

Shri Brajeshwar Prasad : Mr. President, Sir, I am in entire agreement with the principles involved in the provisions of this article. I consider this article to be very, very necessary in the interests of the people of this country, but I feel that the provisions are too inadequate, halting and insufficient to meet the needs of the hour. As far as clause (1) of the article is concerned, I feel that it requires amendment. The House should change this Clause (1) in a way that may be in accord with the necessities of the hour. I feel, Sir, that after the words, "threatened whether by war or external aggression or internal disturbance" some other words ought to be inserted. I am in favour of inserting the words "economic crisis or subversive movement". If these words are incorporated, then, there can be some facility for the President to act, and a wider sphere will be available to him. I feel, Sir, that if these two words are not acceptable to the House, then one word at least should be added and that would meet the requirements of the situation. I feel the words "or otherwise" should be inserted after the words "or internal disturbance." That would be sufficient to meet the exigencies of the moment.

Shri Brajeshwar Prasad: It can be done in one way, i.e., by asking for reconsideration of clause (1). That is a method left open to the House. There is a third way of amending this clause (1). I feel, Sir, that these words "whether by war or external aggression or internal disturbance" are redundant and these words ought to be deleted altogether. Then, this clause will read thus: "If the President is satisfied that a grave emergency exists whereby the security of India or of any part of the territory thereof is threatened? he may by proclamation make a declaration to that effect." After all, the vital thing is security of India. We do not know how that security of India is going to be threatened. Is it our intention that the security of India should not be protected if it is threatened by means other than what has been prescribed here ? I do not consider that these words "war or external aggression or internal disturbance" exhaust the entire universe of thought. There are other possibilities too by which 'the security of India can be threatened. The argument will be raised that if the security of India is threatened by any other method, the result must be internal disturbance, and therefore the words 'internal disturbance' are comprehensive. I do not accept this view of things. It only means that the President must remain a silent spectator of a rapidly deteriorating situation in the country and he has not to act unless it has resulted in internal disturbance on a large scale and magnitude. The power must be vested in the President without any restriction, the power to act if he feels that there is an emergency in this country. Internal disturbance is the climax of the drama. Is it our intention that the security of India should not be safeguarded unless the danger has reached its zenith ? I want the President to act if he feels that the growth of subversive movements has reached the proportions of an emergency even though there be no danger of internal disturbances. The mischief should be

nipped in the bud. It is bad politics to wait and act only when the evil has become widespread; then it may be too late to mend matters. Let us look at China. What is happening in China should be an eye-opener to all of us. I feel we are actually passing through a period of emergency. What is happening in Bengal ? What is happening in Bengal is more or less true of the other provinces in India as well. Therefore, I am in favour of these words being deleted. I feel, Sir, that these words ought to have been added. These words were placed before the Drafting Committee in the form of an amendment in the printed list by some other Members. Probably, the reason is that those people who stand for State rights feel that if these words are incorporated, then the whole concept of provincial autonomy will become illusory and unreal, because, in the name of economic crisis or with a view to ward off subversive movements, the President can do anything he likes. But, I feel, Sir, that the security of India is a matter of far greater importance than provincial 'autonomy'.

Coming to clause (2), the provision is : "A Proclamation issued under clause (1) of this article shall be laid before each House of Parliament." I want to know why. Why should it be laid before Parliament ? Is it because of the fact that we have got a lurking fear in our mind that the President may become a dictator ? Is it because of the fear of dictatorship that we have made this provision in the Constitution ? If you say so, then I say that this safeguard is not real. It is not by making any constitutional provisions that we can ward off the danger of dictatorship in this country. On the other hand, I feel that by hedging in the powers of the President, by circumscribing his sphere, of activity, we are weakening the hands of the executive and thereby paving the way for the establishment of dictatorship in this country.

Sir, I am also opposed to Parliament having any say on this question, because I fear that a House elected on the basis of adult suffrage will consist mostly of persons who are illiterate, and raw. Is it desirable that the question of security of India should be determined by such a House ? I want to know this from the Members of the House who are opposed to me on this question. Suppose Parliament says there is no danger to the security of India, then, should the security of India be jeopardised because the members of Parliament do not consider that there is an emergency ? I think the President is in a better position to judge. He is a better judge of the situation.

There is one other point which I would like to mention. I was hesitating in my mind whether to say this or not, but I feel that it is far better I express myself very clearly. I am opposed to Parliament because I feel that I cannot trust the members of Parliament. Look at France; look at history. Nazis penetrated into all organs of the State. Ministers, legislators, army officials, all categories of servants of the States were infected with the virus of Nazism and they brought about the collapse of the State. How can Parliament elected on adult franchise be a judge of the question of security of India ? They may become fifth columnist; they may become agents of a foreign power. The growth of subversive movements is a very real one. I have more faith in the Executive than in the legislators. Therefore, I support this article with this suggestion that the words that I have suggested should be incorporated and the question of placing the Proclamation before the Houses of Parliament should not find a place in the article.