional objections to Central intervention, when the All-India press expressed shock and surprise rather than give support, when throughout India non-Party and even traditional Congress opinion refused to swallow their propaganda and misdeeds, when the people of Kerala rallied in ever larger numbers in Communist-led demonstrations, they lost all sense and all balance. This is literally what has happened during the week.

We noted last week the sinister phenomenon of Kerala's Opposition leaders not only seeking the advice but also the hospitality of leading men of the

American lobby in India. When they found that in terms of democratic principles and the Constitution they can't make sense they took up the anti-Communist propaganda line in its most naked and unashamed form, viz Communism and democracy can't co-exist, a Communist Government under the Indian Constitution is an anachronism. Again when their 'satyagrah' did not move the Centre they set out for violent upheaval. They are desperate. Their political poser is: either us or Communism. Their threat is: either us or the deluge.

LAST RESORT OF THE DOOMED

THE press build up of the week is on the tune of the inevitability of Central intervention, and to make it less shocking it is being called tragic, unfortunate and all that. The Union Cabinet is to meet today and take the final decision.

Anti-Communism as a political dogma is the last resort of a dying ruling class. It inevitably recalls to mind Franco, Hitler and Chiang-kai-shek. Let their memories haunt Pandit Nehru before he takes the final decision.

THE FINALE

THE finale has been sung by no less a person than the Congress President herself. "If the Reds continue to be in power in Kerala they would sow a seed which would one day root out democracy in India.... If the Constitution did not provide any remedy for the situation the State Government has created it had to be altered.... Delayed Central Action might lead to the situation getting out of control."

Kerala Chief Minister has hit the nail on the head by stating:

"Mrs. Indira Gandhi by asking for the amendment of the Constitution and Mrs. Lakshmi Meon, Deputy External Affairs Minister, by asking for its suspension in Kerala, have honestly conceded that the much talked-of Central intervention in Kerala would be unconstitutional." (Statesman July 28)

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—P. C. JOSHI

July 30.

SCRAP-BOOK

KUTTANAD WARRIORS

TOMES could be written about the Sons of the People who are today in the vanguard of the "liberation" crusade, but for the present I would introduce to the new AGE reader just a few from one of the storm centres of their struggle.

Kuttanad is the place where the landlords have refused to raise the crops until the Red Ministry quits. I have been able to collect some data about some of the members of the Kuttanad Taluk Vimochana Samiti. It is well-worth studying as education in social anthropology:

● **Thommen Joseph Muralikan, Kavalam:** owns about 4,000 acres including single and double crop land, kaval land and coconut groves. Besides this he has 2,000 acres in Malabar and 300 acres of plantation estates in Nedumangad Taluk. Bank and company shares worth lakhs of rupees go to add to his store.

● **Joseph Kochupurakkal:** owns 1,000 acres of paddy land and many acres of coconut groves. A natural patron of the agitation in the area he provides liberal financial help apart from putting a motor boat at the disposal of the Samiti.

● **The Chembutthara Family:** owns 2,500 acres of land. It has given one boat to the "liberators," and all the members of the family as volunteers.

● **John Futhanpurakkal, Pulinkunnu:** owns more than 500 acres of land plus a bank with capital of Rs. 10 lakhs. Seventy-five per cent of the land of the

share from the tenants. Besides this, he owns 1,000 acres of coconut groves and "self-cultivated" about 2,000 acres of land. Shares worth Rs. 50 lakhs in the Alagappa Textiles besides lakhs of rupees of shares in banks and companies and a huge bank balance add to his worth.

● **K. Vishnu Vamanan Namboodiri, Mankombu:** owns 1,000 acres of paddy land and 200 acres of coconut groves. He is the "dictator" of the struggle in Mankombu. A full-time worker himself, he bears the expenses of "volunteers," and has placed one motor boat and one country craft at the disposal of the Samiti.

● **T. Chandu, Kainakari:** owns about 1,000 acres of land. He is a member of the Samara Samiti, bears expenses for food for the "volunteers" apart from "other" expenses for them.

● **Mathen Kavalakkal, Nedumudi:** owns 2,000 acres of land and has spared one motor boat for the "liberation" struggle.

● **Dr. Antony Madathilakkal:** owns about 1,000 acres of land apart from being director of many firms and companies.

Here are ten of your soldiers for the socialist pattern, Madame Indira, and we can easily continue the list. It is this galaxy of landed interests with which you claim to fight for coop farming. What a hoax!

—DIARIST

July 29.

CENTRAL INTERVENTION

—OUR CONSTITUTION SAYS NO!

Some lawyers from Kerala and a few from outside like Sri K. M. Munshi, whose hatred for Communism is stronger than their love for the Constitution are busy suggesting that the Centre has a duty under the Constitution to intervene in Kerala, dismiss the EMS Ministry and order fresh elections.

WHAT is the true constitutional position?

I shall answer this from the Articles of the Constitution itself so that the position may be clear of controversial claims.

In the Preamble the People of India resolved to constitute a sovereign democratic Republic so as to secure Justice, Liberty, Equality and Fraternity. Article 1 of the Constitution declares that India shall be a Union of States.

The democratic character of the Indian State is ensured by having elections based on universal adult suffrage (Article 326). Since it is to be a Union of States, such elections are held not only for the Lok Sabha but also for each State Legislature (Article 326).

Thus our Indian Constitution lays down that the Executive, Legislative and Judicial power not only vests in the Union for India as a whole but also vests in each State of the Union for the affairs of that State.

The Executive power of the Union vests in the President of India, in whom also vests the Supreme Command of the Defence Forces of the Union (Article 53). The President cannot exercise the Executive power as he pleases but is enjoined to do it in accordance with the Constitution.

How he is to exercise it is given in Article 74 and 75 which say that the President shall appoint the Prime Minister and other Ministers on the advice of the Prime Minister, and this Council of Ministers which we call the Central Government or the Central Cabinet is to aid and advise the President in the exercise of his functions.

Herein what is known as a convention operates. The President calls upon the Leader of the Party which commands a majority in the Lok Sabha to be the Prime Minister and the President cannot as a constitutional head act without the aid or advice of the Cabinet.

Under Article 75 though the Cabinet Ministers hold office during the pleasure of the President (clause 2) the Cabinet is collectively responsible to the Lok Sabha (clause 3). The Constitution does not make them responsible to the President but to the Lok Sabha which clearly means that as long as the Cabinet has the confidence of the Lok Sabha it will continue to aid and advise the President. In the Supreme Court of India vests the Judicial power of the Indian Union.

States Of The Union

As at the Centre, so in the States the democratic character of our Republic is ensured by having a Council of Ministers who are responsible to the State Legislature (Article 164 (2)). They are to aid and advise the Governor of the State in whom the executive power of the State vests and he is enjoined to exercise it in accordance with this Constitution. The Governor of a State, unlike the President of India is not elect-

ed, but is appointed by the President (Article 159).

Thus, under our Constitution as long as a State Ministry, say the EMS Ministry, has the confidence of the people as expressed through their representative in the State Legislature it has a right to govern, and aid and advise the Governor for their full tenure.

In each State there is a High Court which has wide powers under Article 226 to strike down any legislative provision or executive action which is repugnant to the fundamental rights guaranteed by Part II of the Constitution to citizens.

Thus, our Constitution has by these various provisions ensured that the democratic will of the Indian people as a whole will be exercised through their elected representatives in the Lok Sabha and of the people of each State through their elected representatives in the State legislatures.

Only Way

The Constitution does not know nor does it envisage any other way of ascertaining the will of the people except through the democratic process of the elections at certain intervals and lays down that the confidence of the Legislature shall be the measure of the people's will in the period between two elections. The democratic right of the people of each State of the

Union to manage their affairs through their elected representatives is enshrined in the Constitution and is normally inviolable.

When then can the Centre intervene in the face of such a right?

Only in two contingencies: either a grave emergency where the security of India or any part thereof is threatened (Article 352) or where there is a break down of the Constitutional machinery in a State (Article 356).

Under Article 352 if the President of India is satisfied that a grave emergency exists or is imminent whereby the security of India or any part thereof is threatened by external aggression or internal disturbance he may proclaim an emergency.

While such a proclamation is in operation the Union executive is empowered under Article 353 to give directions to the State as to the manner in which the executive power of the State shall be exercised and under clause (b) of the Legislative power of Parliament extends over the whole field, including matters which are primarily for the State Legislature. In other words, the Union executive and Union Parliament gets over-riding powers in relation to a State only in such a situation of grave emergency that threatens the security of India or any part thereof.

While such a proclamation is in operation the "State" (i.e., Union and Parliament or Government and Legislature of the State) in any of its legislative or executive action is not incompetent as laid down in Article 19 to impose any but reasonable restrictions on the free-

By A. S. R. CHARI

Senior Advocate, Supreme Court of India.

doms guaranteed by that Article (speech, assembly, association, movement, residence, property, profession, trade, calling, etc.)

While such a proclamation is in operation the President may by an order declare that the right to move any Court for enforcing the fundamental rights guaranteed in Part III of the Constitution is suspended either for the whole of India or for any part thereof (Article 359).

These wide powers are given in order to face the grave emergency and to put down and overcome the threat to the security of India or any part thereof which the external aggression or internal disturbance constitutes.

Assume that there is internal disturbance in a State, say Kerala, which is of such a magnitude as to threaten the security of the State of Kerala, there is no doubt that the President of India, if so advised by his Cabinet can intervene and proclaim a grave emergency.

On Which Side?

On which side does the Constitution enjoin him to intervene? In other words does the Constitution countenance an intervention in favour of the forces that are causing the internal disturbance? The categorical answer is to be found in Article 355 which says: "It shall be the duty of the Union to protect every State against external aggression and internal disturbance

and to ensure that the Government of every State is carried on in accordance with the provisions of this Constitution."

It is the duty enjoined on the Union by the Constitution to quell the internal disturbance and for this purpose even if the fundamental rights are suspended for a short period the Constitution declares that in the interests of the security of the State it is permissible.

Is it not, therefore, a ridiculous and absurd demand that the President or the Union should intervene in favour of those causing the internal disturbance and dismiss a lawfully elected Government which is being carried on in accordance with the provisions of the Constitution?

The second contingency where central intervention may occur is where there is a failure of constitutional machinery.

If the President of India is satisfied on receipt of a report from the Governor of a State or otherwise that a situation has arisen when the Government of a State cannot be carried out in accordance with the provisions of the Constitution he may, by Proclamation assume to himself all the Executive power of the State and so far as the powers of the Legislature of the State are concerned he may declare that it shall be exercised by or under the authority of Parliament (Article 356).

We in India are familiar with

* SEE PAGE 12

"DEFEND KERALA FUND"—AN APPEAL

DEAR FRIENDS,

It is in an hour of serious threat to the Government of our Party in Kerala, an hour of grave peril for the future of democracy in our country, that we are making this appeal to you for solidarity and aid.

When on April 5, 1957, the Communist Party with a majority in the Legislature, assumed office in Kerala, it was a matter of joy not only to the people of this State, but the entire democratic opinion in the country hailed it as the biggest achievement of the democratic movement since Freedom.

But there were forces inside Kerala and outside—the vested interests and their spokesmen in the defeated political parties—who never took kindly to the formation of a non-Congress Government, specially a Government of the Communist Party. They knew that their monopoly of power breached in Kerala would be breached elsewhere if the Ministry in Kerala, led by the Party of the working class, was allowed to implement progressive social legislation which the Congress has talked about but has never implemented for fear of the vested interests.

And so, right from the day of its formation, attempts have gone on to oust this democratic Ministry from office. And today, when the Government is on the threshold of implementing its legislations like the Education Act and the Agrarian Relations Bill has already been adopted by the Legislature, what is being witnessed in Kerala is the severest, the most concerted of these onslaughts, what is being witnessed is a movement to overthrow the Government by all the Opposition parties in open alliance with communal reaction with the overt backing and active support of the Congress High Command.

No movement based on such an unjustified demand as the overthrow of a constitutionally-constituted Government and with such forms of struggle as picketing of schools and Government offices, stopping of transport vehicles, etc., can mobilise the masses of people behind it. This is what has happened in Kerala also, and as the struggle inevitably got more and more isolated from the people, its organisers have unleashed violence and goondism on a large scale.

An important part of this violence has been the innumerable attacks on Communists and sympathisers and Communist Party offices. Party activists are being brutally beaten and in many cases stabbed, Party offices are being stoned, entered into and destroyed.

In such a situation the tasks of the Party in Kerala have increased enormously. To beat back the offensive of reaction, the Party has to consolidate the position it has gained among the masses of the Kerala people and bring about a still bigger mobilisation in support of the Government and the Party. Public opinion outside the State which has been generally critical of the Opposition struggle has to be continuously kept informed of what is happening here. All this means more publications, sending out speakers from Kerala to other States, getting speakers from other States to Kerala, etc.

Without cash, and more cash, none of these jobs can be done properly. The enormous resources of the Catholic Church, the vested interests and the Congress have all been mobilised to fight the Party and its Government. We cannot meet their challenge with the resources that we can mobilise from Kerala alone. Our appeal to you is to organise a DEFEND KERALA FUND in all the States. Democratic opinion which has so magnificently rallied to support the Government of the Communist Party will surely respond to this appeal with handsome contributions. The more the cash that pours into Kerala, the more effectively we will be able to meet reaction's challenge to democracy and defend our Government.

Let the maximum efforts be made right now. Let every democrat be approached to contribute to the Defend Kerala Fund. Let the Defend Kerala Fund drive itself become the biggest mobilisation in support of Kerala with the slogan: if democracy is defended in Kerala today, it can be extended to the rest of India soon, if reaction is defeated in Kerala today, it will be a blow to reaction elsewhere.

Send all contributions to: The Secretary, Communist Party of India, Kerala State Committee, Trivandrum.

Trivandrum, 20-7-'59.

—M. N. Govindan Nair

Some Statements On

CONSTITUTIONAL ASPECTS OF KERALA

SRI P. S. Mohar, Ph. D. (Harvard), Director of the Institute of Public Administration, Patna University has issued a statement on the constitutional problem involved in the opposition agitation against the Kerala Government and the resignation of the ministry there.

Is this direct action constitutional and is it in the interests of Indian democracy asks Dr. Mohar and proceeds to reply:

Democracy, of course postulates certain metaphysical assumptions regarding the value of the human personality and other associated concepts, but it appears to us, that its most distinctive feature is the procedures which it prescribes for the consummation of the democratic ideal. As we survey the working of democracy in different parts of the world, we find that it is working well not where the democratic shibboleths are loudly pro-

claimed but where their procedural aspects have found a secure lodgement in the hearts of the people....

Democracy involves an apotheosis of indirect as against direct action. There is the sense in which democracy may not inaccurately be termed as a philosophy of means. Gandhi performed a great service to democracy by refusing to draw a dichotomy between means and ends and emphasizing particularly the value of the former.

The rule of law, a precipitate of British Constitutional history, and a palladium of the liberties of England is, in the last analysis, nothing but a crystallization of certain procedures. Respect for law, therefore, is, or should be, a fundamental feature of democracy.

Ours is a nascent democracy. The growth and, even fostering, of healthy political conventions is of the utmost importance to the health of democracy. We are all familiar with the

great part that conventions constitute, in effect, the political morality of a people: they are the rules of the game.

Should direct action against a Government be sanctioned by convention and be allowed to filter into the mores of Indian democracy? It is true that Gandhi won us freedom through the employment of direct means. However, during the British regime no other methods were open to us for the supreme consummation of national freedom.

Only Normal Way

The situation is fundamentally different now. It is open to a citizen to persuade other people to his point of view by sustained and honest efforts. Otherwise, we have a caricature of satyagraha when people resort to fast unto death for trivial and even selfish purposes.

The only normal way in which the Kerala Government can be overthrown are either through a vote of no-confidence in the local legislature or if they themselves tender a resignation. Neither of these contingencies seem to be forthcoming. Central intervention, of course is possible under article 356 of the constitution. There is, however, a caveat in a parliamentary form of Government such as ours, the President would take the Government of the State into his own hands, presumably, on the advice of the Prime Minister. Such an intervention would be unfortunate in this case. For it is likely to give the Communists, and even some independent opinion, the impression that the exigencies of party politics had some thing to do with the nature of the advice tendered to the President. That impression may not be true but nevertheless, it might be given a wide currency.

For the political health of the country, not only should the leaders actually observe the rules of the game, but must also appear to do so. We can certainly expect this, during the stewardship of the country's affairs, by such a great leader as Pandit Jawaharlal Nehru. The cases of central intervention in the Punjab, Pepsu, Andhra and Travancore-Cochin provide no comparable cases, since in every one of them government had lost majority in the legislature. Central intervention, in other words, succeeded and not preceded a break-down.

We submit that the direct action in Kerala is full of the most momentous consequences for the future of democracy in the country. It is certain to provide the non-Congress elements with a weapon which they would use against the Congress government in other provinces. It is likely to be used in West Bengal, Bombay, Punjab and even Uttar Pradesh. If democracy is "government by discussion," one cannot imagine more uncongenial soil than that of direct action! For during such a period, emotion is in the ascendance and compromise, reconciliation and discussion are in eclipse.

We hold no brief for the Communist regime in Kerala. All that we are arguing is that if they are flouting public opinion let them be punished either by the representatives of the people in the legislature or at the time of periodical reckoning by the electorate itself! Democracy in Kerala, and in the country at large, would suffer less by waiting than through the induction of direct action unknown to the law of the Constitution.

When a party contests a general election, it issues an election manifesto setting forth the social, economic, cultural and other benefits for the whole population, which the party will strive to secure, during their period of service as representatives of the people. They should not betray the trust reposed in their promises by premature dissolution of the legislature by their own choice. It is but common honesty that the present ruling party does not resign and call for a general election, some two and a half years before the next general election is legally due to be held. (Hindu, July 19.)

V. R. KRISHNA IYER
Law Minister Of Kerala

R. S. SANKARIAR
Ex-Judge, Eminent Jurist Of Madras

PRIME MINISTER NEHRU has expressed the view that a general election may be the best solution of the Kerala problem. Let us

examine the proposition a little. Under an electoral scheme where the number of voters in every constituency is not equal and there are more than two parties seeking election, it is inevitable that the number of votes secured by the party returned as a majority will be less than the sum total of the other defeated parties.

In Kerala the majority party is said to have secured only about 37.48 per cent of all the votes cast in the last elections. So prima facie a majority of those who voted in the election did not support this party.

This is the defect in the electoral system. A majority party can claim the support of a majority of votes cast only if: 1) there are only two parties contesting and 2) the voters in all the constituencies are equal in number.

In UK the Attlee Government was returned to power in 1950 by a total votes of 13,423,957. The other parties were supported by 15,479,986 votes. That means that the defeated parties had the support of 2,051,029 votes over and above the successful party.

In the 1951 election in which the Tory Party secured the majority seats, they got a total of 13,708,775 votes. The defeated parties secured in all 14,834,101 votes. Thus the majority party was opposed by 1,125,326 voters over and above their supporters. Thus, the fact of the majority of the elected members being supported mostly by a minority of the total votes cast is a defect inherent in the system.

When a party contests a general election, it issues an election manifesto setting forth the social, economic, cultural and other benefits for the whole population, which the party will strive to secure, during their period of service as representatives of the people. They should not betray the trust reposed in their promises by premature dissolution of the legislature by their own choice. It is but common honesty that the present ruling party does not resign and call for a general election, some two and a half years before the next general election is legally due to be held. (Hindu, July 19.)

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PARLIAMENT

ISSUES BEFORE THE MONSOON SESSION

★ By K. P. Subramanya Menon

The Parliament's monsoon session opening on August 3, will be seized of a number of important questions. First, the report of the Parliamentary Committee set up to examine the Official Language Commission's Report is on the agenda. The Communist Party representatives on the Committee Comrades S. A. Dange, Hiren Mukerjee and Perath Narayanan Nair have signed the majority report along the Government side.

OFFICIAL LANGUAGE

As a prelude to the discussion on the Report of the Parliamentary Committee on Official Language, Mr. Frank Anthony's non-official resolution to include English in the Eighth Schedule to the Constitution the discussion on which is carried over from the last session, is again expected to raise a good deal of heat. Comrade Hiren Mukerjee who last time spoke on the resolution, opposed it. Some very uncomplimentary references to Sri Antony by some other opponents of his resolution were even the subject matter

of a privilege motion. Kerala, of course, will be there in various and devious ways as we have indicated last week.

The Tibet question may be again raised by the devotees of Lamaism. And if the inventive genius shown by Sri H. V. Kamath is any indication of the PSP's mind, we can expect some very ridiculous outpourings from the mouth of the PSP's oracle, Sri Asoka Mehta and the Acharya, supported, none too subtly, by Srimati Sucheta Kripalani, one of the General Secretaries of Smt. Indira Gandhi.

Another important subject coming up for discussion is the Report of the Road Transport Reorganisation Committee. The Report, which incidentally caused, quite a lot of inter-ministerial bickerings, commands interest and attention as it makes a number of recommendations of a far reaching nature for the development of not merely road transport, but an integrated transport system. But the report has evoked great disappointment among the Motor Transport Labour (nearly a million strong) as it has not touched on the

NO COMPARISON WITH EARLIER INSTANCES

★ FROM FACING PAGE

does not propose to resign. No feature exists making the running of the government according to the provisions of the constitution impossible. Even if Presidential intervention was warranted in the Pepsu—which itself is doubtful—it is utterly indefensible in the case of Kerala. You cannot create chaos and then cry, "Here is chaos—please intervene."

All the heaps of charges against the Government of violating fundamental rights can be remedied constitutionally through the courts or politically through the legislature. Partiality in the maintenance of law and order, if true, can be set right through the proper legal machinery. Those who talk glibly of Article 356 as a constitutional nostrum for the Kerala malaise pay scant respect to our Republican Constitution.

It is useful to remember that the satisfaction of the President must be based on material having a bearing on Article 356 and not on any fancied, extraneous or irrelevant grounds. To that extent, at any rate, the Presidential satisfaction may, perhaps, be subject to judicial scrutiny. A reference by the President to the highest court will clarify issues now clouded by obscurantist pronouncements by partisan politicians.

While it is constitutionally

question of labour conditions in the industry. No doubt, Communist Members of Parliament will draw attention to this point also when discussing the report.

PAY COMMISSION REPORT

The Central Pay Commission's Report is likely to be out during the session of Parliament and that report is sure to elicit a good deal of interest not merely among the Members of Parliament but the millions of Central Government employees.

The Joint Committee on the Arms Bill is about to conclude its labours and most probably, the report the Joint Committee and the Bill will be taken for consideration during the next session. The Bill, ostensibly prepared to liberalise the existing Arms Act enacted by the British, is not, according to present indications, likely to go much farther than the existing enactment.

The Banking Companies (Amendment) Bill as amended by the Joint Committee will probably come up for discussion.

The important Companies (Amendment) Bill is not likely to come up this session after its scrutiny by the Joint Committee.

MUNDHRA DEAL

The LIC-Mundhra deal will be an important political question that will come up for discussion. The report of the Vivian Bose Board and its rejection by Government will be a hot favourite for opposition to snipe at. Incidentally, Prime Minister Nehru's derogatory remarks to the Supreme Court Judge will be also be a matter of concern. The oblique references in the report to Mundhra's philanthropy towards Congress will surely exasperate a lot of Congress tempers.

The Mathal episode may again come up in one way or other.

TEXTILE CRISIS

On the economic front, the continuing crisis in the textile industry should attract attention. So also the failure of the export promotion drive to register any improvement in the situation. Sri Morarji Desai will again go to USA this year during the coming session on the annual jumbooree connected with the World Bank and IMF Conferences. Who knows what edifying interviews and unorthodox opinions he will bestow on the world, this time?

obligatory for the President to act only on the advice of the Union Cabinet, it is equally proper that the Governor's report in the exercise of his functions under Article 356 is also the product of the State Cabinet's advice. It is an interesting constitutional question whether cases of Presidential intervention can be canvassed before courts as colourable or mala fide exercise of constitutional power or whether it is a political matter for Parliament and therefore, immune to judicial examination.

Two other Bills before Joint Committees, which may be placed on the agenda of the session are, the State Bank of India (Subsidiary) Banks Bill and the State Bank of India (Amendment) Bill.

Apart from these official bills, some interesting discussions initiated by private members are on the agenda. One of them is the discussion on the Report of the Commissioner for Linguistic Minorities given notice of by Sri Surendra Mahanty.

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KERALA AGRARIAN RELATIONS BILL — A MODEL LEGISLATION

BY BHOWANI SEN

General Secretary, All-India Kisan Sabha

Ever since 1952, various agrarian measures have been adopted by the Congress Governments in various States; nowhere have the landlords revolted violently against the State Government but in Kerala the landed aristocracy has done so in panic; and nowhere is the State Government receiving such an amazing support from the agricultural workers and poor peasants as in the troubled Kerala State. It is so because the Kerala Agrarian Relations Bill offers real Swaraj to the rural poor while dealing a severe blow to the upper-strata of the landed vested interests. A brief survey of the Bill is enough to reveal its superiority to any Land Reform Act passed in any other State within the Indian Republic.

UNDER Clause 6 of the Bill, "Every tenant shall have fifty years of tenure in respect of his holding" and under Clause 33, his rights are "heritable and alienable."

Security Of Tenure

Landlords' rights in land held by the tenants shall vest in the State, it will then be assigned to the tenants together with the right to purchase ownership on payment of a price statutorily fixed; and such ownership will vest in the tenant on payment of the first instalment.

A similar measure of conferring ownership on the tenants has been introduced in other States too, but the specific feature of Kerala Bill consists in two types of provisions:

First, tenancy right and consequently the right of purchasing ownership has been extended to even sharecroppers and similar tenants-at-will who have been denied this right in other States, where the most of them are not even vested with full security of tenure.

Secondly, the loopholes so characteristic of the Land Reforms Acts in other States are so neatly plugged in the Kerala Bill that the big landlords find it extremely difficult to evade the provision through resumption, transfer or eviction.

For The Landless

It is not only the sharecroppers, but also agricultural workers and landless tillers of various categories who have been given such protection as is not even dreamt of by any Congress Government in any other State. Most of these beneficiaries are devoted Christians and orthodox Muslims, whose communal leaders are determined to overthrow the Kerala Government, on the alleged ground that their private property, liberty and religion are in danger. It is enough to mention two categories of such beneficiaries in order to show for whom the Communist Ministry in Kerala administers the affairs of the Government.

1) AN "Odacharthudar" is recognised as a protected tenant vested with the right to purchase ownership like any other protected tenant. Odacharthu means an agreement for cutting bamboos in Malabar. There

are landless tillers who lease-in bamboo groves and also construct their homesteads on their land without obtaining any security of tenure. They can be evicted at any moment without any notice.

There were Christian peasants in the Travancore-Cochin area, who lost their land and migrated to North Malabar. There they leased bamboo groves for building a home and rearing a family. Till now they were entirely at the mercy of the landlords. The Kerala Agrarian Relations Bill has given them the right to own this 'Odacharthu' as their private property.

2) CLAUSE 37 of the Bill declares:

"No kudikidappukan shall be evicted from his kudikidappu except on the following grounds:

- that he has alienated his right of kudikidappu to another person;
- that he has rented or leased out his kudikidappu to another person;
- that he has ceased to reside in the kudikidappu continuously for a period of two years; or
- that he has another kudikidappu or has obtained ownership and possession of land within one mile of his existing kudikidappu on which a homestead or hut could be erected."

Now this Kudikidappukan is a landless agricultural labourer who has obtained the permission of a landlord to erect a cottage on a plot of land belonging to the landlord, with or without an obligation to pay a rent. This 'occupation by permission' gives the title Kudikidappu to a holding.

Under Section 37 of the Bill, the landless agricultural labourer who was so long at the mercy of his landlord, will enjoy fifty years of tenure with heritable rights.

In the region formerly known as Travancore-Cochin and at present the main centre of the Catholic-Nair landlord revolt under Congress leadership, 39.5 per cent of all rural families belong to the category of 'Agricultural labour' and throughout Kerala they are either Ezhavas or Muslims. Ezhavas constitute the famous backward community in whose interest Section 11 of the Education Act was constructed and against which the main fire of the Catholic Bishops and the Nair Service Society is directed.

It is not enough to confer

security of tenure on the unprotected tenants; land reform may turn into its opposite unless the laws are so divested of loopholes that evasion can be easily detected and also prevented. We know how in West Bengal the clause on ceiling is being evaded by transfer and partition and share-croppers deprived of even the limited rights conferred under the Land Reform Act.

We also know that in Hyderabad, during the four years of land reform (1951-55), the number of protected tenants decreased by 57 per cent and the area comprised in their holdings by 59 per cent.

In Bombay, between 1948-49 to 1952-53, 40 per cent of the tenanted area was either resumed by the owners or was transferred from the original tenant to a new tenant in order to deprive the former of the provisions of the Land Act. Thus, in all the States except Kerala, there are evictions on a mass scale and they are made possible by loopholes deliberately preserved within the laws.

Safeguards Against Landlords' Strategems

The Kerala Bill contains provisions arming the tenants with safeguards that cannot fall to protect them from the cunning strategems of the landlords. The most important of them is described below:

● In every State, cultivation is defined as cultivation by personal, family or hired labour but the loopholes that contain it are even more numerous in States where the provisions are more liberal. In the Kerala Bill, though it defines cultivation as in other States, yet it is provided that if hired labourers arrive at any agreement to pay a fixed proportion of the produce of the land they cultivate, the holding will not be regarded as self-cultivated by the owner.

● We know that in other States, as soon as a Bill is introduced in the Assembly, the landlords begin to evict the tenants in order to clear the estates so that when the Bill is passed and the Act is implemented, there is no tenant on whom the security of tenure can be conferred.

But the Kerala Bill has fully protected the tenants from this predicament. Every type of the beneficiary whether he is an 'Odacharthudar' (lessee of a bamboo-grove), the 'Varadar' (share-cropper) or the 'Kudikidappukan' (the agricultural worker with a homestead by permission) his occupancy right will be recognised even if he may not be in possession of the holding when the Bill comes into force but if he was at least entitled to protection under the Anti-Eviction Ordinance which was issued by the new Ministry within 48 hours after coming into existence.

● It is also provided that if any varadar (share-cropper) can prove that he was in possession of his holding up to April 11, 1957 but

evicted after that date, he will be regarded as a tenant of that holding. The sole exception is the holding which was transferred with bona fide registered deeds to another tenant before December 18, 1957. This provision is an effective detector of mala fide transfers and also a protection for bona fide transfers.

Statutory provision for resumption contains the biggest of loopholes in the Land Reform Act of every other State and indiscriminate evictions have been legalised under the provision for resumption. But the Kerala Agrarian Relations Bill does not shed any tears for big landlords.

According to Clause 10, subsection 4(b), "A landlord who does not own more than ten acres of double-crop milam or its equivalent and who holds only less than five acres of such land, requiring the holding bona fide for cultivation by him or any member of his family, may resume from his varadar a portion not exceeding one-half of the area demised by him so however as not to raise the extent of land in his possession above five acres of such land."

In plain language the provision means that no landowner owing more than 10 acres of double-crop milam (i.e. land under cultivation) or its equivalent can resume any land for self-cultivation. But even an owner of 10 acres or less is not entitled to resume if he has already got, under his self-cultivating possession five acres or more double crop milam or its equivalent.

Even in this case his right of resumption is limited by two provisos:

- He can resume only up to the extent of making his self-cultivated area equal to 5 acres double-crop milam.
- He cannot resume, for the purpose of self-cultivation, more than half the area possessed by the tenant concerned.

On top of these, "a cultivating tenant whose holding is resumed shall be entitled to be paid as solatium by the landlord an amount equal to one year's rent in cases where the cultivating tenant is not entitled to compensation under the Kerala Compensation for Tenants' Improvement Act, 1958".

Is there any Act in any State ruled by the Congress where the tenant gets a compensation for the landlords' resumption for self-cultivation?

It is, therefore, no wonder that the landed gentry and the Congress leadership in India should be irreconcilable to the Communist Government in Kerala.

But it is useless for them to scare the small holders against the Bill because the small holder is given the right to make any adjustment in agreement with his tenant, and the small holder means one who possesses under self-cultivation, not more than five acres double-crop milam which may be equivalent to 8-10 acres of ordinary single-crop land.

Any landowner, irrespective of size of his holdings, is entitled to resume land for

the extension of places of public religious worship and no limitation has been put to such resumption. It proves how hypocritical is the cry—"Religion in danger". For building purposes, any landlord can resume up to 20 cents without reducing the tenants' holding below one acre but no such resumption is permitted if it reduces the tenants' holding to an area below 20 cents.

Ceiling

According to Clause 58 of the Bill, the Ceiling Area is defined as follows:

a) 15 acres double-crop milam or its equivalent in case of a family of not more than five members. For every additional member, an extra one acre of double-crop milam. But the maximum area that family is entitled to hold shall not exceed 25 acres.

A family has been defined as a husband, wife and their unmarried children.

b) In the case of an adult unmarried person, the ceiling area is equivalent to seven and a half acres of double crop milam or its equivalent.

This definition of the ceiling removes the loophole of keeping a higher area through partition. Moreover, the exemptions are Government lands, lands comprised in mills, factories etc., private forests, house-sites and so on but not plantations or orchards.

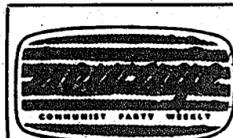
Regarding plantations, the Bill provides that the Government may grant any exemption by special notification subject to the approval of the legislative assembly.

Rent Reduction And Remission

All sections of the peasantry (big, middle and small) are the beneficiaries of the Rent Schedule. For the determination of fair rent both a maximum and a minimum have been fixed and they vary between one-fourth of the produce to one-twentieth for various classes of land and various crops.

Then there is the provision for rent remission. Clause 23 provides that—"Where there

* SEE PAGE 12



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AUGUST 2, 1959

KERALA GOVERNMENT'S REPLY TO KPCC MEMORANDUM CHARGES REFUTED: APPEAL TO GIVE UP BARREN, STERILE PATH

The memorandum submitted to the President by the KPCC should, according to normal procedure, have been sent to the State Government by the Home Ministry of the Government of India, to whom the President is presumed to have handed it over. The State Government would then have got an opportunity to send a detailed reply to the President, giving its viewpoint on every point raised in the Memorandum.

But, for some inexplicable reason, the KPCC has failed to adhere to this normal procedure. It gave wide publicity to the Memorandum to the President even before a copy of it was received here from the President through the Home Ministry. Our Government, therefore, is constrained to adopt the unusual procedure of replying to the Memorandum, presented to the President of India, through the columns of the press.

Whole "Upsurge"?

The KPCC speaks of a "wide-spread upsurge of a character seldom seen anywhere against a government since the days of independence". It, however, omits to mention that this so-called "upsurge" is organised and headed by those very people who would rise in revolt against the Congress itself if it carries out the programmes of socio-economic transformations which it has accepted.

For, it is well for the KPCC to remember that the Congress party was defeated in three successive general elections. Despite the innumerable manoeuvres that a party ruling at the Centre and in all the States of India could resort to, it failed to secure not only a majority of votes, but even a majority of seats in the 1952, 1954, and the 1957 general elections.

The least that could be expected of the Congress under these circumstances was to accept its defeat at the polls as a reality and to function as an opposition for the full five-year term for which another party has been returned with a majority of seats.

The Congress, however, could not reconcile itself to this state of affairs. Within three days of the assumption of office by the present Ministry, the cry of "lawlessness and sense of insecurity" was raised by the leaders of the KPCC and the then General Secretary of the All-India Congress Committee, Sri Shriram Narayan. Any number of examples can be shown of how, within the very first month of the life of this Ministry, the leaders of the Kerala Congress gave an indication of their unwillingness to extend that amount of cooperation to the (non-Congress) Government which the all-India Congress leaders had always been demanding of the (non-Congress) opposition in the rest of the country.

It is, therefore, no wonder that the landed gentry and the Congress leadership in India should be irreconcilable to the Communist Government in Kerala.

But it is useless for them to scare the small holders against the Bill because the small holder is given the right to make any adjustment in agreement with his tenant, and the small holder means one who possesses under self-cultivation, not more than five acres double-crop milam which may be equivalent to 8-10 acres of ordinary single-crop land.

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Any landowner, irrespective of size of his holdings, is entitled to resume land for

our Government if the Congress persists in enforcing the Agrarian Relations Bill?

● Can the KPCC deny that the landlord elements ranging themselves behind Sri Padmanabhan's Vimochana Samara Samiti are with the Congress precisely because the Congress during the ten-year period of its tenure in office—either on its own, or through the PSP, or through the President's rule—did not carry out the Congress' own Agrarian programme; also because these landlord elements are sure that, once the present Government is removed from power, the legislative and executive measures taken by it against landlords will also be modified in vital respects if not totally cancelled?

● Is it not clear that the solid support behind the present upsurge is supplied by the big bankers of Kerala who have taken a pledge not to contribute to the National Plan Loan unless and until the present Government is removed; by the big landlords of Kuttanad, each owning hundreds and even thousands of acres of land, who have taken a similar pledge to lay their lands waste till this Government is removed; by the hundreds of other capitalists and landlords who are making large donations every day to the coffers of the Vimochana Samara Samiti, etc., etc.?

The thesis of the KPCC President that the present Kerala Government has been systema-

tically undermining the spirit of the Constitution in relation to the principle of equality before law and equal protection to the citizens, by making use of the apparatus of the State to discriminate between Communists and others, is sought to be established by no new material, nor is the thesis the result of evidence spread over the last 27 months and culminating now.

Early in April 1957, in the very first session of the Assembly, hardly some days after assumption of office by the present Ministry, the same thesis was put forward. Indeed, Central intervention on the ground of a constitutional deadlock was asked for even then.

The same song was sung over again in May 1957, and on other occasions in the Assembly. Dr. K. B. Menon, in Parliament, brought up a motion with the same content.

On all occasions when this point was raised—whether on the floor of the Assembly or Parliament, Press and platform, the factual materials have been thoroughly explained several times. It is apparent that, in a few days after the Government was formed, there could not have been an undermining of the Constitution, but the point that emerges clearly is that, immediately the Communist Party formed a Government in Ke-

rala, the oppositionists trotted out a political line, to wit, the ballyhoo of the breakdown of the Constitution and consequent need for Central intervention. This political line was given, within three days of the swearing-in-ceremony 27 months ago by none other than Sri Shriram Narayan, the then General Secretary of the Indian National Congress, as mentioned earlier.

Now, the political parrot cry has been often repeated and desperate efforts made to bring up some material of the same Dr. K. B. Menon's motion specified certain facts which were merely mechanically reproduced in Sri Dhebar's later charges; many of them had been separately raised and answered earlier in the Assembly and now, the KPCC President's "charge-sheet" or "memorandum" contains hardly any new material except the overworked and stale, old items of charges.

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Accusers Are Judges

It is not irrelevant to remember the background that the power to judge whether the thesis of undermining the Constitution has been substantiated rests de facto with the political party which had propounded it the very week the Communists formed a Ministry. They are the accusers, the judges and the executioners, because, after all, the political decision to remove the Ministry by Presidential intervention may, in a sense, rest with the Congress High Command.

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Vasu Pillai's Case

AN incident which has no significance or bearing on the subject at issue but is useful to prejudice people has been cleverly introduced by the KPCC President, viz. the grant of parole leave to a lifer, Vasu Pillai, and his sitting in the Assembly gallery on one day. It is entirely wrong to say that parole leave was not granted for proper reasons. Parole leave was applied for, because his aged mother was seriously ill and perhaps sinking and the Inspector-General of Prisons recommended parole. It was granted, subject to sufficient security with two sureties.

The other point referred to about this Vasu Pillai is that he was seen in a State car, which was under what circumstances is not stated. This allegation is denied. Nor is a prisoner on parole leave prevented from watching the Assembly proceedings under the rules regulating parole leave and prisoner's conduct. Neither the Government nor the Speaker had any part in admitting Sri Vasu Pillai to the gallery in the Legislative Assembly, and this had been made clear on 5-6-1959 both by the Finance Minister and the Hon'ble Speaker in the Assembly. Passes to visitors to the Speaker's gallery are granted on the recommendations of M.L.A.s.

It must be mentioned that parole leave has been granted

to many prisoners in Kerala in a somewhat liberal way most of whom are non-Communists. There have been cases where even the rules have been waived in instances of serious hardship. A PSP picketer, by name Vikraman Nair, for instance, wanted parole leave because his father was seriously ill. Sri Ponnara Sreedhar, PSP M.L.A. pressed his case, although, under the rules, he was not entitled to be released on parole, not having served the qualifying period in jail. Nevertheless, he was allowed parole leave on 2-2-1959 waiving the rules.

It may be mentioned with advantage that, during the brief period of the PSP Government in 1954, more than 181 cases, including stabbing, criminal trespass, rioting with lethal weapons, etc., were withdrawn; the number of prisoners benefited by these withdrawals were 1767.

A few cases springing out of election clashes had been withdrawn by the Kerala Government; but this order was modelled on an order of the Andhra Pradesh Government, G.O. MS. No. 1085, Home (Courts B), dated July 13, 1957 and G.O. MS. No. 1547 dated 28-9-1957.

Even as the Andhra Pradesh

AMNESTY ON ASSUMPTION OF OFFICE

IT is true that Communists involved in the Sooranad and Edappally murder cases had been released. This was in pursuance of the policy decision that those involved in political cases would be released to mark the first assumption of office by elected representatives in Kerala on 5-4-1957. Here was a day of rejoicing for the whole of Kerala and it was celebrated in a fitting manner all over the State. On such an occasion the Government took this course of action which was far, far milder than the total, general amnesty granted on a similar oc-

casions by the Congress Chief Minister of Andhra, Sri T. Prakasam. In releasing political prisoners, Government proceeded by the generally accepted notions in regard to these expressions.

Government decided to withdraw "all prosecutions launched in connection with the offences arising out of the recent general elections" in Andhra Pradesh, although some of them related to rioting, stabbing and more serious offences, the Kerala Government also did like-wise, quoting the Andhra Pradesh Order. In Telengana alone, 235 persons benefited by this order, as disclosed by the Chief Minister of Andhra Pradesh in the Assembly.

The Kerala Government has impartially applied this same principle without reference to political parties; and it must be said that cases arising out of election clashes where Congressmen were accused have also been withdrawn.

In regard to remissions of sentences, and releases of prisoners, a set of instructions, * OVERLEAF

Released on July 28, the full Reply runs into 55 closely printed pages and is accompanied by 12 Annexures (34 pages) and 13 pages of additional comments on the KPCC Memorandum's Appendices.

Regretting our inability to give this fully documented material here for reasons of space, we content ourselves with printing the official Summary of the Reply. Sub-heads are ours.

—Editor.

NEW AGE

PAGE NINE

uniformly to be applied to all prisoners was issued by this Government and those who benefited thereby were men belonging to all political parties, including Communists, and also men who had no political affiliations whatever.

The Kerala Government's order may be compared with the 'total amnesty' granted by the late Sri T. Prakasam, when he became the Chief Minister of the Andhra State, releasing murderers sentenced to death, habitual offenders and all others, by just keeping all the jail gates wide open.

WITHDRAWAL OF CASES

AS for withdrawal of cases, there was no discrimination shown by the Kerala Government. Even as in the case of the limited amnesty for prisoners, withdrawals were confined, on the basis of policy, to cases arising from trade, industrial and agrarian disputes or other public agitations (like the Trivandrum High Court Bench and student agitations) where either a settlement of the dispute had been reached, or the public agitation had calmed down or been withdrawn. The majority of prisoners whose sentences were remitted and whose cases have been withdrawn belong to the PSP, the Congress, the Muslim League and the RSP; the Communists account for a much smaller number.

● Even a PSP MLA like Sri C. G. Janardhanan applied for and secured the withdrawal of his case on the ground that it was a political case.

● Another PSP MLA Sri E. P. Eapen, for instance, had requested for withdrawal of cases arising out of a communal clash near Trivandrum and this also had been granted in public interest, with a view to restore harmony in the locality.

● In a grave case of breach of trust from Wynad, all the opposition parties (their District Committees) applied for a remission of the long sentence of imprisonment!

● A Catholic priest, Rev. Fr. George Thekkedath, against whom a prosecution was pending, applied for withdrawal together with a Congress MLA. It was allowed to be withdrawn on 31-3-1959.

● Dr. Henry Austin, Secretary, KPCC himself had applied for withdrawal of 69 cases on 17-4-1959 and it was granted by the Government.

Another reference in the KPCC Memorandum is to the case of one Pushpangadan. At least the importance of the charge-sheet should have induced the President of the KPCC to omit this petty instance of an old case of 1952 where some Communists including Pushpangadan were alleged to have assaulted a Congressman. All the accused except two were discharged by the Court and even these two persons were sentenced to a fine of Rs. 20 only. This remission of the small fine in an old petty case of 1952 stemming out of a political clash in pursuance of a general order remitting sentences pending on 5-4-1957 in political cases is obviously not an instance worthy of mention to prove subversion of the Constitution!

The cases against '8 Communists' (Anthikad) were withdrawn because they arose out of a labour dispute in 1955

The Andhra Government's amnesty order was challenged in, but upheld by, the High Court. The Kerala order, a hundred times more restricted and moderate, cannot be cavilled against if the KPCC does not adopt double standards. The Kerala order did not apply to habituals, nor was release of those sentenced to death granted. It is worthy of note that even Sri Patom Thanu Pillai when he was Chief Minister did release quite a few persons, sentenced for murder to life imprisonment, on Republic Day (1955) although with a certain political motive.

which was settled by Congress Chief Minister Sri Panampilly Govinda Menon who then also gave an assurance that the withdrawal of these cases will be considered; but his Ministry fell before orders of withdrawal could be issued.

The facts furnished regarding the withdrawal of cases by the KPCC President are a distortion of the truth. The bulk of the cases withdrawn relate to those where the opposition parties figured as accused.

After having secured the benefits of such withdrawals of cases, it is adding insult to injury to turn round and say that such large number of withdrawals were discriminatory in favour of the Communists.

The figures from 5-4-1957 to 31-12-1958 show—and the picture has been constantly so—that, out of a total number of 1827 criminal cases eventually withdrawn 244 alone relate to Communist or pro-Communist accused, the rest being accounted for by the opposition parties of Kerala and the student agitators who were backed by these opposition parties (1219) and non-partymen (292).

It is also wrong to state that "several" instances have occurred where the Courts have refused to sanction withdrawal of cases. There are only a very few such cases, probably four or five cases out of about 1900 during the last 27 months. That itself brings out in bold relief the fact that most cases were rightly withdrawn according to the Courts.

Preventing Evictions

ON assumption of office by the present Government on 5-4-1957, one of the difficult issues that faced the Ministry was the prevention of eviction of tenants and Kudikidappukars. Such eviction had become a menace in the State, especially because of its wholesale and reckless nature. The owners of land knew after the results of the general elections that the Communist Government was coming to power. Hence they wanted to evict as many tenants and kudikidappukars as possible before the Ministry assumed charge.

It was to prevent such large scale evictions that the Government issued an Ordinance on 11-4-1957 prohibiting all evictions from private lands till a comprehensive land legislation is introduced. This evoked large-scale protests from the landlord class who raised the cry of insecurity of property and person.

STOPPING ENCROACHMENTS

THE next issue to be tackled was the prevention of encroachment and proper utilisation of Government land. Encroachment on Government land, even forest land, was prevalent on a large-scale and was mainly made by rich land owners who are the professional land grabbers. Even during the Adviser's regime, before the last General Elections, several attempts were made to evict these encroachers and land grabbers. But all such attempts had to be dropped for obvious reasons. Nevertheless, the Adviser had constituted a Committee to advise the Government on the proper utilisation of Government land.

Therefore, when the present Government came to power, they called a Conference on 22-4-1957 of all the District Collectors to discuss the urgent problem of encroachment on and the proper utilisation of Government land. One of the recommendations of the Collectors' Conference was that large-scale eviction need not be attempted, but pending finalisation of the disposal of Government land to landless people, eviction from unobjectionable Government land may be stayed.

Thereupon, Government on 26-4-1959 issued an order staying all evictions from unobjectionable Government land pending formulation of the scheme for assignment of Gov-

ernment land and prohibiting further encroachments. This Stay Order and prohibition naturally took effect from the date of the issue of the orders.

From the above, it can be seen how the stay and prohibition came to be operative from 26-4-1957, the date on which it was issued. It was not fixed arbitrarily to suit anybody's convenience.

Subsequent to this order, there were several attempts to break the prohibition order against further encroachments. The Government reiterated the policy by an order on 14-5-1957 and declared that encroachment on Government land subsequent to 26-4-1957 will be dealt with according to law. According to the policy declaration, the Revenue authorities have taken strong action against subsequent encroachments irrespective of Party affiliations of encroachers.

From the time this Government took charge, the Congress-led Highland Karshaka Sangham was making organised encroachments into the Reserved Forests. The encroachment in Ayyappancoil area was one such case.

The matter assumed importance through a question in the Legislative Assembly by one of the opposition members themselves. The propaganda was that the Government did not prevent the encroachment be-

cause the encroachers were Communists.

When this kind of false and malicious propaganda was going on, Government passed orders to evict all the encroachers in Ayyappancoil. But when steps were taken to evict encroachers, three Congress MLAs approached the Government for stay of eviction (Sri P. C. Cherian, Sri Joseph Podipara, and Sri Vayala Idicula). When they were told that in the face of the propaganda that the encroachers are Communists, the Government could not evict them, they put in a written petition denying the allegation and stating that the encroachers belonged to all parties and not Communists alone. On this petition a stay order was passed. But the matter did not end there. Some encroachers were already evicted by that time and under the leadership of the same Congress MLAs a struggle was started to get them reinstated on the ground that they were old occupants. Government therefore instituted an enquiry into the matter. The report of the Enquiry Officer, Sri Nandan Menon, shows that the allegations were not correct and the large majority of them were new encroachers.

The propaganda that the encroachers were Communists and the encroachments were backed by the Government, have thus been completely exploded.

TODDY TAPPERS' COOPERATIVES

IT is stated that Government violated, for the sake of the Party, the provisions of the Abkari Act and the Rules thereunder for the conduct of annual auction of toddy shops. There is no provision in the Abkari Act or Rules thereunder that the privilege of vending toddy should be granted only after auction.

The changeover to the Co-operative system has been adopted by Government on account of various reasons both in the interest of the Government and also in the interest of the workers. Some of these are enumerated below:

(i) Since minimum wages were fixed for the tappers, disputes between the workers and the toddy shop contractors were on the increase, and the contractors were demanding remission of the kist amounts on the ground that the profit of the contractors has considerably decreased due to increased wage bill as a result of the minimum wages, etc.

(ii) The Contractors themselves formed their own associations and put up a united effort to bring down the rates during auctions. As a result of this, in the year 1957-58, before this Ministry came into power, there was a reduction in the total bid amount in the Kottayam District alone to the extent of Rs. 9 lakhs when compared to the previous year.

(iii) As soon as this Government took up administration, there was a united move from the Catholic Church, actively supported by some of the prominent Congressmen, to have the Government's Abkari Revenue brought down with a view to cause heavy financial loss to

Government. For this purpose, the opponents started a "temperance movement"; especially in the Districts of Kottayam, Trichur, Ernakulam and Alleppey. They resorted to unlawful actions, such as cutting away the spathes of the tapping trees, destruction of the toddy pots, conducting satyagraha and picketing in front of toddy shops. These tactics were employed against those contractors whom they

did not like. The contractor's were put to heavy loss on this account and Government were forced to accede to their request for remission of kist amounts on account of the anti-propaganda. Some of the contractors also joined the pseudo-prohibition movement, and subsequently brought pressure on Government to get remissions of kist on the pretext that they had incurred loss, thereby trying to reap profit out of the situation.

There was also the long-standing demand from the Toddy Tappers' Unions that they may be entrusted with the conduct of the toddy shops. They were ready to form Co-operative Societies.

In this context Government considered their proposals, and, in consultation with the Board of Revenue, decided to entrust some of the shops to the Co-operative Societies formed by the tappers of the locality. As an experimental measure, Government selected four places: Trichur, Kottayam, Alleppey and Sertalai. But the Kottayam tappers were not able to take the contract, because of lack of funds.

The three societies worked and they conducted shops in such a way that there were no arrears. With a view to avoid competition in places where Co-operative Societies were formed, Government devised the method of entrusting shops to these Societies on negotiated contract basis. Five years' average rental was calculated and the Co-operative Societies were given shops based on the calculation arrived at. As a guide to the principle adopted for Co-operative Societies, Government relied on the principles followed in Andhra.

In 1959-60, Government, as a policy, decided to extend the Co-operative system to other areas also, and 563 shops were brought under the Co-operative fold. The allegation that the Government sustained loss of Rs. 4 lakhs by entrusting shops to Co-operative Societies is not correct.

As a matter of fact there has been a total increase of 6½ lakhs in 1959-60 than that of the previous year. The co-operative societies were very prompt in remitting the kists, whereas there has been default by toddy shop contractors who bid in auction in other areas.

The allegation that, in order to have a monopoly in the field of co-operation, Toddy Tappers' Societies were registered only when applications were put in by Communists is false. There is no instance of any refusal of registration of Toddy Co-operative Societies on account of political grounds and it is seen that no application is re-

jected so far. The statement that an applicant in North Parur had to seek the intervention of the High Court in order to get remedy against the discriminatory policy of registering the toddy co-operative societies is unfounded. There has been no such case so far as this Government is aware.

The allegation that Government is supplying loans and grants to Toddy Co-operative Societies is also false. There is no instance in which Government have advanced loans or grants to these Societies. But Government have given security for a sum of sixty thousand rupees to the Co-operative Bank which had advanced loan to the Society.

There is also a statement in the Memorandum alleging discriminatory treatment by Government to a Society organised by people who were not members of the Communist Party. Perhaps the reference is to the Trichur District Chethu Vyavasaaya Thozhilali Co-operative Society. The facts speak to the contrary. The Government order was to give toddy shops only to Co-operatives formed by tappers alone and that too only if they are solvent. This Society, though not formed by the tappers and even being insolvent was allowed to participate in auction simply because the Managing Members of the Society were Congressmen.

When extension of time was asked for by the President of this society for remittance of kists, Government gave as much help to them as possible, and there were letters from the President to the Government thanking for the consideration shown.

The statement about the ordering of re-auction of Thodu-puzha shops is misleading. The steps for re-auction were taken in consultation with the concerned Member of the Board of Revenue and it was done specifically in the interest of Government revenue as opined by him, since the petitioner offered higher rent amounting to Rs. 65,000. The applicant is not a Communist or even a sympathiser. He is a Catholic and a long-standing Abkari contractor. In fact, he is an anti-Communist.

CO-OPS IN COIR INDUSTRY

COIR Industry is the most important cottage industry in this State, touching the lives of nearly 10 lakhs of people, whose lot has always been miserable and to improve which the Coir Co-operative scheme was initiated in the year 1950 under the auspices of both the central and the State Government. It is true that the scheme was started with the very pious intention of protecting the seven lakhs workers employed in the Coir industry from exploitation of middlemen and money lenders.

But its actual implementation during the years 1950-1957 helped these very middlemen and moneylenders whom the Congress Government apparently wanted to exclude. At the same time, it kept at bay the labour class for whose salvation the scheme was ostensibly formulated. These have been borne out by two separate enquiries conducted:

- 1) One by the State Government through a seasoned Co-operative Officer from the Madras Service, and
- 2) Secondly by a High Power Committee appointed by the Government of India including two Government of India Officers and 2 leading Congressmen, viz: Sri N. Kunjuraman, a Congress Ex-Minister of Travancore-Cochin, and Sri A. P. Udayabhanu, an Ex-President of the Provincial Congress Committee, with Sri G. Parameswaran Pillai, formerly Trade Commissioner in Australia and at present a Director of Reserve Bank, as its Chairman.

The report of the first Inquiry has been published by the State Government; the second report is yet to be published. We have no doubt that the following conclusion arrived at by the Special Officer in the first report will be confirmed in the second report.

The report of the first Inquiry was against this background and as part of the re-organisation of the coir co-operatives that the Kerala Government decided to send Sri Panicker to another post in the Co-operative Department. The scheme was placed in the hands of a Senior Officer of the same status as the one handling

"Except in a very handful of societies, the representation in others to workers and small producers is generally very insignificant; and even in most cases where wider representation is given the actual benefits extended to workers have been small. In many areas there are societies overlapping the jurisdiction of each other, due to the starting of fresh societies within areas of existing old ones, which being small in number covered wider areas. Therefore there are cases of the same Member having membership in more than one Society."

In these circumstances, Government had no option but to intervene. Government had reasons to believe that all this chaos, squander and misappropriation in this sector was brought about largely by the mishandling of the scheme—not to speak of the policy of the past Governments—by the then Coir Special Officer Sri K. Karunakara Panicker.

It is also well to recall that, as early as in 1955, Sri R. Sankar, the present President of the KPCC, had submitted a Memorandum to the then Government to remove him from the office for his mis-handling of the scheme and squandering and causing misappropriation of large amounts of money in the name of the scheme and for his 'nepotism' pure and simple. In the said Memorandum, Sri Sankar has himself admitted that many of the Co-operative Societies "are not functioning at all" and they "exist only on paper".

It is true that in certain instances—25 out of 187—the Committees of Societies have been superseded and Rectification Committees were appointed, not under any extraordinary powers, but under the ordinary provisions of the Co-operative Act alone, but such action was taken only in instances where there were misappropriation of funds or stock and falsification of accounts.

LABOUR CONTRACT COOPERATIVES

THE Government proposed to organise Labour Contract Co-operative Societies in N.E.S. Blocks in compliance with the directive of the Planning Commission and this decision of the Government was notified as early as December 12, 1957. The original notification itself contains all the details of the scheme. Copies of printed bye-laws prepared by the Department and approved by the Government were made available through the offices of the Registrar of Co-operative Societies and Deputy Registrars and also Block Development Officers from December 26, 1957. Ample time was given for the organisation of Societies and submission of applications for registration attested by the Block Development Officers. 25 Societies were registered in March 1958 and 17 others in November 1958. The applications received in the Registrar's office were only 42 in number. All the 42 Societies were registered.

It is evident from the above facts that no discrimination whatever was made in the matter of registration.

No instance of Societies under the scheme having handed

over the works to subcontractors, has come up to the notice of the Department concerned. No financial aid has been made available directly from the Government to the Labour Contract Societies. They have been getting advances up to 25 per cent. of the estimates from the Co-operative Banks for the initial expenses and the Banks have been collecting back the advances out of the amount available to the Societies on the Bills presented by them through the Banks.

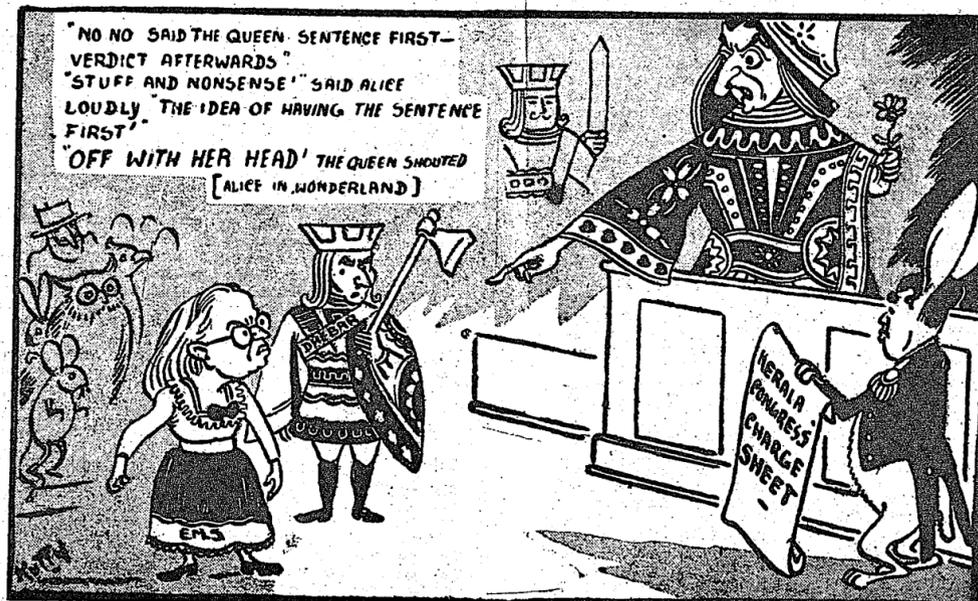
POLICE POLICY

THE new police policy enunciated by the Chief Minister has come in for criticism from the KPCC President as a step to make the police subservient to the Communist Party. While depicting the nature of the "new police policy" of the Kerala Government, distortions have been indulged in by the President of the KPCC in a subtle way. The need for impartiality and effective and prompt intervention where there is a threat of breach of the peace has been repeatedly

emphasised by the Minister for Law in his addresses to the District Officers and also whenever this topic came up in the Legislature.

In fairness it must also be mentioned that the police have prosecuted Communists whenever information has been laid against them. As early as September 1958, as many as 392 cases under the Indian Penal Code, are reported to have been registered by the Police against Communists or persons said to be Communists during the period after the Communist Party assumed office. Even Communist MLAs have been arrested by the police.

Equally worthy of mention is the fact that many Congress MLAs have made written representations to take action in regard to criminal occurrences and quick action has been taken thereon. Sri P. P. Umara Koya, Smt. Leela Damodara Menon, Sri Karthikayan, and Sri K. R. Narayanan; and Sri K. R. Narayanan; and Sri K. R. Narayanan; and Sri K. N. Ganapathy, Sri Kunhabu, (all Congress MLAs) Sri P. M. Kunhiraman Nambiar,



THE TRIAL

—Courtesy Hindusthan Standard.

WHERE AMERICAN 'AID' AND ONE-SIDED TRADE IS LEADING US

THE inability of the Government of India to utilise the much-publicised US Export-Import Bank loans is by now common knowledge. Not so well-known, however, is the reason behind this strange phenomenon of a sizeable credit remaining outstanding even as the country's foreign exchange position shows no easing.

The actual amount drawn so far out of the aforesaid Bank's credit of 150 million dollars sanctioned last year is estimated at 8.3 million dollars. For the rest, the Government is reported to be trying its level best to speed up the processes hindering its utilisation. (*The Times of India*, July 25). There is, however, little it can do to change the situation for the drawbacks are inherent in the credit itself. One condition attached to it is that orders under it have to be placed in the USA. The US prices being ahead of the world quotations by a wide margin, it is only at a loss that it can be made use of.

The Export-Import Bank has also been allotted 25 per cent of the Public Law 480 loans for disbursement among US subsidiaries working in India, or American firms functioning in collaboration with local capital. The sum in question is at present estimated at Rs. 35.5 crores. None of this too has as yet been allocated.

What is the great fun, one wonders, in getting credits, which while infructuous in

terms of economic utilisation, have nonetheless to be paid through the nose? For, loss in their returns will not subtract one naya Paisa from the burden that their repayment will ultimately entail.

According to one estimate the sum total of loans repayable during the Third Plan period would add up to 1,175 million dollars. Adding to this the servicing and amortization charges the burden would be equal to the total external assistance received for the Second Plan.

How is this to be borne? Naturally, if all the gains of the country, resulting from the Second Plan, are to be harnessed to make this repayment, there will be nothing left to propel it forward to the much-vaunted goal of "a self-reliant" and "self-generating" economy. For, the essence of development being accrual of a surplus, how can its momentum be kept up if the latter is already earmarked for footing the past bills?

Counsel Of Compounding Despair

A way out often suggested is that India should seek external assistance on a more massive scale to finance these commitments and meet future import needs. This, however, only begs the question, for the burden would become even more formidable during the subsequent years.

Appropriately an American Executive (former legal adviser to the US embassies in India and South

East Asia) Mr. Matthew J. Kust has said that "such a course will merely compound India's despair under the Fourth Five-Year Plan".

Another way out of the dilemma might consist in making the United States agree to receive repayments only in rupees, which is already the practice in respect of credits from the USSR and other Socialist countries. There is, however, a vital difference between the two, for, unlike the USA, the USSR has contracted to spend the rupee proceeds in increasing her imports from our country.

To this the United States will never agree, for it is not through trade that it likes its credits to be made good by the debtor-country.

Moreover, unlike the USSR, which has no private nest to feather, the pursuit of the United States has, and will, always be to bolster private enterprise in the recipient country. This is a development bristling with sinister possibilities, more so when it may result, as Mr. Kust foresees, in "embroiling" the US "in internal monetary and fiscal policy decisions" besides making it possible for it "at some point to hold more rupees than the Government here".

Mr. Kust might merely be embarrassed at such an eventuality, but the lot of our country will be unenviable. The very fact that a foreign Government might be enabled at some time to dabble into our internal economic policies, and to hold as much of our currency as the Government does, should suffice to rule out altogether the type of "assistance" which might make it possible.

The Government, however, continues to seek primarily only the type of as-

INSIDE OUR NEWS & ECONOMY NOTES

assistance referred to above, even though it is robbed in its case at both the ends. As for the other type of fraternal aid which it can get in abundance from the USSR and the Socialist world, it is only its secondary and tertiary thoughts that it has reserved. And the loser obviously is none other than the country itself.

Birla Journal's Testimony

The loss, resulting from this over-dependence on the capitalist countries in trade as much as in aid has also been made manifest at another level. And the authority here is none other than Sri Birla's *Eastern Economist*. In an article on the "Terms of Trade of Primary Exporting Countries", published in its issue of July 24, it attributes the overall fall of nearly 6 per cent in export earnings of such countries in 1958 to "slackening in demand of primary goods in industrially-advanced countries particularly the United States" and also to "a decline in building activity in West European countries which also recorded a general stagnation in certain industries".

Referring to India specifically the article gives figures to show that the exports of non-ferrous ores fell by as much as Rs. 17 crores in 1958 compared to 1957, while the fall in other commodities like coffee (at Rs. 1.3 crores), vegetable oils (at Rs. 3.59 crores) and lea-

ther (at Rs. 3.18 crores) was by no means insubstantial.

The general value index of exports (with 1952-53 as 100) stood at 93 in 1958 against 97 in 1957, while index in terms of volume in two years stood at 119 and 108 respectively.

Against this, the value of certain Indian imports in 1958 was higher than in 1957 with index in the case of chemicals rising from 98 to 139 in the course of the year. The value index for machinery (excepting electrical) also recorded a rise from 138 to 269 during the same period.

The *Eastern Economist* has specifically referred to the United States and countries in the Western capitalist world as mainly responsible for this state of affairs. It could not possibly have done otherwise, for with the USSR, even according to its own figures, the export trade has steadily risen from Rs. 12.50 crores in 1956 to 23.32 crores last year.

Here then is a situation which necessitates a choice on the part of the country and the Government. Will the latter continue to lean overmuch on the United States and other Western countries, in trade as well as aid, or will it, under the pressure of the country as a whole, choose the other path of forging closer fraternal economic links with the socialist world to build the country on the most advantageous terms?

—ESSEN

July 27.

BOMBAY CORPORATION DEMANDS CHIEF MINISTER'S RESIGNATION

All-Out Struggle Planned Against Bilingual

★ FROM GERALD PEREIRA

The Bombay Municipal Corporation, the mother of all the Municipalities in this great land of ours, hammered one more nail into the coffin of the Congress by demanding Sri Yeshwantrao Chavan to tender his resignation forthwith for having failed to solve the border dispute with Mysore.

THE City Municipality adopted this "no-confidence" resolution on Thursday, July 23, when a huge demonstration sponsored by Samiti echoed the demand without the precincts of the Council Hall.

The Poona Municipality and the Kolhapur Municipal Borough and Thana have already demanded that Sri Chavan must resign, and various District Boards and other local bodies are expected to follow suit.

The demand has been reinforced with powerful rallies and demonstrations, and the mass enthusiasm is on an unprecedented scale. The general feeling is that the Congress Party will not be able to maintain the artificial bilingual Bombay State against the onslaught of the mass forces.

Sri M. V. Dhonde, the acting leader of the house in the Corporation, moving the resolution said that the Chief Minister of Bombay failed to solve the border dispute even after two years.

Comrade S. S. Mirajkar, the ex-Mayor, supporting the resolution stated that great injustice is being done to the Marathi-speaking people on the Mysore border. He also said that Kannada language has been introduced in the Marathi schools as the medium of instruction by the Government of Mysore. Comrade Mirajkar reiterated that the principles embodied in Pataskar Award should be strictly adhered to in solving the border areas dispute.

The resolution reads: "The Municipal Corporation of Greater Bombay deprecates the indifferent attitude of the Union Government towards the struggle of the Marathi-speaking people of the border areas (now included in the Mysore State) for their merger with the Marathi-speaking areas of the Bombay State despite the assurances given on the floor of the Lok-Sabha on 9th August 1956 by the Home Minister Sri Govind Ballabh Pant...."

The people in Maharashtra are looking forward to November 1, when an all-out movement will be launched in the Bombay State. The General Council of the Samyukta Maharashtra Samiti meeting in Bombay on July 23 and 24 has decided to intensify the struggle for the realisation of the common aim of the Marathi-speaking people to establish Samyukta Maharashtra and to secure inclusion of all the border areas in Maharashtra.

An agitational plan has already been chalked out. The Samiti will lead a march to the Legislative Assembly on August 3 when the monsoon session of the Assembly is scheduled to meet. The Samiti legislators will stage a walk-out on that day from the State Legislature.

The General Council has also directed the members of the State Assembly and local bodies "to develop positions of non-cooperation as a political weapon of direct action". The Samiti General Council has also called upon all its units to organise people's conferences all over Maharashtra to mobilize popular opinion behind the demand of the break-up of the bilingual State into two unilingual States of Samyukta Maharashtra and Maha-Gujarat.

Amidst the gloomy forecasts about the serious rift in the Samiti on some of the organisational aspects and other extraneous issues like Tibet and Kerala, the Samyukta Maharashtra Samiti, today after the meeting of the General Council has come out more united and strengthened than ever before. To the utter disappointment of the Congress,

the General Council of the Samiti has called upon all the Samiti Corporators in the City to vote against the Congress Party's resolution condemning the Kerala Government and demanding Central intervention.

This is regarded here as one of the greatest victories scored by the democratic forces inside the Samiti, and the chances of the Congress Party in utilising the differences in the Samiti ranks in future are very dim.

The Samiti will take up all the issues facing the people in Maharashtra. The no-tax campaign in the 148 villages in the border areas is going on in full swing. The campaign has become 99 per cent success and the Mysore Government has already served orders confiscating lands on a large scale. The unity of the peasantry and other sections of the people is unique. A peaceful mass resistance movement will be launched

very soon against the repression by the Mysore Government.

The Samiti will launch a movement against the rise in food-prices. Recently the prices of commodities have been steadily soaring higher and higher while the purchasing power of the people has either remained stable or fallen considerably.

The unemployment problem is growing and several mills have been closed down.

The problem of the landless peasants is also receiving utmost attention with the Samiti leadership. Recently an all-parties Conference was held of the Ahmednagar District landless farmers where more than 4,000 delegates participated in the deliberations. The slogan, "We want land", echoed in the Nagar City and a huge demonstration marched to the District Collector and presented their demands. The immediate demand is that all available low lands should be allotted

to the landless forthwith in order to provide for their livelihood.

The same is the problem in Nasik, West Kandesh and other districts. The Conference at Ahmednagar has declared that if their demand was not conceded by the State Government, they would resort to 'direct action'.

There is a strong undercurrent of dissatisfaction against the policies of the Congress Government throughout Maharashtra. The mass upsurge of the people that is taking shape, is on an unprecedented scale. The Samiti itself has undergone a radical metamorphosis and today the Samiti's accepted goal is, "A Socialist Maharashtra in a Socialist India".

It is conceded in all circles here that the coming struggle will be a huge mass movement and that the Samyukta Maharashtra will be realized much more earlier than was expected by many people.

PANCH SHEEL ANNIVERSARY OBSERVED

THE Fifth Anniversary of the signing of the historic Panch Sheel Declaration by Prime Ministers Nehru and Chou En-lai was observed in several places in India during the last few weeks with greater interest and significance than ever before.

The Executive Committee of the All India Peace Council meeting on June 13 to 15 called for the observance of the Day as India-China Friendship Day.

It pointed out that it was necessary to reiterate our belief in the Panch Sheel principles and in India-China friendship as essential parts of India's peace policy at a moment when there was an open attack on both these principles and this friendship from influential quarters both inside and outside our country, following the events in Tibet.

Two functions—a public meeting and a celebration—were held in Delhi under the auspices respectively of the local branches of the India-China Friendship Association and the Peace Council. At these meetings, speakers like Pandit Sundarlal, Dr. Gyanchand, Sri Radha Raman, MP and Communist leader Sri M. Farooqi denounced the sinister propaganda aimed at disrupting India-China relations.

Pandit Sundarlal spoke strongly against Sri Jai Prakash Narain's activities in regard to Tibet and reiterated his firm conviction that the Tibet events were entirely an internal affair of China.

At a public meeting in Hyderabad under the auspices of the local Peace Committee, Smt. Rameshwari Nehru emphasised the urgent significance of friendship between India and China "at this crucial hour in the history of mankind when people were living under the scare of nuclear war". She pointed out that interested parties were anxious to create a gulf between India and China and their interest in the affairs of Tibet was aimed precisely at this.

solidarity among Afro-Asian nations and a vital factor for world peace".

Symbolic of the strong feelings of our people was a large procession organised in Madras on Panch-sheel Day by the Harbour Workers Union, the Press Labour Union, the Port United Labour Union, the City Hotel Workers' Union and other Trade unions. This procession carrying hundreds of union and peace flags paraded through Madras city raising slogans for peace, Panchsheel and India-China friendship.

The slogans "Tibet is China's internal affair", "Reactionaries! Hands Off China", were raised again and again.

On the same day a public meeting was held at the Memorial Hall under the auspices of the Madras Peace Committee. Major-General Alagappan presided and speakers included Dr. C. R. Krishna Pillai, President Madras Peace Committee, writers Sarvasri K. S. Venkataraman and Mugaival Rajamanickam, former High Court Judge Sri K. S. Ramaswami Shastri, trade union leader R. V. Krishna Murthy, Communist leader Sri K. Murugesan and Smt. Jayammal, Secretary India-China Friendship Association. The meeting adopted a resolution affirming everlasting friendship between India and China and supporting Panch Sheel. Other resolution called for the abrogation of U.S.-Pak Military Pact and for the ending of the cold war.

In Calcutta, the University Institute Hall was packed to capacity for a meeting held under the auspices of India-China Friendship Association. Dr. Sunil Kumar Chatterji, Chairman West

Bengal Legislative Council presided.

Sri Vivekananda Mukerji, President, West Bengal Peace Council, in an impassioned speech condemned the false propaganda that Panch Sheel had been destroyed and killed.

"The declaration of Panch Sheel, founded on the solid foundation of India-China friendship, has given a new life and boundless hope and prestige to the peoples of Afro-Asian countries... with India-China friendship intact, the imperialists will not dare to unleash fresh assaults on the peoples of Asia and Africa".

Prof. Hiren Mukerji, MP, described the historical background of the Panch Sheel declaration, which had defeated the imperialists' sinister efforts to divide and rule and make Asians fight Asians.

Prof. Tripurari Chakravarty and Sri Pratap Chandra Chunder appealed to all to cement friendship between India and China and not allow anything to stand between the two countries.

The India-China Friendship Association held a meeting in Bombay at the Sundarbai Hall, presided over by H. R. K. Karanjia, Editor Blitz. Speakers included Sri Balraj Sahni, Sri P. R. Lele, Rev. J. S. Williams and Sri A. S. E. Chari.

Nearly all the speakers emphasised that Tibet was an integral part of China and deprecated the efforts being made to sow India-China discord by carrying out activities, which amounted to interference in the internal affairs of China.

Similar meetings were held at other centres—under Peace Committee auspices—at Secunderabad, Ahmedabad and other places.

CONSTITUTION ON INTERVENTION

★ FROM PAGE FIVE

this type of situation. It happened earlier both in Andhra and Kerala States. There the Ministry lost the confidence of the Legislature or the Governor found he could not have a ministry commanding such confidence. It goes without saying that a stable majority support in the Legislature is the only measure of such confidence.

In such a case what is popularly called President's rule is proclaimed and fresh elections are held so that the people may be able to choose a government which can be carried on in accordance with the Constitution. No lover of the Constitution, no champion of democracy can object to such President's rule because it is necessary to have a democratic governmental set-up.

Such a situation has not arisen in Kerala at all. There the Government is being carried on in accordance with the provisions of the Constitution. It has the confidence of the Legislature. It was duly elected. The Governor cannot, therefore, make a report that there is failure of the constitutional machinery.

If and when, and only when the EMS Ministry loses its majority in the Legislature can

President's rule be imposed and fresh elections ordered.

Under our Constitution, the President of India as well as the Governors of the various States are to function as constitutional heads of the States which they head.

Each of them takes the oath of office that "I will to the best of my ability preserve, protect and defend the Constitution and the law and will devote myself to the service and well-being of the people.... (Article 60 and 159).

They are bound by this sacred oath of office to protect and help the EMS Ministry which has come to power through the democratic process of elections as laid down in the Constitution and which continues in power in accordance with the provisions of the Constitution.

Those who want the President and the Nehru Cabinet to intervene and dismiss the EMS Ministry want the Constitution to be subverted in an attempt to bolster up petty, transient party interests.

This neither the President nor the Governor can constitutionally do for even the tallest of them, the President of India is

KERALA AGRARIAN RELATIONS BILL

★ FROM PAGE 8

has been a damage to or a failure of crops owing to causes beyond the control of the tenant in any holding, the tenant shall be entitled to a remission of the rent payable by him in proportion to the extent of such damage or failure." This is a provision which is tempting to even the rich peasants in other States.

Clause 29 of the Bill cannot escape the notice of sharecroppers who often find it difficult to obtain the statutory share of the produce (as in West Bengal) or to check mala fide transfers because the landlord may refuse to accept his share and then sue the share-cropper for

but a creature of the Constitution and even he under our Constitution can be removed under Article 61 by an impeachment if he has "violated the Constitution".

So sacrosanct does the Constitution want its Articles to be regarded. Constitutionally there is no warrant, no justification, no power to intervene against the EMS Ministry. Those who demand it want the Constitution to be violated. This cannot be.

eviction for the non-payment of the landlords' share.

This cannot happen in Kerala if the Agrarian Relations Bill comes into force. According to Clause 29, "If the landlord refuses to accept a tender of the rent or if the tenant is doubtful as to the person entitled to receive the same and no suit has been brought against the tenant for the recovery of the said dues, the tenant may apply to the court for permission to pay the same through the court. Along with the said application, the tenant shall deposit in court the said dues together with interest, if any, accrued thereon."

The unique feature of the Kerala Agrarian Relations Bill is the constitution of Land Tribunals and the Land Board, instead of leaving the whole affair to the bureaucratic officials.

The Land Tribunals are the local land courts, vested with all the powers of a law-court. A Land Tribunal is to be composed of three members; one of them is to be nominated by the Government from among the advo-

cates or judicial or revenue officers. The other two members are to be elected by the members of the Local Body from among themselves.

The Land Board at the top shall be composed of three members two of whom are to be appointed by the Government:

- i) The head of the Land Revenue Department;
- ii) A judicial officer, acting or retired;
- iii) A person elected by the Legislative Assembly.

The tribunals as well as the Board shall take decisions by majority and their verdict shall have the validity of a court order subject to the authority of the High Court.

These democratic provisions for the enforcement of land laws constitute the guarantee for the proper implementation of the Agrarian Relations Bill, which is a unique measure compared to the Acts hitherto enforced in other States. It is a sort of a charter of liberty for the 90 per cent of the rural population in Kerala.

Lhasa Resolution On Democratic Reforms

A resolution on carrying out democratic reform throughout Tibet was adopted at the second plenary session of the Preparatory Committee for the Tibet Autonomous Region of the People's Republic of China which closed in Lhasa on July 17.

THE resolution stated that only by democratic reform could the Tibetan people gain emancipation, ensure the economic and cultural development of Tibet and lay the foundation for building a prosperous, happy, socialist Tibet.

The resolution said that the meeting characterised the existing social system in Tibet as a reactionary, dark, cruel and barbarous feudal serf system. The carrying out of democratic reform in Tibet, the resolution went on, was affirmed in the agreement on the peaceful liberation of Tibet signed by the Central People's Government and the former Tibetan local government early in 1951. This task could not be realised during the past eight years owing to the many-sided obstruction and sabotage by the former local government and the upper strata reactionary clique in Tibet.

The rapid putting down of the armed rebellion of the upper strata reactionary clique in Tibet had brought them shameful defeat and also brought Tibet to a new stage of democratic reform, the resolution stated. It pointed out that the current central tasks in Tibet were to wipe out the remnant rebellious elements thoroughly, mobilise the masses fully and carry out democratic reform throughout Tibet.

The peaceful policy adopted by the central authorities for carrying out democratic reform in Tibet was entirely correct, that is, the policy of "buying out" as regards the land and other means of production owned by the manorial lords who had not joined the rebellion, and the method of consultation at the top and of mobilising the masses at the base.

Two Stages

The resolution said that democratic reform should be carried out in two stages, in accordance with the actual conditions in Tibet. The first stage would consist of mobilising the masses, and campaigning against rebellion, unpaid forced labour and slavery and for the reduction of rent and interest. This would lay the foundations for the next stage, the redistribution of land.

In the agricultural areas, the policy of "The Crop to the Tiller" would be followed as regards the land of the manorial landlords including their agents, that took part in the rebellion. As regards land owned by those of the manorial landlords including their agents, that did not take part in the rebellion the rent would be reduced. Twenty per cent of the farm produce would be given to the manorial landlords and the remaining eighty per cent to the tillers.

The nangzan would be liberated. (nangzan is a manorial slave of a Tibetan feudal manorial landlord. He does unpaid forced labour for the manorial lord and his offspring also work as manorial slaves, without personal freedom.) The treatment of persons as chattels would be abolished and the relationship changed to that of employer and employed.

In the livestock breeding areas, livestock owners who did not take part in the rebellion would still retain their animals, the resolution stated. The animals of livestock owners who took part in the rebellion would be tended by the herdsmen now tending them and the income would belong to the herdsmen. A policy of benefiting both livestock owners and herdsmen would be followed. Exploitation by the livestock owners would be reduced so as to increase the income of the herdsmen. Debts assigned to the labouring people by the manorial landlords in or before 1958 would be abolished. As regards debts assigned in 1959 to the labouring people by the manorial landlords who did not take part in the rebellion, their interest rates would be reduced.

Religious Freedom

The policy of protecting religious freedom, protecting the patriotic and law-abiding monasteries and protecting historical cultural relics would be adhered to. A campaign would be launched in the temples and monasteries against rebellion, against feudal prerogatives and against exploitation. The policy of buying out would be followed in dealing with the land and other means of production of patriotic and law-abiding temples and monasteries, the resolution stated. The livelihood of the lamas would be arranged for by the government. Subsidies would be given where the income of the temples and monasteries was not sufficient to meet their proper spending.

To mobilise the masses fully was the key to democratic reform, the resolution pointed out. Associations of peasants and herdsmen would be organised. During the period of democratic reform, the peasants and herdsmen's associations at the basic level would exercise the functions and power of government at lowest level.

The meeting hall resounded with applause when the resolution, of great historic significance for Tibet, was adopted.

Panchen Erdeni, Acting Chairman of the Preparatory Committee for the Tibet Autonomous Region, presided at the closing meeting of the session which had opened on



Panchen Erdeni (right) with Pebala Cholie namje, Vice-Chairman of the Tibetan Preparatory Committee.

June 28. In his closing speech he said that it was both necessary and possible now to carry out democratic reform which the Tibetan people had long craved for.

He pointed out that members and functionaries of the committee and representatives of the various nationalities, religious sects and social organisations in Lhasa and the working people, meeting joyfully at the session, had carried out exhaustive discussion and repeated consultation. They had achieved unanimous understanding on all questions of policy and principles concerning democratic reform and expressed

full support for the policy and principles. He said:

"All the decisions embodied in the resolution accord fully with the fundamental interests of the masses of the Tibetan working people."

He urged full mobilisation of the masses and a wide-spread campaign of democratic reform, under the correct leadership of the Chinese Communist Party and the Central People's Government and on the basis of patriotism, unity and progress to achieve the complete destruction of the system of feudal serfdom that had shackled the Tibetan people for many centu-

ries, and the thorough carrying out of democratic reform. Panchen Erdeni stated: "It is unshakable policy to continue to protect the freedom of religious belief, to protect patriotic and law-abiding monasteries and to protect historically valuable cultural relics. The abolition through democratic reform of the system of monastic exploitation and feudal privileges and the protection of the freedom of religious belief are two entirely different matters."

Religion preached the search for peace both in the present and the future and altruistic work, he added. "Democratic reforms", he said, "is the only road to economic and cultural development in Tibet and the happiness and freedom of the people."

He said that vigilance must be maintained against the imperialists and reactionaries.

Before Panchen Erdeni's speech, Ngapo Ngawang Jigme, Vice-Chairman and Secretary-General of the Preparatory Committee for the Tibet Autonomous Region, read the text of the draft resolution that had been worked out through discussion.

The members of the preparatory committee present at the session unanimously voted for the resolution.

Chang Ching-wu, representative of the Central People's Government in Tibet, and Secretary of the Working Committee of the Chinese Communist Party in Tibet, and Wang Peng, vice-Chairman of the Nationalities Affairs Commission of the State Council, and vice-head of the United Front Work Department of the Central Committee of the Chinese Communist Party, were present at the closing meeting of the session.

CHINA PROTESTS TO PAKISTAN

On July 21 a strong protest note by the Ministry of Foreign Affairs of the People's Republic of China against the Pakistani Government's connivance at the activities of the "Chinese Moslem Haji Mission" of the Chiang Kai-shek clique in Pakistan and the personal reception of his mission by the Pakistan Foreign Minister, was handed by Chang Wen-chin, director of the first Asian Affairs Department of the Chinese Foreign Ministry to A. M. Malik, Pakistani Ambassador at Peking.

FROM June 29 to July 5, 1959, said the Note, a delegation usurping the name of "Chinese Moslem Haji Mission," led by a "Lieutenant-General" of the Chiang Kai-shek clique with the permission and connivance of the Government of Pakistan arrived in Karachi and carried out there a series of activities openly slandering China and damaging Sino-Pakistani relations. The Chinese Embassy in Pakistan on July 1 raised the matter seriously with the Pakistan Foreign Ministry and demanded that the Pakistani authorities concerned stop their activities. The Pakistani Government nevertheless gave no heed and continued to allow the elements of the Chiang Kai-shek clique to carry on disruptive activities. Pakistani newspapers flagrantly carried utterances insulting China such as the so-called statement of the "Nationalist China Haji mission." What is

more serious, the Foreign Minister of Pakistan personally received this mission of the Chiang Kai-shek clique on July 4. This line of action taken by the Pakistani Government is a serious provocation against the Chinese people and Government.

The above-mentioned attitude taken by the Pakistani Government towards the elements of the Chiang Kai-shek clique can in no way be regarded as fortuitous, says the Note. In the past few months, the Pakistani Government has been stepping up its following of the U. S. plot to create "two Chinas" and has made repeated utterances flagrantly interfering in China's internal affairs. Thus it undisguisedly shows its slight of China's sovereignty and territorial integrity.

In the note from the Pakistani Embassy to the Chinese

Government, dated October 7, 1958, the Pakistani Government even put forward an official opinion attempting to deny the People's Republic of China's sovereignty over Taiwan and the Penghu islands.

From April 7 to May 12, 1959 the Pakistani Foreign Minister and other responsible officials went so far as to make repeated utterances on the Chinese Government's putting down of the rebellion of a handful of reactionaries on its own territory of Tibet, a purely domestic affair of China,—utterances wantonly slandering China, flagrantly interfering in China's internal affairs and waging cold war in the footsteps of the United States. For these the Chinese Foreign Ministry had raised solemn protests against the Pakistani Government.

In this note of July 21 to the Pakistani Government, the Chinese Ministry of Foreign Affairs further pointed out: "Should the Pakistani side continue to issue statements and commit acts injurious to China's sovereignty and territorial integrity as it has done repeatedly of late, the Pakistani Government must bear full responsibility for all damage thus done to Sino-Pakistani relationship."

In Bombay Textiles

A HUNDRED THOUSAND UNITE

BY S. A. DANGE, M.P.

(Article appearing in the latest issue of "World Trade Union Movement", monthly journal of the WFTU.)

Workers all over the world feel that if they struggle unitedly, their strength is greater, their successes better. But they also see that unity comes with great difficulty. And when it comes it assumes such varied forms that both leaders and rank-and-filers are themselves surprised. Working class unity is like the Pagan goddess, who in her battle with the demons assumed different forms according to the demon being fought. Sometimes the devotee even does not know it is the same goddess everywhere.

WE saw unity among the textile workers in Bombay City come about in a peculiar way. In fact some people thought, and even now think, that it is not unity at all.

Bombay is the largest textile centre in India with a gross block capital of Rs. 719 million rupees in 1956 and 185,000 workers in the textile industry alone.

Bombay City is the founder of the trade union movement in India and the original home of all political parties in India. The biggest workers' struggles have been fought there and there the biggest gains have been made. In all these, the textile worker has remained in the forefront.

The biggest textile union in Asia, in those days of 1928, with 80,000 members, was founded in Bombay. But the British Government smashed it by arresting all its leaders on the charge of conspiracy to overthrow the British Government. As the General Secretary of that Union, named the Bombay Girmi Kamgar Union, I was one of those arrested.

After Independence

Then came splits and setbacks. India became independent, and the first thing that the national bourgeoisie did on coming to power was to split the existing unions and to set up new rival unions. These got all the backing of the Government, and the bourgeoisie. They had the support of law, of money and of the police. Special laws were so enacted that with fifteen per cent membership of the workers, these new unions could debar by law anyone else from representing the workers or signing agreements on their behalf.

This law was passed as a contribution to the new "national trade unionism" of the national bourgeoisie towards "unifying" the workers in a single "representative" big union. So they said.

These "national" unions would make agreements which were disowned by the workers. But if they struck work against such agreements they were illegal strikes and workers were sent to prison for it.

This "democratic" trade unionism represented by the Indian National Trade Union Congress (INTUC) has been trying to suppress the trade union of the All-India Trade Union Congress (AITUC) in Bombay City for the last twelve years with the help of the Government and the employers.

They could not suppress us. But they weakened us. Their schism encouraged others. Bombay City thus had four textile unions, one of the INTUC, one of the AITUC,

one of the HMS (Hind Mazdoor Sabha) and one independent.

Despite this disunity, workers from time to time united from below and carried out united strikes, shutting down the whole industry. There was one in 1946, one in 1950, one in 1956 and one in 1958.

Employers' Offensive and INTUC's Role

Soon the mill-owners attacked with proposals of rationalisation, automatic looms, closure under the plea of recession and, to crown it all they filed a demand before the Industrial Tribunal for a 15 per cent cut in the dearness allowance. The cost of living had risen 14 per cent. Workers had asked for a wage rise.

After agitation lasting over months, the Government of Bombay was persuaded to take over two textile mills, which had been closed down by the owners on the plea of losses. In another closed mill (which is not yet taken over) the Managing Director has been convicted for criminal misappropriation of the company funds.

The legally recognised INTUC union was of no help to the workers in this crisis. Everywhere there was the urge for unity.

But the four unions would not meet to discuss unity. The INTUC of course would not. The AITUC was ready. But the HMS was not. Days and months passed by and the

offensive of the employers

best would have been to unite the remaining three. But the HMS disagreed.

We then decided to start an altogether new union. Would it be unity to add one more union to the already existing four? Many were sceptical, many laughed. Many predicted that it would be flop—just one more union on a signboard.

It seems, however, that we had roused the worker's feelings correctly. He saw all his best known leaders, in whom he had confidence, on one platform in one union. We held a rally of 40,000 in February, 1959 and founded the Bombay Girmi Kamgar Union, the same old name but richer in content. Praja Socialist leader, S. M. Joshi, was made President of the Union. I became the General Secretary. We put in seven Vice-Presidents and five Secretaries. Every one of the parties and groups had a place. The sceptics expected that we would quarrel on posts and proportions in the executive. Their hopes were belied.

We called upon the workers to enrol 100,000 members on March 10, pay day.

And on that day, from mill after mill, leading workers came with the lists of members and subscription money to the tables that were put up on the footpaths before each of the sixty mills. We had asked the leading workers of the middle-class employees' unions, such as those of banks, insurance, shop assistants etc. to lend a

hand in writing the rolls. Within two days, that is on March 10 and 11 our call was fully answered. The textile worker had united in a new union. He had walked away from those haughty leaders who refused to see his moods and needs. If his four unions could not merge, well, he had merged in one new union. Formally the new union is only a fifth addition to the already divided four. But this fifth has united almost all the textile workers. That is the paradox of unity.

Of course, the AITUC union announced that it had suspended its activity and has given all its help to the new union.

On March 10 and 11 to enrol in just two days 100,000 members and collect 85,000 rupees shows how intense is the desire for unity, how peculiar a form it took and what tremendous initiative the workers showed to execute such a big job in two days.

Thirty Years Ago And Now

In 1928, the old Girmi Kamgar Union had 80,000 members. But that was an elemental upsurge, the first flush of mass trade unionism following a victory in a great strike lasting over six months, against wage cuts and rationalisation.

This new 100,000 membership follows from the experience of political and economic battles, the bitter results of disunity and the advancing offensive of capital against the textile workers of Bombay with the weapons of rationalisation and unemployment.

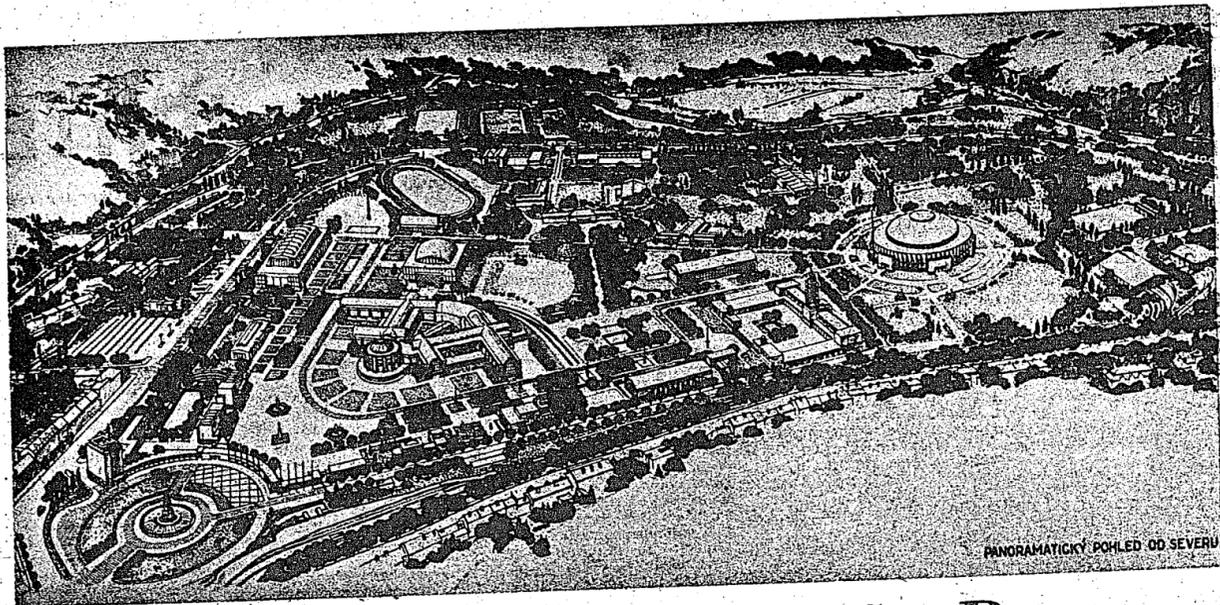
That old union was fully of the AITUC. This new one is not going to be affiliated to any central organisation. That is one of the conditions of unity in the case of the textile workers of Bombay. We shall now apply under the law to be given the sole right of representation and bargaining and displace the INTUC.

Once again, after 30 years Bombay City has the largest textile union in Asia. Has history gone in a circle? It has not. That old union and unity reflected the beginnings of political consciousness. This one reflects ability to unite various political forces in the service of the working class in the trade union field, to evolve forms and methods suitable to the needs of the situation. The united union, the new Bombay Girmi Kamgar Union will strengthen the worker to defend himself against the onslaughts of a shrewd, subtle, merciless group of very powerful monopolists, who philosophise and lecture to the workers on the virtues of non-violence but relentlessly shoot and kill at the first sign of a united struggle. This new unity in the City of Bombay is an event in the trade union history of India.

We all hope that the others, who have kept out, will join us to defend the workers against attacks on their rights.



Sri S. M. Joshi addressing the foundation rally of the new Girmi Kamgar Union.



Czechoslovak Industry's Prowess Will Be On Show At Brno

From September 6 to 20 Brno the second largest city of Czechoslovakia, an important engineering and industrial centre, will see one of the biggest international trade fairs.

BUSINESSMEN from all over the world know Czechoslovakia through the former fairs which used to be held there before the two World Wars. After War II the Prague Sample Fairs were renewed. No fairs however were held in Czechoslovakia during 1951-58. Still contact with international trade centres remained uninterrupted, for every year Czechoslovakia participated in 25 to 30 fairs abroad.

Beginning with this year, again large, modern fairs will be held in Czechoslovakia, this time in Brno. Brno has excellent conditions for this and good transport facilities both by air and railway. Already during 1955-57 it was the scene of large engineering exhibitions which were visited by hundreds of thousands of visitors. The number of visitors to the last exhibition was more than 2.5 million and included many tens of thousands of visitors from abroad. Business deals amounting to millions of Czechoslovak crowns were concluded at these exhibitions.

Goods marked "MADE IN CZECHOSLOVAKIA" are exhibited every year at dozens of fairs in all parts of



Sri A. Ayyangar, Speaker of the Lok Sabha, in Prague. Above: Panoramic view of Brno Exhibition Ground.

are the exhibitors' offices. The first floor which covers 4,130 sq. metres is designed for exhibiting purposes.

Excellent social amenities, including washrooms, are available for the comfort of all visitors.

Leading into the pavilion is a siding which serves for the transport of exhibits, and vehicles can enter by side-gates. The total exhibition area of this pavilion covers 20,590 sq. metres.

In addition to this, two other pavilions are being built. Pavilion C will have a covered exhibiting area of 10,100 sq. metres, and Pavilion Z, which will be the largest of the exhibition buildings, will measure 18,500 sq. metres.

The Czechoslovak Corporation "Benzina" is organising an advisory service which will explain the lubrication technique of the various exhibits. All foreigners will be able to make themselves understood here in their own mother tongue.

Simultaneously with the activity at the exhibition grounds the appearance of the city is also undergoing a rapid change.

Its transport system is being enlarged and improved, the railway station has been enlarged and a sixth platform built, more parking grounds for motor vehicles have been constructed; tramways, motorbuses and shops will have signs in foreign languages, and the number of special shops for foreigners will be increased. Brno is also a large cultural and scientific centre with numerous institutes and universities. Its theatres give plays, operas and operettas.

Specialised Fairs

The Brno International Fairs are to be specialised. Each fair will concentrate on special production lines and exhibitors will exhibit products whose character is in keeping with any one of the predetermined groups of production. The 1959 Fair is specialising in engineering products which will include a wide range of engineering and metallurgical indus-

tries, raw materials, semi-products and engineering industry products for households.

In addition to machine tools, Diesel engines, mining machinery and welding machines, also tractors, agricultural building and road-making machines will be exhibited in Brno. Radio and television sets, sports and hunting firearms, therapeutic appliances, optical instruments and complete industrial plants will be shown.

The principle of displaying only in specialised groups which will be followed by the Brno Fairs will not prevent exhibitors to display their products of several branches in one national exposition. But the announced special groups of products must be adhered to.

All commercial activity will be conducted according to the usual trade customs without any restrictions whatsoever. The Czechoslovak foreign trade corporations lay no claim to priorities either in the sale of the exhibited products or in concluding contracts.

The Very Latest

The 1959 International Trade Fair in Brno will bring numerous novelties of the Czechoslovak engineering industry. There are, for example, 18 new designs of Diesel engines. Visitors to the Fair will see the TM 150, Diesel-electric locomotives, the BRA railway buffet car, new T 324.0 and T 698.0 food-processing machines, machinery for the dairy industry and mills, such as, for example, the all metal brushing and cleansing machines, the EFEKT hand-pump stand, machinery for the surface-treatment of parts such as degreasing machines, spraying cabins for mechanized production lines, automatic metallizing machines, the FLUID 2, a machine for the whirl coating with plastic materials, apparatuses for the electric control of the EROS S 200 Fair is specialising in engineering products which will include a wide range of engineering and metallurgical indus-

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EXTRACT FROM KERALA GOVT.'S REPLY TO KPCC

Truth About "Cell Courts"

FROM time immemorial, the settlement of disputes, through the mediation of village elders has been a feature of village life in our country. This has endured through the changing facade of history, in the pre-British period, during the British regime and after independence, and so it exists even today.

Soon after the assumption of office by the present ministry, there were allegations that the local members of the Communist Party were organising themselves into what were called 'Cell Courts' and were imposing their decisions upon the disputants. There have been instances of settlement of disputes through the good offices of persons who are members of the Communist Party. Village elders, influential men, have attempted 'out of court' settlements of minor disputes. They may be Congressmen, Communists, F.S.P. men etc. There have been cases of pure, voluntary mediation without recourse to any legal process and with no legal sanction behind them.

Outside this, there have been only very few specific cases, where formal communications were sent by Communist M.L.As.; or local party offices to individuals requesting them to come to the party offices, in connection with some complaints received by them. It is these instances that have come to be publicised as the activities of 'cell courts'.

Thirteen instances were alleged by Dr. K. B. Menon long ago and they were adequately answered by Government then. But such propagandist stuff dies hard, and so the K. P. C. C. President has repeated the same instances over again. Of the instances cited by Sri Menon, no information could be gathered in the following four cases for want of particulars:—

(1) Parur Cell Court;
(2) Mavellikara Cell Court;
(3) Pathanamthitta Cell Court; and
(4) Anjarakandy Cell Court.

In a matter like this, which has attracted widespread public attention, it is only to be expected that any person with a slight grievance would have approached the police or the law court or the press, the State or Central Government with his complaint. In the absence of this and of any evidence in support of these alleged instances, the only conclusion that can be drawn is that they are false.

The allegation that the Kottarakkara Cell Court fixed its own timings for buses plying in Kottarakkara is false and unfounded. One cannot understand what is meant by a Cell Court fixing timings for buses. It is done by Road Traffic Authority and no complaints have been received from anybody connected with plying of buses that any forced fixation of timings for buses have taken place at the instance of any other agency. The fantastic extent to which things could be pressed for propaganda is evident from this instance.

In the following five cases, amongst those cited by the KP.C.C. President, settlement was brought about through the good offices of members of the Communist Party:—

(1) 'Kayamkulam Cell Court':— One Prabhakaran sold 100 coconuts to one Mohandas, the Cashier of Ananda Bhavan Hotel on 10-7-1957 for Rs. 12½ on condition that the price will be paid on the next day. But, on the next day, Mohandas did not pay the amount as promised when Prabhakaran made the demand. Thereupon, Prabhakaran abused Mohandas who pushed him out of the hotel. Prabhakaran complained about this to Kuttappan Kolkal, an ex-M.L.A. who was then in the Communist Party Office, Kalkal called both the parties and asked Mohandas to pay the price of the coconuts to Prabhakaran.

(2) 'Kottayam Cell Court':— One Thottamony, of Pakkara, Kottayam, committed theft of clothes from the

house of one Madhavan Pillai of the same locality. Thereupon, Madhavan Pillai wanted to make a complaint to the local police. The local Panchayat, President, Sri T. A. Sankaran, and some Communists interfered in the matter and effected a compromise.

(3) One Rajappan of Vylar wanted to marry one Mary, a Christian girl. The father of the girl was agreeable to the marriage if it was to be conducted in a church. As there was difference of opinion between the parties, the father of the girl approached the local Communist Party workers to use their good offices in the matter. It is not as if the members forced the father to agree to the marriage.

(4) 'Mullasserri Cell Court':— This relates to a dispute of eviction which was settled through the good offices of the local Taluk Committee Secretary of the Communist Party, Kotha was the tenant of one Antony and he received Rs. 50 from the said Antony as compensation and returned

the land to the owner.

(5) 'Pazhanthi Cell Court':— One Varathappan, who is a driver of pumping engines, undertook a contract from one Vared who has wet lands. On 1-8-1957, when Vared was going along the Pazhanthi Main Bazaar, Varathappan went up to him and demanded an amount of Rs. 50 which he claimed as compensation as the pumping machine went under repairs. Vared then claimed Rs. 36 from Varathappan, given in advance to him. One Tharakutty, Secretary of the Local Committee of the Communist Party, brought about a settlement by which Varathappan gave a pro-note for Rs. 36 and Vared in turn a pro-note for Rs. 50 to Varadappan. Both the pro-notes were left with Tharakutty. Later, Tharakutty sent a letter to Vared to get ready for making a final settlement. But Vared did not come and the whole matter was dropped. The statement that the 'non-communist' was waylaid and

made to sign a pro-note for Rs. 50 is untrue.

This leaves us with the three cases, which are the ones in which formal communications to the individuals complained against were sent by Communist Local Party Offices:—

(1) 'Chathathara Cell Court':— A communication dated 8-4-1957 was sent by O. M. Kunju Cherukkan, Secretary of the Communist Party at Chathanthara, to Ulahannan Mani and his brother John asking them to appear before the election office at Chathanthara in connection with a complaint filed by one Markose Varkey. This arose out of a water dispute between Ulahannan Mani and John on the one side and Markose Varkey on the other. They own adjoining properties. Though a communication was sent by the Secretary, the parties did not appear as required therein.

The communication sent in this case was the one produced by Sri Pattom Thanu Pillai in the State Assembly.

(2) 'Patannakkal Cell Court':— There was a boundary dispute between one Hassanar and another Kunhaman who were adjacent land owners in Hoedurg. On 28-6-57, Hassanar sent a letter to the

* ON PAGE 19

and brought about a freak Ministry of a tiny handful of Praja Socialists, surviving through the protective umbrella of Congress votes.

What lost Pattom Congress support was not his repression on the workers or the Tamil minority but the mistake of bringing forward a land reforms measure. Immediately, Panampilly Govinda Menon, the Congress veteran, moved and after bagging two P.S.P. M.L.As., replaced Pattom.

Great men are often immortalised by the great deeds for which they are responsible. And so everybody in Kerala curiously enough talks of "Rupees five and a half lakhs" whenever Panampilly Govinda Menon is mentioned. Charges of corruption do not upset him, even though the Election Tribunal disqualified him from standing for elections because of serious charges of malpractices. It was only the intervention of the Maharaja of Cochin that saved him.

If Catholic fanaticism is accepted as the badge of Congress democracy, then

none can dislodge P. T. Chacko. He opposed Pattom's educational reforms because of Catholic protests. When he was in Delhi as a Kerala MP, his multifarious activities were conspicuous, particularly his hobnobbing with the American lobby. One of the unsolved riddles of Chacko's career was his mysterious resignation from Parliament membership, thereby a berth was provided for the Catholic planter and financier, Kottukapally.

Sankar is already known to readers of *New Age*, thanks to the SNDP misappropriation case in which he is involved at the moment.

Sankar's prejudice against Christians is known in Kerala, for he once left the Congress denouncing it as having become a Christian Congress. It was at this stage that he made common cause with Mannam to form the Hindu Mandalam. But when this withered away, Sankar trekked back to the Congress.

About a breach of trust case now going on against him nothing could be written, except that it was filed after the Advocate-General had sanctioned it.

HEROES OF KERALA WAR

enrich their religion".

But the new Agrarian Relations Bill, which he thought would threaten Nair aristocracy, brought him to chum up with the same Catholic Bishops whom he had slandered so badly in the past.

Another of Indira's Sons of the People is, of course, Pattom, the only consistent thing in whose career is his insatiable greed for Chief Ministership. Pattom had become the first Congress Chief Minister of the then Travancore State, but he had to face the anger of Chacko who organised a signature campaign against him, mainly because Pattom tried to bring forward some educational reforms. His famous declaration of those days was that he would not allow the seeds of socialism to grow in the soil of Travancore.

This, of course, became no bar to Pattom becoming a Praja Socialist. He even stretched himself to promise to form a united front Ministry with Communists. But once the elections were over, he sought Congress patronage

and brought about a freak Ministry of a tiny handful of Praja Socialists, surviving through the protective umbrella of Congress votes.

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THE week-long preparations by the Bombay Regional Congress Committee and the other 'friends' of the Kerala Warriors ended in an utter flop on Sunday, July 26, when hardly 4,000 people turned out at the heavily-publicised rally at Chowpatty to observe "Kerala Deliverance Day."

The full resources of the Swatantra Party, J a n a Sangh and our right-wing PSP brothers had all been mobilised.

About 100 yards away from the bamboo-sticks pandal of the Congress a large crowd gathered shouting slogans supporting the Kerala Government and demanding from

Sri R. Sankar, who was addressing the meeting, accounts of the SNDP funds. They were completely peaceful though flourishing umbrellas in the air and booing him whenever he spoke a particularly blatant lie.

One thing that was original was the "sporting offer" made by Sri K. K. Shah to the PSP to leave the company of the Communists. In the Bombay City Corporation and run the Municipality on their own, with the whole-hearted cooperation of his Congress Party, which is willing to sit in its doomed position on the Opposition benches.

Another strange event of the day, was the "refusal" by Sri Mannath Padmanabhan to address the Chowpatty

—G. P.

REPLY— FROM CENTRE PAGES

PSP MLA, Sri Mohideenkutty Haji, MLA (Muslim League) are among those who have made specific representations regarding criminal cases or investigations where suitable action has followed.

The story of Cell Courts which has been played up so much is largely a figment of the imagination of a few opposition leaders. Such Courts just do not exist and are bogus improvisations of men in the Opposition who are out to discredit Communist Party and the Government.

Thirteen instances were alleged by Dr. K. B. Menon long ago and they were adequately answered by Government then. But such propagandist stuff dies hard, and so the KPCC President has repeated the same instances over again.

INSECURITY IN PLANTATIONS

IT is correct to say that plantation is the biggest industry in the State, but there is no basis for the statement that the INTUC had pre-dominance among the workers in the plantation industry when the present Government came into power. As a matter of fact, the workers in the plantations are divided between the INTUC, AIYUC, and UTUC. The reference about the dispute in the Cottanad (not Kuttanad) Estate is very unfortunate. The management of this estate belonging to one of the leaders of the present "Vimochana Samara Samiti" dismissed in a lot all the 162 workers and tried to bring in new workers. The dismissed workers picketed and it is not true to say that police protection was not given to the management. Those workers who were guilty of obstructive picketing were removed and charge-sheeted and convicted.

There are also references about deliberate acts of violence by the workers. Instances are cited of occurrences in the Surianelle Estate, as well as in the office of the Eastern Workers' Union. The story referred to in Surianelle Estate is absolute lie.

So far as the incident at Eastern Estate Workers' Union is concerned, there was a scuffle between two workers near the union office, because of assault on a woman worker and violation of her modesty by one of the Union members. The involved assailant escaped into the office and he was chased by the other worker. The aggrieved worker was the husband of the woman worker. This occurrence was not engineered by Communist Party workers.

It is true that the Union Labour Minister Sri Nanda visited the plantation area, but the statement issued by him before he left the State after his tour gives a direct lie to the cry of insecurity in the labour areas. It was noted that the statement of Sri Nanda disappointed the Congress leaders who have been trying to create the impression of insecurity in the State.

The instances cited in appendix VI are absolute lie, regarding certain cases and highly exaggerated in the other cases. Incidents occurring during the course of the struggles conducted by the management and minor altercations and assaults between members of rival unions are exaggerated and given colour in the attempt to prove the case of the KPCC which is already weak prima facie.

CRIME SITUATION

THE KPCC President has attempted to be a little too clever in the presentation of his crime statistics. It is well-known that, all over India the years 1953, 1954 and 1955 showed a marked decrease in crimes and a sharp rise from 1956 onwards. To compare the average for 1953 to 1956 with 1957 and 1958 is therefore unjust. All over India, this increase would be noticeable.

Apart from that, it is seen from the Crime Statistics of Kerala for the period for 1947-57 that cognisable crimes of all categories have increased throughout the decade.

From 1947 to 1953, the entire area was under Congress administration. In 1954, the Travancore-Cochin area had the temporary benefit of the PSP Government. In 1955, the Congress came to power, and in 1956 the administrator's regime followed. Between 1947 and 1953, the total cognisable crimes rose by 32.3%. From 1954 to 1956, it again rose by another 55.9%. The rise in 1957 from 1956 is 7.4% which certainly is not as astounding as some of the earlier performances.

In the course of about 10 years of popular rule which preceded 1957, the total increase in cognizable crime was about 273 per cent.

It has been contended that crime figures in Kerala in 1957 have soared under important heads like murder, dacoity, robbery, house breaking etc. The best answer to these reports is to compare the volume of crime in these categories in the State of Madras, Mysore, Andhra and Kerala in 1957. The figures are taken from the latest statistics of crime for the whole of India published by the Ministry of Home Affairs, Government of India, and are based on the international standard of one case per one lakh population:

	VOLUME OF CRIME (per 100,000 of population)			
	Madras	Mysore	Andhra	Kerala
Murder	2.5	3.3	3.1	1.9
Dacoity	0.3	0.6	0.4	0.2
Robbery	0.9	1.3	0.7	0.8
Housebreaking & theft	23.7	24.5	22.9	14.3
Ordinary theft	70.6	45.6	44.0	19.2
Cattle theft	9.3	5.1	5.7	1.5
Rioting	6.8	3.7	6.5	6.4

The comparative volume of crime for all the States in India for 1957, calculated again according to the international standard mentioned above, will also be interesting. These, according to the latest publication of the Ministry of Home Affairs, Government of India, are:

Andhra Pradesh	123.5
Assam	190.4
Bihar	161.6
Bombay	222.7
Kerala	89.3
Jammu & Kashmir	82.2
Madhya Pradesh	244.7
Madras	174.5
Mysore	124.0
Orissa	132.9
Punjab	118.1
Rajasthan	116.4
Uttar Pradesh	102.8
West Bengal	241.8

From the above facts presented in a detached way, it will be obvious for any impartial student that there has not been anything wrong with the Kerala Government in its handling of law and order.

The accusation that an organised attempt was being made to "liquidate" the opposition workers is malicious and false.

Apart from that, the more relevant point is not whether any Communist attacked "opposition" workers, but whether the machinery of Government moved against Communists also, if they committed offences.

So far as the Kerala Government is concerned, it is comforting to note that the KPCC President's memorandum does not even allege that, when the opposition workers were attacked by Communists, the police did not take action. There has been no single instance where a cognisable offence has been committed by Communists or pro-Communists and police has not taken action after information has been laid before them. Sri Patom Thianu Pillai's case is an instance in point. He claims to have been "insulted", but did not even care to inform the police!

WHO DEMORALISES THE SERVICES?

WITH regard to the allegation of "deliberate demoralisation of the services" made in para 17 of the Memorandum it should be clearly and sharply stated that the boot is actually on the other foot. The present Ministry has scrupulously adhered to the principle that, while the personnel of the Government services may have their individual views on various questions of the day, it is for them to keep their views to themselves and to work as loyal officers serving the Government of the day. We have made it a point of looking at the record from every individual officer from the point of view of his or her efficiency in the work, and loyalty to the Government of the day, regardless of whether the Government happens to be Congress, PSP or Communist. We are satisfied to find that the service personnel has, during the last 27 months, by and large, served the present Government as loyally as they had served previous Governments.

Unfortunately, however, innumerable examples can be shown of Congress leaders—both inside and outside the Legislature—telling Government officers that it is not their duty to carry out the orders of Ministers if, according to them, these orders are illegal. Open incitements to police and other officers have been made and combined with the threat that "after all, you belong to services controlled by the Central Government which is functioning under the guidance of the Congress."

It is, therefore, the Opposition, particularly the Congress, that has done its best to demoralise the service personnel and draw them away from their path of loyalty serving the Government of the day, regardless of whether the officer himself personally likes or does not like the political complexion of that Government.

It is not true that the Ministers or the Chief Minister have publicly attacked the officers who served under them. What they have done is only to point out the universally recognised defects in the present administrative system.

The assertion in the Memorandum that there is a large number of writ-petitions in the High Court against Government decisions on promotions and postings of officers is baseless. As for the Inspector-General of Police, it should be mentioned that there was no question of any "manipulation" and that everything was done in a straight manner and through accepted procedures. The KPCC or other friends may disagree on the question of the need for appointment of a Police Code Revision Committee, or on the need for having the senior-most Officer of the Police Service in the State to function as Secretary of the Committee. That, however, is no reason why it should make the wild charge that the claim of the senior-most Officer has been overlooked. It is pertinent to point out that a similar Committee for substantially the same purpose has been appointed by the Congress Government in Bihar with the Inspector-General of Police as Secretary.

Although the general charge of victimisation is made, it is interesting to note that only one single instance—suspension of three officers—is pointed out; even here, there is no other charge than that there was some technical deficiency in the procedure followed; the material content of the Government's case itself has not been challenged.

The allegation of "disregard for official procedure" is too vague for an answer. It can, however, be confidently stated that, while what is notoriously known as red-tapism is sometimes avoided by the relaxation of rules (this was for example done in connection with the observance of Minor Irrigation Week), the rules of procedure are normally adhered to.

So also the allegation about cells being organised in Government offices is a lie, pure and simple.

This Government have always been anxious to uphold the independence of the judiciary and the allegations contained in the Memorandum on this point are without any basis. The Law Minister himself had written to the Chief Justice of the Kerala High Court making clear the Government's position and the Chief Justice had expressed his appreciation of the stand taken by the Government.

On a suggestion by the Chief Justice the Government asked the Advocate-General and the Inspector-General of Police to report about any interference in court judgements, any instance of political party workers, particularly Communists, having interfered in the investigation or trial of cases and both the Advocate-General and the Inspector-General of Police informed the Government that they have no instance to report.

The Committee appointed by the Government to enquire into the allegations of indoctrination through Text Books consisted of Sri Kuruvilla Jacob, Mrs. O. C. Srinivasan, Retired Director of Public Instruction of Madras, and Sri Narayana Pillai, a Member of the Syndicate of the Kerala University.

The Committee has held that there has been no effort at indoctrination in Text Books either on the part of the Government or the Text Book Committee. The Committee suggested the deletion or modification of a few portions, mainly on the possible interpretation that might be given to them by interested parties. These modifications have been effected by Government while publishing the Text Books this year.

The following passages from the Report of the Committee may be read:

"The Committee is however of the opinion that there has not been any concerted attempt on the part of the authorities or the Text Book Writing Committees at indoctrination of Communist ideology."

"The fact that the Government of India publication 'We Plan for Prosperity' has been prescribed as non-detailed Texts in English and Malayalam in two classes is further indication that there has not been an intention on the part of the authorities to belittle the achievements of India."

"The Committee does not consider that there has been any concerted attempt on the part of the authorities or the Text Book Writing Committees to indoctrinate the pupils in anti-religious ideas."

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TRADE UNION POLICY

THE principle of one Negotiating Union in one industry has been sponsored by all the Trade Unions, including the INTUC. The Government have been consistently trying to affirm this principle, but unfortunately, this ideal could not make much headway.

The existence of inter-union rivalry has come up for castigation at the National Labour Conference and a Code of union behaviour has been adopted. When even the Government of India could not succeed fully in introducing the above ideal into practice, it is purposeless to castigate this Government for not effectively implementing this principle. The earnestness of this Government to follow this Code has been effectuated into practice by including necessary provisions in the Kerala Industrial Relations Bill which is now before the Legislature.

The Government have been consistently following the policy of showing even and equal treatment to workers irrespective of the shade and colour of their party affiliation. This is illustrated by the efforts made by the Government to settle the dispute in the Chavara Minerals, Parvathi Mills (where there are more than five trade unions) Vijayamohini Mills, Punalur Paper Mills, Kundara Aluminium (where there are half a dozen unions) Kundara Pierce Leslie Co., Cannanore Commonwealth Mills, P.W.D. Workshops, Sitaram Mills etc. etc.

The proud achievements of the workers of minority Unions belonging to other parties brought about by the intervention of this Government will proclaim to the world that the Kerala Government was only motivated by the interests of the working class, and not by partisan attitude.

One instance may be pointed out here by way of contrast with the Congress Government that, while they purposely kept out the majority Union belonging to the AIYUC at the time of a settlement of bonus at Punalur Mills, this Government against the expectation of the management and the INTUC leader himself insisted that the minority INTUC Union should be necessarily invited for the conference convened for the purpose of settling the bonus issue for the subsequent years.

The KPCC has indulged in thorough distortion of facts in citing certain specific cases of labour disputes and the action taken by the Government in these. The impression sought to be created by quoting petitions for writs of Mandamus filed before the High Court by employers is deliberately misleading. In all these cases the writs were struck off the rolls by learned judges and there has not been a single instance where the High Court granted a writ on a petition saying that sufficient police protection was not available to the petitioner. It is simply the height of audacity for the KPCC President to distort what happened in these cases before the High Court.

The Finance Minister then issued a statement, clarifying the position. It was possibly this statement of the Finance Minister that dissuaded the KPCC from making the former assertions and to confine themselves to these vague generalities.

All Congressmen should feel ashamed to denounce this "ruthless repression" in Kerala—where Preventive Detention Act has not so far been used, Section 144 has been declared only in very few places, those arrested have been proceeded against only under such provisions as give very light and short term convictions—all this to meet a movement which is launched with the avowed object of "paralysing the administration"—while their own Governments in other States have resorted to far more brutal measures of repression to deal with ordinary trade union or kisan agitations.

The KPCC talks of the "Kerala Government subverting democracy". If this charge is seriously meant by the KPCC, it is confident of proving it before the appropriate authorities, they could well have had

who are in no way affiliated to the Communist Party—many of them even owing allegiance to the Congress and other opposition parties—being benefited under the present regime as much as under earlier regimes. It is interesting in this connection that the KPCC's charge is not substantiated by concrete

instances. The Memorandum gives only two instances. One of these relates to the liquor shop auction in Thodupuzha. The facts regarding this have already been stated.

The other case is that of acquisition of landed property belonging to Sri Easwara Iyer, M.P., at a cost of Rs. 2.25 lakhs. The facts regarding these are given below:

The State Transport Department, in view of its enlarged activities, decided to constitute a permanent body-building section. It was decided that the permanent body-building section should be housed along with the Central Workshop where the body-repairing work was also carried on. Consequently, the premises of the Central Workshop had to be expanded

and the necessary land lying adjacent to the Workshop had to be acquired. Sri Easwara Iyer is only one of the many owners whose lands were acquired. The acquisition of land was made through the ordinary process of law and the valuation was made as usual by the Revenue authorities supervised by the District Collector.

The much trumpeted Andhra Rice Deal Inquiry Report finds a place in the Memorandum as an instance of "corruption" indulged in by the Government. We would here only point out that there is no suggestion in the report that the Communist Party has pocketed any amount out of this transaction; the finding is only that there has been avoidable loss; even this is qualified with the statement of the

Commission "that, had any other mode of purchase been adopted, in the peculiar circumstances, there would still have been this uncertainty about the prevailing prices."

All this shows that the charges made by the KPCC against this Government are totally baseless; and yet, in the name of the people of Kerala, it demands that a fresh general election should be held. It bases this demand on the baseless presumption that "big changeover in the opinion of the people" has taken place. There is no proof for this; on the other hand, the result of the various bye-elections that have taken place during the last two years show that the support behind this Government is growing.

recourse to the constitutional process; they could either have challenged particular actions of the Government before the High Court or the Supreme Court; they could have appealed to the President through the Union Cabinet to take appropriate measures under the relevant provisions of the Constitution. There could have been no difficulty at all having all this done, particularly since their own Party is ruling at the Centre.

They, however, do not adopt this straight course, presumably because they have no hopes of convincing either the authorities concerned that democracy is being subverted in Kerala. Instead of adopting this straight Constitutional procedure, they have resorted to the totally unjustifiable, unconstitutional step of launching upon direct action with the avowed objective of "paralysing the administration".

Is it not ridiculous that, full four weeks before they presented their Memorandum to the President, they had started this "direct action" and even declared from house tops that they would "paralyse the administration" in the matter of a few weeks, if not days.

Is it not thus clear that if anybody is to be charged with the crime of subverting democracy, it is the KPCC and its All-India patrons who should be charged with "trying to paralyse an administration" and then request the President (who, after all, is the symbol of that very administration at the All-India level) to order fresh general elections.

WHO IS SUBVERTING DEMOCRACY?

IT is also worthy of mention that the political parties and other organisations mentioned in the Memorandum are now opposing this Government were all opposed to the Communist Party during the last election itself. What is happening now is only that those organisations which were opposed to this Government from the beginning but did not demand its resignation or a fresh general election have, as if by a word of command issued from some common centre, started doing so.

NEHRU

The drama in Kerala has had its cathartic effect. For some two months the whole of India has watched the play of sharply opposing forces—and participated too, in stirring action on the side of justice. Courage, truth, cowardice and prevarication—the events have been a medley of all these and more. Not principles alone but personalities have been through the ordeal and the people have witnessed and weighed.

Many were long known to us and their behaviour has had the expected pattern of postures—Sarvasri Dhebar Sadiq Ali, Asoka Mehta and the whole KPCC bevy. The dreary old men—Sri Mannam and Sri Patom—gave no surprise. What has been rather revealing and damaging has, however, been the actions and the speeches of Pandit Nehru.

He himself had said that the Indian people had given him their love “abundantly and extravagantly”. It can now be said that in these two months—packed with events and lessons enough for two decades—the Indian people have given abundantly, though not extravagantly, of their criticism, their disapproval, their disappointment and even their anger.

It is true, of course, to say that Sri Nehru's fumbling actions over Kerala are no sudden amazement, no thunderclap of sound and fury bursting from a serene sky. Much had happened in the past to bring about the new Nehru stance—more recently, Mundhra, Mathai and Mahtab. Yet Kerala proved a point of climactic. India will not look again on Sri Nehru with the same eyes; there is in them now a fresh glint, a new recognition.

It began this time with the ill-famed clamour from Coimbatore on June 6. There were the well-known vague generalisations. “All kinds of forces are at play, such as communalism and casteism...” Who had brought these forces into play? Who had lined up behind its leadership, behind the venerable Sri Mannam on the rampage? All this was far too specific, too coarsely concrete to find utterance through Sri Nehru.

Further, “Apparently preparations for violent conflict are being made.... Violence is even more objectionable and cannot be accepted as a method of action in a democratic State”. Again the phrase, the rounded sentence but not the pinning of the words on those out to make the ugly reality of violence.

But this studied attitude gave place to strident tones when the Kerala Government was arraigned in that same statement. “The bona fides of the Government are distrusted by many people and many charges have been made against it. These include accusations of unfairness to other parties and partiality in many ways to the Government Party in Kerala, that is, the Communists, charges of violence towards members of other parties have also been made....

“If there is now a deep and widespread distrust of the Kerala Government among large sections of the people there, it is for the Government to consider how this has arisen and how it can be removed”.

All this pontification after, as subsequently

shown, Sri Dhebar's confabulations with his KPCC disciples and the drawing up of directives which permitted everything, if only the Kerala Government could be brought down. It may well be that Sri Nehru was not fully aware of this conspiracy, but he has said and done nothing to remove a suspicion that still rankles. He has done nothing sharply to pull up Sri Dhebar, and his daughter, who

Minister see things for himself. The air dash was made to Trivandrum on June 23. Day-long and round-the-clock meetings and discussions followed.

On the conclusion of the visit Comrade EMS made a gesture of conciliation, which caught the imagination of all those with a shred of impartiality. Three major questions—the “seriously controversial provisions” of the Education Act; the KPCC “Charge Sheet”; the question of judicial enquiry into the firings—were not only to be discussed with the Opposition parties. Kerala's Chief Minister went so far as to offer Sri Nehru the role of arbitrator.

Comrade EMS said “I am sure that the Prime Minister's assurance to personally go into any issue that remains unresolved in the course of these discussions will guarantee that we would ultimately arrive at a solution that would satisfy all the interests involved”.

It should be noted that no-

public opinion and feeling against the present Government”; “all kinds of people... are now passionately opposed to the Kerala Government”—the resolution was replete with such expressions of guilty indignation.

Apart from recommending mid-term elections—Pandit Nehru's gift of a political slogan to blatant reaction—there were three other significant features of the resolution.

Firstly, picketing, albeit of the “peaceful token” variety, was described as “admissible”. Not only the aim of reaction was sanctioned but its methods—inevitably—approved.

Secondly, silence was scrupulously maintained about the communal alliances which the Congress had openly concluded in Kerala.

Thirdly, a call was given for the suspension of the entire Education Act and not merely of its controversial clauses. This was a direct repudiation of the advice tendered in

and schools property go on but the so-called “permissible” token picketing of Government offices developed into a full-fledged war to capture the collectorate, to physically paralyse the administration. Only the other day the “volunteers” actually entered the Trivandrum collectorate and hoisted on it their party flags. And the Vimochana warriors moved over to squad violence against school-teachers, Party workers and government officials.

In an appeal to the Prime Minister Comrade EMS drew his attention to this mounting violence. And if Comrade EMS is to be treated as suspect, now has come the plan of a seige to begin from August 9—with the full participation of the Congress and under the declared leadership of “dictator” Mannam. Not symbolic picketing but an actual march of a fanatical army to storm the government offices.

Why has silence closed so tightly round Sri Nehru, who

Sorry Role In Kerala Drama

must be held guilty for whatever Sri Sanker and Sri Chacko launched upon, for all the brtt to the innocents who were hurled into the maelstrom.

The next act opened with the Press Conference on June 10 at New Delhi. Not only had the Communists spoken up sharply against the Premier's partiality but the press and a vast democratic opinion had let loose a barrage. What the Congress was doing in Kerala shocked and angered.

Facing an unprecedentedly hostile press Sri Nehru had somewhat to sharpen his words. He was “disturbed” that communal organisations of Catholics and Nafrs were being brought into actions. He declared his opposition to picketing, especially by school-children.

When directly questioned about pulling down a legally established government he stated: “I am opposed to unconstitutional means at any time anyhow because once you adopt them they would be justified in another context. You cannot judge things without means.... So far as I am concerned I do not propose nor intend nor look forward to nor expect Governments falling down except through normal democratic processes”.

Eloquent words with unmistakable meaning. Many expected that now as a logical and natural corollary the KPCC would withdraw from the agitation or, at the very least, openly declare that it would not “pull down” the Kerala Government through “direct action”. If words were not to act only as masks, Sri Nehru was expected to so act as to make his partymen respect his views, to ensure that normal democratic processes were allowed to operate.

Unfortunately, nothing of the kind happened. The agitation continued its unconstitutional course and nowhere in Kerala did Congressmen demarcate themselves from it. Nor did Sri Nehru think it fit to intervene against them or to openly proclaim that he had no influence with the KPCC.

Drama was added to drama by the offer of the Kerala Government to let the Prime

where has Sri Nehru disavowed this assurance, nowhere has he stated that his advice to the Kerala Ministry was along different lines. Coming back to Delhi on June 26 he talked of “partial acceptance” of his advice. Comrade EMS in his Press Conference on July 12 made the categorical statement that the reference to mid-term elections was only casually made in Trivandrum. This too has not been repudiated by the Prime Minister.

But from this time onwards another twist was given to the tale. Once again, no reference to the acts of violence, the open violations of the Constitution and the menacing threats indulged in by the “liberation” leaders, who include Congress luminaries. All of this surely should have formed part of the impressions formed by so sensitive an observer as the author of the Autobiography.

A Slogan For Reaction

The switch was made to “popular upsurge” and mid-term elections. Long talk was indulged in of the biggest upsurge in 40 years—1920, 1930, 1942, 1946 all seemed to have paled. Perhaps, the Muslim League's “direct action” of 1946 slipped Sri Nehru's mind. It is these two themes that have been harped on since the brief talk with newsmen at Trivandrum on June 25. It seems as if Sri Nehru had fully made up his mind to accept the essentially undemocratic aim of the opposition in Kerala—to topple the Kerala ministry. The centre of focus had been found and all the subsequent lapses from logic, from fair play and democracy can be traced back to this point.

On June 29 descended the decision of the Congress Parliamentary Board—reportedly drawn up by the Prime Minister and certainly based on his advice. Naturally, he had shied away from anything so committing as arbitrating and having to pass judgement.

“Malaise in the public life of Kerala”; “Vast upsurge of

Trivandrum a bare four days ago.

But how could this be helped? Had not Sri Mannam thundered on June 25: “Unless the Education Act was totally suspended from operation and the executive orders issued earlier implementing some of the clauses of the Act were also withdrawn, there could be no question of considering a discussion with the Ministry”. It appears, as if not only the KPCC leaders but the Prime Minister himself had fallen in line at the crack of the whip by Kerala's Mussolini!

Once again the Premier felt the fury of Indian democracy aroused. Once again, at the July 7 press conference in the public a display was made of disapproval, of retreat—not exactly a dignified spectacle.

“...it was not my intention that the whole of the Education Act should be suspended but that the controversial clauses in it might be. There is no point in suspending the non-controversial clauses and especially some which have been welcomed by almost everybody. I am a little sorry that the suggestion of mine has not been given effect to”. (Then how could the Parliamentary Board Resolution state just the opposite, one wonders!)

It is surely to be regretted that once again the Prime Minister did not think it to openly state who it was that had rejected the suggestion. Why this hesitation? Nor did he go beyond feeling “a little sorry”. Why this inaction?

In the same Press Conference Sri Nehru stated that he and his colleagues were “very greatly opposed to picketing”. He went on to admit “But it is true that the Kerala Congress started what it called token picketing of Government offices... Now we do not like this picketing of Government offices also... We opposed completely the other things—picketing of schools and transport vehicles”.

How far this fitted in with the Congress Parliamentary Board's resolution is for mightier mortals to discern and explain. But its total impact was—nil! Not only did wanton destruction of buses

has never hesitated to leap to condemn the slightest movement of the people for even very specific and concrete demands? Since July 7 he has not had a word to say. All will recall his condemning the Samyukta Maharashtra movement “as following a fascist path”. None can forget his repeated angry strictures on Calcutta as the “nightmare” city of demonstrations and marches. And now “regret” is all that he permits himself!

Similarly, widespread comment has been aroused by what for anybody else would have been dubbed prevarication with regard to Central intervention. Sri Nehru had refused to make a categorical declaration on this point. All he had said was that “he had not reached the corner”, “not now”, “not yet”. He had not said that in no case would Central intervention be the result of “direct action”.

Yet that is the crux of the matter. If the Kerala Government has subverted the Constitution the Centre not only has the right but the duty to intervene. But to intervene because of “mass upsurge” is itself a subversion of the Constitution. Sri Nehru prefers, it seems, to ignore this point, to keep up the suspense—what is this if not very direct help to the agitation?

It is a combination of all these factors which make up the totality of Sri Nehru's attitudes and actions in the past two months that has struck a blow not only to democratic institutions in our country but, above all, to his own standing with the Indian people. It is this that has led very many to question—and more than question—how far Sri Nehru is determined to uphold democracy if his Party's position and the classes protected by it, is threatened by forces which are determined to see India advance. The very asking of the question is indictment enough and a tragic denouement for Sri Nehru himself. The people have, however, pronounced their verdict—the Prime Minister is partisan and partisan for reaction. A new—sadder—discovery awaits Pandit Nehru.