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(LOK SABHA)



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2700
The Editor,
THE TIMES OF INDIA,
Bahadur Shah Zafar Marg,
NEW DELHI -1.

Dear Sir,

In continuation of my letter dated July 20, 1967, to the President of India on the Madhya Pradesh crisis to which you very kindly gave extensive publicity in your paper this morning, I am writing this to bring the position up-to-date.

2. In the debates in Lok Sabha, Mr. Chavan, the Home Minister, stated categorically that no instructions or directions or advice were given by the Centre to the Madhya Pradesh Governor in regard to this crisis. Asked whether he had consulted the Centre before proroguing the House, the Madhya Pradesh Governor said yesterday in Bhopal that 'he had done so to the extent the Constitution permits. These two statements are, therefore, contradictory and the matter calls for an explanation from the Home Minister. Both the statements cannot be true and obviously either the Governor is stating an untruth or an inaccurate statement was deliberately made by the Home Minister. Judging the two personalities, people will surely draw their own conclusion as to who is telling the truth and who is guilty of prevarication to put it mildly.

3. Mr. Chavan, with the blind support of the Congress benches, tried to establish the convention that in all matters including prorogation or dissolution of the legislatures, the Governor is bound to accept the advice of the Chief Minister so long as he is occupying the position of Chief Minister. It, therefore, follows that if the Chief Minister of Madhya Pradesh now or in the near future advises the Governor to dissolve the House, the Governor would be obliged to do so and that the Centre or the President would support the Governor in such action. The Chief Minister of Madhya Pradesh

said first on July 19, in Bhopal, that if he lost in a vote on the floor of the House, he would advise the Governor to dissolve the legislatures and to order mid-term elections. Even after prorogation, advice for which must have been given by the Chief Minister to the Governor on second thoughts, or under instructions from Delhi, the Chief Minister has reiterated his resolve to advise the Governor to dissolve the House if he fails to win back the defecting legislators and loses on the floor of the House when the House is recalled, as it has to be recalled before the end of July, 1967. It is thus clear that Shri Dwarka Prasad Mishra is determined, come what may, to stick to office as also not to concede to the Opposition parties even when they have a clear majority, the right to form the Government which the Constitution gives to them. And furthermore, in this process of manoeuvring, the Chief Minister would be fully supported by the Centre on the specious plea that the Governor must, in all cases, accept the advice of the Chief Minister. Mr. Chevan made much of the point that this authority of the Chief Minister applies to both Congress and Non-congress Chief Ministers.

4. The question now arises is what should be done to save the Constitution from being wrecked or abused by the obstinate will of a single individual functioning in the name of Chief Minister even when it is patent that he has lost the right to be called the Chief Minister by reason of losing majority support in the House. It is here where both the responsibility and the statesmanship of the Congress High Command, and particularly of the Congress President, Shri Kauraj, are attracted. Shri Kauraj ought to rise above the understandable ambition of Shri Dwarka Prasad Mishra as also the consideration of the damage of that may be caused to the Congress Party by one more State going Non-Congress. As against that, the Congress President needs to be reminded that what is sauce for the goose should be sauce for the gander. If the Chief Minister of Madhya Pradesh can force dissolution of the legislature in order to retain power in the face of clear majority against him, that power also would be available and could be exercised by the Chief Ministers of Kerala, Madras, Orissa, West Bengal, Bihar, Uttar Pradesh, Punjab and Haryana, if an occasion arise for the same. The Congress Party will then squeal, good and proper, against the enforced dissolution demanded and insisted upon by the Chief Minister of the State when he finds that he has lost his majority in the House

and that the Congress Party is in a position to challenge the Government and to form a stable alternative Government. In such cases, these non-congress Chief Ministers may well follow the example of the Chief Minister of Madhya Pradesh and dissolve the House and force a mid-term election rather than hand back the seats of power to the Congress. In my judgement, Congress has more to lose by the precedent sought to be created in Madhya Pradesh than to gain apart from the fact that such action on the part of an aggressive and ambitious individual whatever part he may have played in King-making in recent past, would mean the doom of democracy in this young republic of ours. It is for the Congress High Command to put Shri Mishra in his proper place and to advise him to convene the legislature forthwith, to face the House like a man, to resign if defeated like a good democrat and to peacefully and honourably transfer the power to the Opposition parties if they satisfy the Governor that they command a majority and can form a stable Government. Congress would not only gain by such adherence to the principles of the Constitution, but would also raise its moral stature which is, otherwise, fast disappearing.

5. If the Chief Minister is obstinate, refuses to face facts and puts pride above propriety, what should be the duty or the next move of the Governor? It is clear to every one, and it should be patent to the Governor, if he is not blinded by his Congress background that Shri Dwarka Prasad Mishra has lost the confidence of the majority of the legislature. It is, therefore, ^{the} ^{an} bound duty of the Governor to dismiss the Ministry and to call upon the leader of the Opposition to form the next Government. This might involve a race in time between the move of the Chief Minister to seek dissolution of the House and the Governor dismissing the Ministry thus depriving Shri Dwarka Prasad Mishra of the opportunity to tender advice as Chief Minister for the dissolution of the House. It is here where the impartiality and constitution-mindedness of the Governor comes in and would be tested by what he does. This is why we in the opposition have always insisted that Governors should

be independent, impartial and non-political.

6. And one word more for my friend Shri Dwarka Prasad Mishra under whom I had the privilege of working as Secretary Local Self-Government in the then Central Provinces of Berar for over three years in the course of which I built up an abiding and affectionate relationship with him which I cherish till today. He has known wilderness and has emerged therefrom stronger than ever before even though people had felt that in this case wilderness was a total eclipse because of the strong antipathy towards him of the then powerful man in the country. Similarly, if he goes and sits in the opposition now, I have no doubt that history would repeat itself in his case and that given time and patience, he would emerge stronger than what he was even as Chief Minister of Madhya Pradesh. He must have faith in his own undoubted and abundant abilities, but, he must also have the magnanimity of seeing the writing on the wall bowing out of office now in the name of democracy, decency and morality.

Thanking you,

Yours faithfully,

(C.C. DESAI)

Co.to: Shri M.R. Masani, M.P.,
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