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President Proclaims National Emergency

"Security of India Threatened by Internal Disturbances"

Preventive Arrests: Press Censorship Imposed

From G. K. Reddy

NEW DELHI, June 26.

A National Emergency was proclaimed today in the face of what the Prime Minister, Mrs. Indira Gandhi, described in a broadcast to the nation as a "deep and widespread conspiracy" that had been brewing for a long time, leading to violence and disruption of normal life.

After a hurriedly summoned Cabinet meeting at 6 a.m., at the Prime Minister's residence, the President issued the Proclamation under Article 352(1) of the Constitution declaring that a "grave emergency exists whereby the security of India is threatened by internal disturbances".

A number of preventive arrests have been made by the Central and State Governments. The Centre has directed the State Governments and Union Territories' administrations to use the emergency powers for the maintenance of law and order and the unity of the nation.

Press censorship has been imposed under the Emergency regulations on the publication of news and comments relating to these developments. The necessary arrangements are being made to streamline the procedures for this purpose.

Though Emergency has been declared twice before, in 1962 and 1971, following external aggression, this is the first time

threats to the security of India from external aggression. Today's declaration comes under the provision relating to internal disturbances.

As per Article 352 of the Constitution, under which the Emergency has been declared, the Proclamation has to be laid before each House of Parliament, and will cease to operate unless it is approved by resolutions of both Houses of Parliament within two months.

"Imminent Danger"

If the Proclamation is issued at a time when the Lok Sabha has been dissolved, or if the Lok Sabha is dissolved during the period of two months, the Proclamation will continue in force if it is approved within the two months period by the Rajya Sabha. Even then, the Proclamation will cease to operate, if it is not approved within 30 days of the reconstitution of the Lok Sabha and its first meeting.

A Proclamation of Emergency can be declared not only when there is an actual threat by war, external aggression or internal disturbance, but even if the President is satisfied about "an imminent danger thereof".

Cabinet Approval

PTI reports: The Union Cabinet considered the situation and approved the recommendation to the President for the declaration of Emergency.

The Emergency declared in 1971 and still in force relates to

power of the State to be exercised.

During the Emergency, Parliament's power to make laws extends to conferring of powers and imposing duties upon the Union (Centre), or officers and authorities of the Union, notwithstanding the fact that the subjects on which powers are conferred are not within the Union list.

Proclamation Text

The following is the text of the proclamation issued by the President:

"In exercise of the powers conferred by Clause (one) Article 352 of the Constitution, I, Fakhruddin Ali Ahmed, President of India, by this Proclamation declare that a grave emergency exists, whereby the security of India is threatened by internal disturbances".

Press Censorship for First Time

NEW DELHI, June 26. The Press in India has come under censorship for the first time since Independence.

There was no censorship during the first spell of emergency proclaimed in the wake of the Chinese aggression in October 1962.

A press advisory system was in operation at the time of the India-Pakistan war in 1965.—UNI.

Life Normal in Delhi

NEW DELHI, June 26. Life in the capital city of Delhi today presented no sign of panic despite the proclamation of Emergency by the President.

People were reporting for duty in their respective places of work and all essential services like water, power and transport were being maintained at the normal level. Attendance in the Government offices was normal and shops and other business centres were open as usual.

Several of the morning dailies, including some supporting Mrs. Gandhi, failed to come out because of a power failure on Bahadur Shah Zafar Marg. The power failure was after 1.30 a.m. Several Hindi and Urdu dailies which went to press earlier, came out.

"The Statesman" and "Hindustan Times", English dailies published from Connaught Place as well as the "Economic Times" and the "Financial Express" came out. "The National Herald", "Patriot", "Times of India" and "The Indian Express" did not come out. "The Motherland", located in another area of the city, also did not come out.—PTI.

PM Explains Action

FROM OUR POLITICAL CORRESPONDENT

NEW DELHI, June 26.

The Prime Minister, Mrs. Indira Gandhi, in her broadcast to the nation this morning explaining the Proclamation of Emergency said the President had to take this extraordinary step because the nation's integrity demanded firm action. Any situation which weakened the capacity of the National Government to act decisively inside the country was bound to encourage dangers from outside.

The forces of disruption in the country, Mrs. Gandhi said, had sought to negate democracy in the name of democracy by preventing duly elected governments from functioning and compelling members to resign to bring about the dissolution of legislatures. Certain persons, she pointed out, had even gone to the length of inciting the armed forces to mutiny and the police to rebel against the Government. The fact that the defence forces and the police were disciplined and deeply patriotic and were not taken in by such incitement, did not mitigate the seriousness of the provocation.

The Prime Minister said: "We have watched these developments with utmost patience for long. Now we learn of new programmes challenging law and order throughout the country with a view to disrupting normal life. How can any government worth the name stand by and allow the country's stability to be imperilled?"

Economic Measures

The threat to internal stability, Mrs. Gandhi said, also affected production and the prospects of economic improvement. The determined action taken in the last few months had succeeded in largely checking the prices. The Government was actively considering further measures to strengthen the economy and relieve the hardship of various sections, particularly the poor and vulnerable, and those with fixed incomes. These measures would be announced soon.

The Prime Minister assured the nation that the new Emergency Proclamation would in no way affect the rights of law-abiding citizens. She expressed the hope that internal conditions would speedily improve to enable the Govern-

ment to revoke it as early as possible.

The following is the text of Mrs. Gandhi's broadcast: "The President has proclaimed Emergency. This is nothing to panic about. I am sure you are all conscious of the deep and widespread conspiracy which has been brewing ever since I began introducing certain progressive measures of benefit to the common man and woman of India. In the name of democracy it has been sought to negate the very functioning of democracy. Duly elected Governments have not been allowed to function and in some cases force has been used to compel members to resign in order to dissolve lawfully elected Assemblies. Agitations have surcharged the atmosphere, leading to violent incidents. The whole country was shocked at the brutal murder of my Cabinet colleague Mr. L. N. Mishra. We also deeply deplore the dastardly attack on the Chief Justice of India.

False Allegations

Certain persons have gone to the length of inciting our armed forces to mutiny and our police to rebel. The fact that our defence forces and the police are disciplined and deeply patriotic and therefore will not be taken in, does not mitigate the seriousness of provocation. The forces of disintegration are in full play and communal passions are being aroused, threatening our unity.

All manner of false allegations have been hurled at me. The Indian people have known me since my childhood. All my life has been in the service of our people. This is not a personal matter. It is not important whether I remain Prime Minister or not. However, the institution of the Prime Minister is important and the deliberate political

attempt to denigrate it is not in the interest of democracy or of the nation.

We have watched these developments with utmost patience for long. Now we learn of new programmes challenging law and order throughout the country with a view to disrupting normal functioning. How can any Government worth the name stand by and allow the country's stability to be imperilled? The actions of a few are endangering the rights of the vast majority. Any situation which weakens the capacity of the national Government to act decisively inside the country is bound to encourage dangers from outside. It is our paramount duty to safeguard unity and stability. The nation's integrity demands firm action.

Early Revocation

The threat to internal stability also affects production and prospects of economic development. In the last few months the determined action we have taken has succeeded in largely checking the price rise. We have been actively considering further measures to strengthen the economy and to relieve the hardship of various sections, including the poor and vulnerable, and those with fixed incomes. I shall announce these soon. I should like to assure you that the new Emergency proclamation will in no way affect the rights of law abiding citizens. I am sure that internal conditions will speedily improve to enable us to dis-

pose with this proclamation as soon as possible. I have been overwhelmed by messages of goodwill from all parts of India and all sections of the people. May I appeal for your continued co-operation and trust in the days ahead?—PTI.

"Action to Counter Programme for Disruption"

FROM OUR SPECIAL CORRESPONDENT

NEW DELHI, June 26.

Explaining the proclamation of emergency, Dr. A. R. Baij, Principal Information Officer of the Government of India, said at a press briefing to-night, "A grave emergency has arisen because of the programme of action contemplated by the groups whose leaders were taken into custody this morning. The programme of action aimed at disturbing public order, disturbing the economy, disturbing communications and generally affecting law and order situation. Over and above that, there were calls for action on the part of armed forces and police. This was the general context in which emergency was proclaimed."

In reply to a question the PIO said disturbance of vital communications was one of the programmes of action contemplated. "It might not have been published but it is Government's information," he added.

The PIO said that there was a difference between the proclamation issued in 1971 and the one proclaimed today. The 1971 Emergency did not extend to internal disturbances. It was a proclamation necessitated by war and external aggression. The present one was primarily related to internal disturbances, he said.

RIGHT TO MOVE COURT NOT SUSPENDED

Replying to questions, Dr. Baij said that no order under the proclamation had been issued to suspend the right of people to move the courts for enforcement of fundamental rights.

He also said in reply to another question that in an emergency State Governments had got to carry out Central Government's orders.

PTI reports:

In reply to another question, he said there was no basis for the rumour that a Cabinet reshuffle was imminent.

Dr. Baij was asked what was the difference between the situation in 1971 and today, necessitating the imposition of pre-censorship on the press this time. He said the important difference was that in 1971, the entire nation rallied behind the Government as one people. There was no question of any internal disturbances being anticipated.

676 Persons Detained All Over Country

FROM OUR SPECIAL CORRESPONDENT

NEW DELHI, June 26.

The Principal Information Officer of the Government of India, Dr. A. R. Baij, tonight told pressmen that 676 persons had been arrested in the country during the day.

Of these, 450 arrests were made in Madhya Pradesh, 90 in Delhi, 49 in Punjab, 43 in Haryana, 24 in Bihar, 12 in Rajasthan, 4 in Karnataka, 2 in UP and 2 in Andhra Pradesh. He said no arrests were made in Kerala, Tamil Nadu and Gujarat. He, however, declined to disclose the names of the leaders arrested. He said the leaders taken into custody were being looked after well.

Summing up the situation, the PIO said the general situation

was by and large peaceful in the country. In Bihar, he said, non-CPI Opposition parties gave a call for Bihar bandh, which, however, failed to materialise.

In Gujarat, there had been a few cases of hooliganism. Incidents of pelting of stones on city buses and putting up of road blocks were reported in Ahmedabad city. The police fired tear-gas shells to disperse the unruly group at two places. In Mehsana, one of the political parties—Jan Sangh—took out a procession and following its exhortation there was bandh in the town. There were two minor cases of arson.

In Maharashtra, in some areas of Bombay city, partial hartal was observed, while in Poona a

morcha of 1,000 people was taken out indulging in pelting of stones on buses causing disruption in bus service.

In Trivandrum, a small group of 75 demonstrated in front of the Raj Bhavan and some students belonging to one of the students' unions in University College of Trivandrum boycotted classes.

In Haryana, there was partial hartal in Karnal. In West Bengal the general situation was peaceful.

PTI reports: Replying to questions, Dr. Baij said it was not possible for him to disclose where the arrested leaders were lodged. He said the arrested persons were non-CPI Opposition leaders but there were some Congress leaders also.

6 Cong. Dissidents Suspended

NEW DELHI, June 26. The Congress President, Mr. D. K. Barooah, has suspended Young Turk Chandrasekhar and five other dissident Congressmen from party membership.

They are, Mr. Mohan Dhar, Mr. Ram Dhan, Mrs. T. Lakshmi-kanthamma, Mr. S. N. Mishra and Mr. Krishan Kant.

All these party members have boycotted the two meetings of the Congress Parliamentary Party on June 18 and June 24 which reaffirmed faith in Mrs. Indira Gandhi's leadership and requested her to continue as Prime Minister.—UNI.

Palkhivala Withdraws as PM's Counsel

BOMBAY, June 26. Mr. N. A. Palkhivala, who represented the Prime Minister in the Supreme Court, today announced his decision to withdraw as counsel from the appeal.—PTI.

Emergency Provisions under Constitution

NEW DELHI, June 26. The following are the Constitutional Emergency provisions:

Article 352 (1): 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, whether by war or external aggression or internal disturbance, he may, by Proclamation, make a declaration to that effect.

(2) A Proclamation issued under Clause (1) (A) may be revoked by a subsequent Proclamation; (B) shall be laid before each House of Parliament; (C) shall cease to operate at the expiration of two months unless before the expiration of that period it has been approved by resolutions of both Houses of Parliament.

Provided that if any such Proclamation is issued at a time when the House of the People has been dissolved or the dissolution of the House of the People takes place during the period of two months referred to in Sub-Clause (C), and if a resolution approving the Proclamation has been passed by the Council of States, but no resolution with respect to such Proclamation has been passed by the House of the People before the expiration of

that period, the Proclamation shall cease to operate at the expiration of 30 days from the date on which the House of the People sits after its reconstitution in less before the expiration of the said period of 30 days a resolution approving the Proclamation has been passed by the House of the People.

(3) A Proclamation of Emergency declaring that the security of India or of any part of the territory thereof is threatened by war or by external aggression or by internal disturbance may be made before the actual occurrence of war or of any such aggression or disturbance if the President is satisfied that there is imminent danger thereof.

Article 353: While a Proclamation of Emergency is in operation, then—

(A) notwithstanding anything in this Constitution, the executive power of the Union shall extend to the giving of directions to any State as to the manner in which the executive power thereof is to be exercised;

(B) the power of Parliament to make laws with respect to any matter shall include power to make laws conferring powers and imposing duties, or authorising the conferring of power and the

imposition of duties, upon the Union or officers and authorities of the Union as respects that matter, notwithstanding that it is one which is not enumerated in the Union List.

Article 354: (1) The President may, while a Proclamation of Emergency is in operation, by order direct that all or any of the provisions of Articles 268 to 279 shall for such period, not extending in any case beyond the expiration of the financial year in which such Proclamation ceases to operate, as may be specified in the order, have effect subject to such exceptions or modifications as he thinks fit.

(2) Every order made under Clause (1) shall, as soon as may be after it is made, be laid before each House of Parliament. (Articles 268 to 279 relate to distribution of revenues between the Union and the States).

Article 355: 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 the Constitution.

Article 358: While a Proclamation of Emergency is in operation, nothing in Article 19 (freedom of speech) shall restrict the power of the State as defined in Part III (Fundamental Rights) to make any law or to take any executive action which the State would but for the provisions contained in that Part be competent to make or to take, but any law so made shall, to the extent of the incompetency, cease to have effect as soon as the Proclamation ceases to operate, except as respects things done or omitted to be done before the law so ceases to have effect.

Article 359: (1) Where a Proclamation of Emergency is in operation, the President may by order declare that the right to move any court for the enforcement of such of the rights conferred by Part III as may be mentioned in the order and all proceedings pending in any court for the enforcement of the rights so mentioned shall remain suspended for the period during which the Proclamation is in force or for such shorter period as may be specified in the order. (2) An order made as aforesaid may extend to the whole or any part of the territory of India.

(3) Every order made under Clause (1) shall, as soon as may be after it is made, be laid before each House of Parliament.—PTI.

Karnataka Releases Water for T. Nadu

FROM OUR CORRESPONDENT

BANGALORE, June 26.

The Karnataka Government has released about 8 tmc ft of water from the Kabini reservoir and some quantities from Krishnaraja Sagar to Tamil Nadu.

Official sources said that out of 12 tmc ft of water received into the Kabini reservoir, 8 tmc ft had been let into the Cauvery and it might reach the Mettur Dam any moment.

With heavy rains continuing in the catchment areas of the Cauvery and its tributaries, the quantum of water released from the K. R. Sagar and Kabini reservoir might increase in the next few

days. The K. R. Sagar level was rising rapidly and at the present rate the reservoir was expected to be full in the next few days.

Referring to the reports about low level in Tamil Nadu about the low level in the Mettur reservoir and the meagre inflow, the sources said that about 30,000 to 40,000 cusecs of water had been released from both the Kabini reservoir and K. R. Sagar in the last one or two days and the inflow into the Mettur reservoir was bound to rise.

Officers of the Karnataka Government and their counterparts in Tamil Nadu were keeping in touch on the flow in the Cauvery and its tributaries.

Floods in Kerala Page 7

Chattopadhyaya Among Six Elected to Rajya Sabha

CALCUTTA, June 26.

The Union Commerce Minister, Mr. D. P. Chattopadhyaya and the Minister of State for Finance, Mr. Pranab Kumar Mukherjee were among the six candidates declared elected to the Rajya Sabha to-day from the West Bengal Assembly constituency.

Of the eight candidates in the fray, two Independents lost the election. The six successful candidates included five Congressmen and a CPI nominee.

The winning candidates are: Mr. Chattopadhyaya, Mr. Mukherjee, Mrs. Protima Bose, Mr. Javaharlal Banerjee, and Mr. Ahmed Hossain Mondal (all Cong) and Mr. Kalyan Roy (CPI). Mr. Chattopadhyaya, Mr. Mukherjee and Mr. Roy were re-elected.—UNI.

Busmen's Strike in Tamil Nadu Ends

MADRAS, June 26.

The 10-day-old strike by a section of transport workers in Tamil Nadu was called off to-day following talks held by the Labour Commissioner with the Transport Secretary to the Government and representatives of the striking workers.

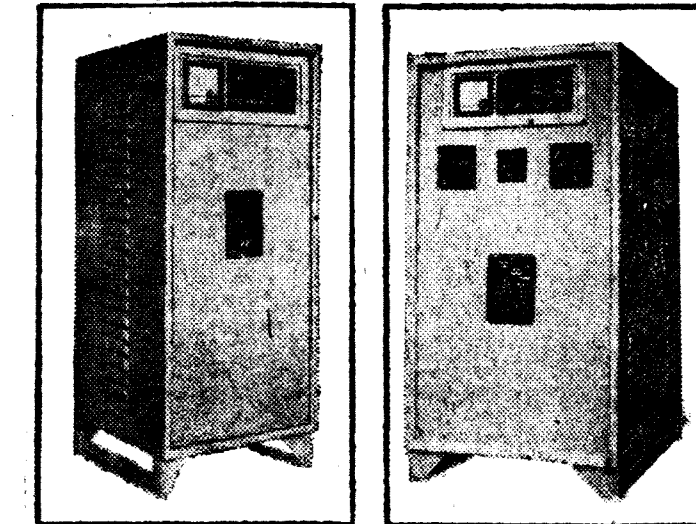
The Labour Commissioner, Mr. G. Kamalarathnam, told newsmen that the strike was being called off on the following basis: all the suspended workers will be allowed to resume duty and the orders of suspension served on them will be revoked; police cases filed in connection with the strikers' refusal to the strike will be withdrawn,

except those involving acts of violence; and the cases of workmen transferred from one place to another will be reviewed by the Chief Minister.

Messrs. V. P. Chintan, K. T. K. Thangamani, A. M. Gopu and S. Raghavanandam represented the striking workers at the tripartite talks held at the instance of the Chief Minister and the Labour Minister.

Nearly 1,675 workers had been placed under suspension following the strike and police cases had been filed against 1,182 persons for specific offences. The number of cases involving acts of violence would be less than 20, according to Mr. J. S. Banu, Transport Secretary.

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