

Deputy Speaker

[Sh. A. Vijayaraghavan]

in this regard. I request the Central Government to expedite sanction for Kuriyarkutty-Karappara project in Palghat District.

13.46 hrs.

ANNOUNCEMENT BY DEPUTY-SPEAKER

[English]

MR. DEPUTY-SPEAKER: I have to inform the House that on 25 February, 1991, a notice was received from the Assistant Registrar of the Supreme Court of India requiring the Speaker to show cause in connection with Transfer Petition (Civil) No. 105 of 1991. The Transfer Petition has been filed under article 139A(1) of the Constitution of India seeking to withdraw the case filed in the Delhi High Court *vide* Writ Petition No. 537/91 to the Supreme Court for disposal in which the validity and constitutionality of paragraphs 6 and 7 of the Tenth Schedule to the Constitution have been challenged.

As per well-established practice and convention of the House, the Speaker has decided not to respond to the notice. The Speaker has passed on the relevant papers to the Minister of Law and Justice for taking such action as he may deem fit to apprise the Supreme Court of the correct constitutional position and the well-established conventions of the House.

13.47 hrs.

ARREST AND LODGEMENT OF MEMBER

[English]

MR. DEPUTY-SPEAKER: I have to in-

of President's rule in Tamil Nadu

form the House that the following communication dated 25 February, 1991, from the Home Commissioner, Dispur, has been received today:

"Shri Rameshwar Prasad, MP, has been arrested in Guwahati for violation of prohibitory order under section 144 Cr. P.C. and now kept at Pan Bazar Police Station of Guwahati."

13.47-1/2 hrs.

**STATUTORY RESOLUTION RE. PROCLAMATION OF RULE IN TAMIL NADU—
(CONTD.)**

[English]

MR. DEPUTY-SPEAKER: Now we take up further on the Statutory Resolution moved on 25th February, 1991 by Shri Subodh Kant Sahay. Shri Jaswant Singh was on his legs.

SHRI JASWANT SINGH (Jodhpur): It is an interrupted discussion that I am resuming. So as to catch the thread of the statement that I was making, very briefly I shall reiterate in a minute what I said yesterday when the debate was interrupted.

As there are some exceptional features of the step in the context of the conditions prevailing in the State of Tamil Nadu I am obliged to make clear the stand of my Party and to State explicitly where the BJP stands in this regard. We subscribe to the view that invocation of article 356 of the Constitution and imposition of the President's rule is an extreme step. To our mind, only the highest consideration of national good can merit in taking of such a step. Secondly, when imposing such a rule ordinarily an elected Assembly must not be dissolved. Such dissolution amounts to dissolving the people's

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mandate through executive interference. That is why, I had very briefly highlighted the difference between the State of Assam where the duly elected Assembly of that State was about to run through its entire period of five years and the State of Tamil Nadu where only two of its mandated five years have been exhausted. It is also an open question. I shall give in a minute various reasonings that have been advanced both by the hon. Minister of State for Home Affairs and the first interventionist from the Congress party—that if you advance all this rationale for the dissolution of the State Assembly of Tamil Nadu, then a very legitimate question gets asked that if you do that in Tamil Nadu, why are you fighting shy of doing it in U.P., or for that matter in the State of Andhra Pradesh, where also a very difficult law and order situation has.....(*Interruptions*)

DR. THAMBI DURAI (Karur): What he said was because of anti-national activities. Law and order is not the only criteria, he said.

SHRI JASWANT SINGH: I am well aware of the reasoning given by the previous speaker and whereas I appreciate my good friend, Mr. Thambi Durai's attempt at explaining what Mr. Chidambaram meant, I am, in fact, fairly well-nigh equipped to understand what Mr. Chidambaram's interpretation of the situation was all about.

I had also briefly referred to the Sarkaria Commission and what Justice Sarkaria has to say about the invocation of article 356 and imposition of President's rule. Without quoting Justice Sarkaria, let us suffice to say that Justice Sarkaria also goes to the extent of, in fact, quoting the founding father of the Constitution, Mr. Ambedkar, in which Dr. Ambedkar goes to the extent of saying that article 356 is the most extreme step and it should not be undertaken lightly and that before undertaking such a step, it was his expectation—that is, the expectation of one of the founders of the Constitution, in fact, the

author of the Constitution—that the Union Government will find it necessary to first warn the errant Government that this is where you need to improve matter. And, that is where I had drawn the attention of the House to what had taken place in the truncated Winter Session, when, on an intervention by me, the hon. Prime Minister was good enough to react. I had then suggested that what is available to the Union Government is the power under article 246 whereby if the Union Government is persuaded that any State of the Union is not acting in consonance with the interests of the security of State or on issues relating to national security, then under article 246, the Union Government is fully empowered to issue directives to the errant or defaulting State. I had sought clarification then from the hon. the Prime Minister as to whether any such directive under article 246 had been issued to the State of Tamil Nadu and had the State of Tamil Nadu defaulted in that respect. The hon. the Prime Minister clarifying had then stated explicitly that issuing directives under article 246 is a final step and once that step has been taken, there is no coming back from it. He had, therefore, suggested that he will not issue such a directive because he is not ready to take the final step. That is why the sudden imposition of President's rule in Tamil Nadu left us somewhat bewildered because between that short and abbreviated Winter Session and this even shorter and even more abbreviated mis-called Budget Session—mis-called now—we suddenly find that the Government of Shri Chandra Shekhar decided to impose President's rule in Tamil Nadu. Therefore, I would like the government to clarify—I want that clarification from the hon. prime Minister and today—were any directives issued to the Government of Tamil Nadu for taking certain specific steps as desired by the Union Government, and if they have not issued those directives under article 246, why were they not issued, because this is the provision which specifically covers aspects of national security.

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[Sh. Jaswant Singh]

I go on next to the question of the various reasons that the hon. Minister of State for Home Affairs cited in his opening remarks. And he made some very serious charge. He spoke of districts like Thanjavur and 40 other places being virtually outside the pale of Government where the writ of Tamil Nadu Government has stopped to run. He spoke, in fact, if I recollect right, that it was LTTE rule that prevailed on those areas. He also further informed the House that LTTE had extensive communication facility, it was engaging in weapons trade through India, it was engaged in smuggling and it was engaged in secessionist activities, promoting secessionist activities within the State of Tamil Nadu. He also went further to talk about the deleterious consequence of permitting the State to continue on Indo-Sri Lankan relation in the context of LTTE and ULFA. The hon. Minister of State suggested that and this is vaguely said:

Sir, there was a very serious allegation made about the involvement of the elected representative in this whole situation in Tamil Nadu. I am struck by a sense of irony that the hon. Minister of State for Home, who has now made all these various charges which are extremely serious charges, indeed held the very same portfolio and the very same charge in the previous Government. I find it difficult to convince myself, Sir, that in his previous charge he remained unaware of all these very serious developments that were taking place in Tamil Nadu.

SHRI R. MUTHIAH (Periyakulam): The former Prime Minister would have instructed him so.

SHRI JASWANT SINGH: Possibly. It is possible, but it is for the hon. Minister to explain that in spite of such a serious situation prevailing in the State of Tamil Nadu if he were to put across to the House that he was

unaware of this, then one kind of worry afflicts me; it, however, the hon. Minister of State were to suggest that yes, he was aware and yet he was instructed otherwise by the then head of the Government, or by the Union Home Minister then or by the then Prime Minister, then I am assailed by altogether a different kind of worry and neither of these two worries is small and neither of these two worries can be minimised. I do not want to make it an occasion for charging the Union Minister of State personally in an individual capacity, but I would be failing and I would be dishonest and this House is not for dishonesty, if I did not voice this concern that if continuation of responsibility has remained and its concerns have surfaced now, then we cannot be reassured about the legitimacy of those concerns. I would be happy if those doubts were set at rest.

Sir, the hon. Member from Sivaganga who has also held the sensitive charge of the Minister of State for Home....(Interruptions) And I am corrected in matters of detail by my good friend, the Nawab Sahib of Rampur, that he also held the charge of Internal Security. So, he had some very serious charges to make against the Government of Tamil Nadu and in making the charges against the Government of Tamil Nadu, I do believe that the previous Government does not stand absolved of all those serious charges.

14.00 hrs.

He did unfortunately make his intervention somewhat parochial when he went into aspects like elections to cooperatives and distribution of essential supplies etc. Those are matters that really do not concern the debate on the President's Rule just now. I am well aware that if regular supply of essential commodities is a matter of great importance, it is a matter that really ought to come up when the debate about the provincial functioning of that State comes up and not

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when we are discussing the imposition of President's Rule. But, what ran through his intervention and what indeed ran through the opening remark of the Union Minister of State for Home Affairs was the LTTE factor. On the question of LTTE and its involvement in the State of Tamil Nadu, the BJP has been explicit and never ambiguous. I recollect very well that a meeting was called by the former Prime Minister, the hon. Member now from Fatehpur when he was good enough to ask us as to what are our views on the situation prevailing in Sri Lanka, it was just in one sentence that I had submitted the concern of the BJP and my own personal concern that India or the State of Tamil Nadu must not be permitted to become the hinterland of LTTE's struggle whether justified or unjustified. I was somewhat flattered subsequently when on various different occasions, the hon. Prime Minister and various other national leaders chose to describe the problem in a different manner.

MR. DEPUTY SPEAKER: Please conclude soon; only 27 minutes are given to your party.

SHRI JASWANT SINGH: I am mindful of the time and I will conclude as early as possible. (*Interruptions*) We felt and we continue to hold that the State of Tamil Nadu or India cannot be treated as a hinterland of LTTE's efforts towards whatever they wished to do in their own country, that is Sri Lanka. But, I would be failing in my task if I did not draw the attention of the House that repeatedly over the years starting from 1983, I had brought the attention of successive Governments including the attention of late Mrs. Gandhi to the LTTE factor in Indian politics. From the period of August, 1983 to July 1987 when this somewhat hasty agreement was signed, there existed 31 training camps for LTTE in the State of Tamil Nadu. It is now accepted by the Government also that an amount of Rs. 4 crores were given to the LTTE by the then Government of

Tamil Nadu and in fact the LTTE's mind had been perverted.

DR. THAMBI DURAI: Mr. Deputy Speaker, Sir, I want to make a clarification. He said that the then Tamil Nadu gave a sum of Rs. 4 crores to the LTTE. It was given only to relieve the sufferings of the refugees who came along with them and not for purchase of arms and for carrying out anti-national activities. Even in the Press also when this allegation was made by the Sri Lankan Government during the late Mrs. Gandhi's time, it was totally denied by the Indian Government that such camps were not there. That is the fact.

SHRI JASWANT SINGH: I would have been glad if such a denial came not from my good friend Mr. Thambi Durai but from the Union Minister of State for Home Affairs. Now, we are openly examining the functioning of the LTTE and the assistance that has been provided to the LTTE by respective Union Government and successive Governments in the State of Tamil Nadu. We will not be subserving our national interests if we looked only at one default and not at continued defaults. I would again be failing in my duty, if I do not say it is very IB and RAW that caused for the LTTE to be rained in weapon, supplied with the weapons on our soil so that this very LTTE could subsequently go and combat IPKF. These 3800 casualties of Indian Army today-post-IPKF operations are in a very real sense-directly attributable to the extremely short-sighted and condemnable policy of Raw and IB. (*Interruptions*)

My concern is not being recognised or understood. Had those 31 training camps, had those Rs. 4 crores, had the assistance of Raw and Intelligence Bureau to LTTE from the period August, 1983 to July, 1987 not been given, all that the IPKF suffered in Sri Lanka would not have happened. This is a charge which would not be washed merely by scoring a debating point between each

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[Sh. Jaswant Singh]

other but it is for the Union Minister of State for Home to explain the Union Minister of State for Home to explain the position. That is why, when the charges are made that LTTE as a factor has only suddenly surfaced in the context of Tamil Nadu, we are not left entirely convinced. We recognise that the situation was terrible that the situation was inexcusable, that the DMK government in Tamil Nadu, was not conducting itself in a manner which would instil confidence in us so far as national interests are concerned. But if I am ready to say that, I will also have to say as to what happened in the period between August, 1983 and July, 1987 and that is the inheritance that we have all got. That is why we continue to say India cannot and must not be permitted to become hinterland of LTTE struggles in Sri Lanka.

The official statement, in addition on the 31st of January, has mentioned, amongst the reasons by given by the Centre in support of resort to article 356, what it perceived as DMK Ministry's failure or reluctance to act against Sri Lanka Tamil militants. I would like, in addition to what the hon. Minister has said, him to give me categorical steps as to how they came across evidence of the reluctance of the DMK Government. I have asked directly and specifically about the issuance of instructions under article 256.

When it comes to taking such an extreme step as imposition of President's rule, we judge it on a case by case. The BJP's subscription to the democratic norms is not something that we have to wear on our sleeves or have to explain to any of our good friends, including my good friend, the hon. Member from Rampur. I stand by what the President of the State Unit of BJP has said. Shri Jana Krishnamurthy was the first to ask for the imposition of President's rule in the State of Tamil Nadu. Of course, we stand by what Mr. Jana Krishnamurthy has said and

of course, we stand by the demands of the State Unit of the BJP.

These are two requests I have to make because it would not delight us whenever any State of the Union is brought under direct charge. One is that so serious are the charges that have been levied against the DMK Government both by the Union Minister of State for Home Affairs and also by the hon. Member from Sivaganga, Mr. P. Chidambaram that it is now very necessary that the Government comes forward with a detailed White Paper on the activities of the DMK Government particularly in the context of what is the reality about LTTE's present functioning, involvement and interference in the State of Tamil Nadu. This kind of piecemeal explaining will not do. We demand a white paper.

Secondly, I join my friend from Sivaganga in asking for a comprehensive inquiry into all that has taken place. If necessary, let a Committee of Inquiry be appointed to inquire into what has been done now. It is most important that the Government must explain what are the details of the weapons that we have captured, how many LTTE personnel have been detained, how are you going about restoring authority and governance in the State of Tamil Nadu.

I conclude by weaving a thought that whereas we support this step that has been taken even though very reluctantly, we are left with some nagging doubts: a minority government lacking in political authority, devoid of administrative substance, and dependent on the whims and fancies of the Congress political masters, cannot address itself to all these major challenges, particularly in a State as integral and as important as the State of Tamil Nadu. That remains as the great concern of the BJP and that is our worry.

That is why, we accept reluctantly the

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inescapable need for bringing the State of Tamil Nadu under President's rule. We are not happy with this development. We enjoin upon the Government to act even now.

[*Translation*]

SHRI VISHWANATH PRATAP SINGH (Fatehpur): Mr. Deputy Speaker, Sir, the axis of our country is 'Unity in diversity'. It has a federal structure. During the last few months our federal structure has been questioned seriously. The federal structure provides the right to the people of the different States to elect their Governments and those Governments should continue unless there is some constitutional crisis. Earlier, before dismissing any State Government, it was essential to invite a formal report of the concerned Governor; but this time, even the formality of inviting the Governor's report has not been fulfilled. Perhaps the Governor was in Delhi at that night, when this dismissal order had been issued. I am not sure whether the Hon. Prime Minister took the Governor's formal advice or not nor I do know whether he enquired of him about the situation of that State or not?

There is a clause "on Governor's report or otherwise" mentioned in Constitution. There has been a tendency to use often the phrase 'otherwise' for dismissing the Government of a State. If the State Governments are being removed like this, there will be a constant threat before each and every State Government that it can be dismissed at any time even with out the recommendations of the Governor. And thus a wrong convention will come into being for ever in future. Such apprehension is detrimental to the unitary spirit of our federal structure. In this context, I would like to know also the validity of dissolving the Legislative Assembly in the present circumstances. Irrespective of the arguments being given by the Government in favour of its action, I am of the firm view that the dissolution of a Legislative Assem-

bly in this way is nothing but a breach of the public mandate. This sort of approach is nothing but to create frustration among the public because there is no reason for dissolving an elected Legislative Assembly. This sort of action without having any logic creates the sense of injustice among the public. As a result of it, they begin to think on the line of secessionism. They are compelled to think that they cannot get justice through this system. So the continued injustice draws the line of protest resulting in revolutionary methods. Thus, in my opinion, the present Government through committing such injustice, has drawn this line which is dangerous to the unity and the emotional integrity of the country.

Recently, I had visited Tamil Nadu and other States. On an occasion, Shri Namboodripad, Shri N.T. Ramarao and Shri Karunanidhi happened to be present on one platform. Shri Bommai had been in some other State so he was not present there. At that time, it appeared that they were the live examples of the victims of article 356 in Southern States. We all should be more careful against such unhealthy feelings. Now, come to the law and other point. I think Shri Karunanidhi was busy in maintaining the law only but the order had been issued on behalf of Jay Lalitaji. So it can be said politically that the Central Government in order to save its own life, murdered the Karunanidhi Government as there was a dead-line of withdrawing the support. The condition was if the Tamil Nadu Government was not removed, the Congress would withdraw its support. I believe that something will certainly come out from the congress-side which may approve my saying.....(*Interruptions*).....

[*English*]

DR. THAMBI DURAI: Our party never gave any conditional support. Even, Jayalalitha-ji said in the Press Statement that there was no conditional support for Shri

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[Dr. Thambi Durai]

Chandra Shekhar. We have denied that charge.....(*Interruptions*) We are denying that charge.

(Interruptions)

SHRI KADAMBUR M.R. JANARDHANAN (Tirunelveli): We are not there. That itself shows our unconditional support. (*Interruptions*)

DR. THAMBI DURAI: Even without our support they can run the Government.....(*Interruptions*)

[*Translation*]

SHRI VISHWANATH PRATAP SINGH: Of course, if the Bonded Labour Act is to be used, it should be used at least to emancipate the State Governments..... (*Interruptions*).....

[*English*]

SHRI A. VENKATA REDDY (Anantapur): Sir, may I request the hon. former Prime Minister to speak in English? (*Interruptions*)

DR. DEPUTY SPEAKER: If you want, you can hear the translation.

SHRI VISHWANATH PRATAP SINGH: Sir, I will speak in English. I have no problem. I can concede to the hon. Member.

One thing is also important. Many a time, we have read in the Press that whenever Karunanidhi ji met the Prime Minister he was assured: "There is no problem. Don't be worried about your Government." We say the statement. Karunanidhi ji personally told me that he always assured him. (*Interruptions*)

SHRI KADAMBUR M.R. JANARDHANAN: It is a question of diplomacy. No Prime Minister will say: "I will dissolve your Assembly."

SHRI VISHWANATH PRATAP SINGH: When you get your time, you can give your reply, you can give your full speech. But I am making my points. You can reply when you get your chance. So, this is precisely what Karunanidhi-ji told me. He said: "Whenever I met him, he never gave any indication and he said: 'You should not worry about this and be rest assured.'" These were the serious things. And at least the Chief Minister should have got some indication. Suddenly, everything goes wrong in Tamil Nadu within a short period of few day's time. The credibility is not there because earlier certificates have been given by the various Ministers and also the Prime Minister assured Karunanidhiji that there was nothing like that. (*Interruptions*) If you take the question of law and order, then if you see U.P.....(*Interruptions*)

MR. DEPUTY-SPEAKER: Do not have a cross talk. Otherwise, it becomes very difficult to stop.

(Interruptions)

SHRI VISHWANATH PRATAP SINGH: If you see U.P., Bihar or Gujarat, the deterioration in the amount of law and order situation is far more than what was in Tamil Nadu. (*Interruptions*)

MR. DEPUTY-SPEAKER: You control yourself first. Please do not talk.

(Interruptions)

SHRI VISHWANATH PRATAP SINGH: The riots that have occurred in U.P., Gujarat or wherever the naxalite problem is there, by any comparison, the argument that because of law and order problem we have acted, does not hold good. So far as law and order

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le concerned, no one in the country felt that there was disruption in the law and order situation. In fact, it is true that so far as riots are concerned, wherever there was Janata Dal Government, be it Bihar or Orissa, or wherever there was Left Front Government, be it West Bengal or Kerala, or the National Front constituent, the DMK Government in Tamil Nadu, there have been no cases of riots whereas in all other cases, there have been cases of riots. In fact, it should be recognised that this has been the performance of the DMK Government, the Left Front Government and the National Front Government.

Yesterday, Chidambaramji made a very lengthy statement giving date-wise facts. One of the things he mentioned was about smuggling. I do not know after Mr. Khashoggi's reception by the party president, how has he developed such an allergy about smugglers? Anyway we do not enjoy with any smugglers. (*Interruptions*)

SHRI P. CHIDAMBARAM (Sivaganga): Hajji Mastan wrote to you.; Khashoggi did not meet me.

SHRI VISHWANATH PRATAP SINGH: That is still an allegation. But this is in person physically. Now we go a little deeper about the developments that have taken place in Tamil Nadu. I take you back to 1983 when in Sri Lanka after the Vellikadal prison massacre, there were subsequent anti-Tamil riots which took place in 1983. From that every time, various groups of Sri Lankan Tamil militants belonging to the LTTE, EPRLF, PLOTE, TEA, ENDLF, EPDB and TELO etc., did move into various parts of Tamil Nadu, and they were frequently camping and undergoing military training since 1983. Is it not true? There are many things to answer. Were there training camps not in different parts of Tamil Nadu? There were 31 training camps in different parts of Tamil Nadu. (*Interruptions*) You have many

things to answer. (*Interruptions*)

AN HON. MEMBER: You were also in the Cabinet.

SHRI VISHWANATH PRATAP SINGH: Yes, Therefore, I can say that financial assistance was given. (*Interruptions*) I am not condemning anything. Please sit down. Why do you jump? When I say any condemnation I am stating a fact. I am not condemning it. You may condemn it. I am stating a fact.

SHRI P. CHIDAMBARAM: We are not condemning it either.

SHRI VISHWANATH PRATAP SINGH: Then at least you agree to this point. (*Interruptions*)

SHRI P. CHIDAMBARAM: Then we were in the opposition. (*Interruptions*)

SHRI VISHWANATH PRATAP SINGH: Let that be on record that he does not condemn it. At that time the AIADMK was in power and it also had a very sympathetic attitude to all these groups. There were cases of disruption of law and order even then. Two major incidents were there of a bomb blast in Meenambakkam Airport in 1984 when thirty persons were killed; and the clash between EPRLF militants and the public in Madras had also taken place.

Let us not dissect everything and let us be honest to each other about what has been happening there.

DR. THAMBI DURAI: At that time you were in the Congress Party and you did not realise to say all these things.

SHRI VISHWANATH PRATAP SINGH: Why are you getting irritated? I am not adding a single comment to the fact. I am just stating the fact and the fact is irritating you. When I make a comment when will happen?

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DR. THAMBI DURAI: What you did in 1983 is irritating me. *(Interruptions)*

SHRI VISHWANATH PRATAP SINGH: Let us look at the facts. I am not making any comments. In fact the commentary is coming from that side.

Thereafter what happened is that—coming to the recent history—on 7.11.1986 Tamilnadu police undertook a special operation in which they seized arms from various Sri Lankan Tamil militant groups in Madras. The arms were later returned.

SHRIR. MUTHIAH (Periyakulam): I want to ask a question.

SHRI VISHWANATH PRATAP SINGH: I am not going to answer any question.

SHRI R. MUTHIAH: I would like to know whether 1983 incident was an accident or an attempted one.

SHRI VISHWANATH PRATAP SINGH: The arms were later returned to the LTTE by the MGR Government.....*(Interruptions)*.....The arms that were seized by the various Sri Lankan Tamil militant groups in Madras were later returned by the MGR Government. While they were seized from various groups, they were given to LTTE only and not to the respective groups. That is also a fact.

SHRI P. R. KUMARAMANGALAM (Salem): That is an incorrect statement.

SHRI VISHWANATH PRATAP SINGH: On 30th April 1987 the then Chief Minister of Tamilnadu Shri M.G. Ramachandran gave a sum of Rs. 4 crores to LTTE representatives at Madras in the form of two cheques for Rs. 3 crores and Rs. 1 crore. About the other aspects the hon. Chidambaram must know well and I am not going to the other areas

because it is not proper for me to go into the other areas of activities which he was conducting.

In all there were arrests of the LTTE cadres. Coming to the more recent history, on 8.8.1988 142 LTTE militants were arrested in Madras and Madurai and detained under NSA. Further arrests of 15 more LTTE militants were made on 11.9.1988. When hostilities with IPKF had broken out, all the 157 LTTE militants so arrested were later released and flown to Sri Lanka in an IAF Aircraft on 9.10.1988. Now you are talking about insurgency and all that.

SHRI P. CHIDAMBARAM: We admit it; there is nothing wrong in that. *(Interruptions)*

SHRI VISHWANATH PRATAP SINGH: Sir, this is the fact and he is acknowledging it. *(Interruptions)* Let it be put on record that Shri Chidambaram is acknowledging all these things. *(Interruptions)*

MR. DEPUTY SPEAKER: Now, may I request the hon. Members not to have discussion while the speech is going on? It does not help you. *(Interruptions)* Let me say it first. Every time you are getting up. This is not allowed; this is not correct and if somebody gets up when you speak, I would not be able to help you. *(Interruptions)*

SHRI P. CHIDAMBARAM: Mr. Deputy Speaker, Sir, I appreciate that Shri V.P. Singh should be allowed to speak without interruptions.

MR. DEPUTY SPEAKER: Everybody should be allowed to speak without interruptions.

SHRI P. CHIDAMBARAM: He will be allowed to speak without interruptions; he should have his full say. But I want to point out two things. *(Interruptions)* Yesterday, there were interruptions and I made my

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speech during those interruptions. In fact, I was interrupting their interruptions.

MR. DEPUTY SPEAKER: Should it be continued today in this House?

SHRI P. CHIDAMBARAM: We will not do that today. But, if he makes rhetorical statements, if he makes references to us, we will have to have a chance to reply to that. If he makes references, we will have to yield, at some point of time because I have already spoken. (*Interruptions*)

MR. DEPUTY SPEAKER: This is not the procedure, Mr. Chidambaram. Please take your seat.

SHRI P. CHIDAMBARAM: Let him not make references.

MR. DEPUTY SPEAKER: That is correct.

SHRI P. CHIDAMBARAM: He should not make references, Sir

MR. DEPUTY SPEAKER: That is correct. Whatever you say on this point, I agree with you. Yesterday you spoke for one hour; now there will be some more Members to speak from your Party again; let them reply; let us not make any personal references and there shall not be any cross-talks. Yes, Shri V. P. Singh.

(*Interruptions*)

SHRI SAMARENDRA KUNDU (Balasore): Sir, I tell you this, for your information. (*Interruptions*) yesterday, Shri Chidambaram spoke all**.

MR. DEPUTY SPEAKER: This will not go in the record.

(*Interruptions*)

MR. DEPUTY SPEAKER: May I bring to the notice of the hon. Members that the former Prime Minister is speaking on a very serious point? Let us have the courtesy to hear him.

(*Interruptions*)

SHRI SHIKHO SEMA (Nagaland): Every Member should be heard like that.

MR. DEPUTY SPEAKER: I agree with you. But, he is a person who is in the knowledge of so many things.

(*Interruptions*)

SHRI VISHWANATH PRATAP SINGH: Sir, let me quote a report that appeared in the 'Far Eastern Economic Review' of 4th February 1988. It says:

"The LTTE acquired a special status in Tamilnadu freely importing arms and building up weapons stockpiles. The LTTE also threw in its lot fully with MGR and his Party".

It goes on to say:

"Until MGR's death, the LTTE speed-boats used to shuttle between Tamilnadu and Jaffna's Northern coast with impunity almost every night".

Sir, the DMK Government took Office on 27th January 1989.

(*Interruptions*)

MR. DEPUTY SPEAKER: Don't interrupt him like that.

SHRI VISHWANATH PRATAP SINGH: Sir, on 16th March, when the Chief Minister came to Delhi, the then Prime Minister, Shri Rajiv Gandhi suggested to him that an offer

**Expunged as ordered by the Chair.

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[Sh. Vishwanath Pratap Singh]

could be made to LTTE to reconstitute the North-Eastern Provincial Council in Sri Lanka, giving them majority representation in it and that if necessary, the Chief Minister of Tamilnadu himself or a delegation of MPs should go to Sri Lanka, for this purpose. This is in March 1989, when the IPKF was there and the hostilities between LTTE have broken out. At that time, the then Prime Minister makes a request to the Chief Minister to make contacts with LTTE. (*Interruptions*) I am not stating anything. But the fact is there. And now becoming holy and standing on a high pedestal, does not suit. (*Interruptions*)

SHRI A. CHARLES (Trivandrum): What about the Sri Lanka accord?

(*Interruptions*)

SHRI VISHWANATH PRATAP SINGH: However, by 25th March 1989, the politics of Tamil Nadu changed and AIADMK and Congress came together and the line was not pursued.

(*Interruptions*)

MR. DEPUTY SPEAKER: If you stand up like this, I won't be able to help you when you will speak.

(*Interruptions*)

MR. DEPUTY SPEAKER: It is not necessary for you to every time jump up and say so many things. You can make those points in your speech.

SHRI VISHWANATH PRATAP SINGH: I May, 1989, the Chief Minister informed the then Prime Minister Rajiv Gandhi when he was passing through Madras—I am giving date and place—that the delay in pursuing the initiative had the unfortunate consequence of LTTE getting closer to the Sri

Lankan Government for direct negotiations. They became Lukewarm due to the change of politics in Tamil Nadu. The initiative that was cleared by the Prime Minister then, was not pursued. So, they did not go through LTTE to the Sri Lankan Government.

The then Prime Minister, Shri Rajiv Gandhi, thereupon requested Thiru Murasoli Maran, Member of Parliament, to meet him in Delhi the next day and informed him that the LTTE can be told that they should desist from having direct negotiations with President Premadasa. And if they were to do so, the Government of India was even prepared to secure an independent Eelam for them. All this was going on. You are much to answer. (*Interruptions*) You deny it. (*Interruptions*)

SHRI P. CHIDAMBARAM: He has a copy of report in his hand and he is reading that report in his and he is reading that report. He is reading it as if it is his speech. (*Interruptions*)

SHRI VISHWANATH PRATAP SINGH: I am not saying it is wrong. May be the national diktat was such that that was the correct line. I do not disagree with that. But the point is that let us be honest to each other. If that was so, let us not now make sacrifice and say now he had links when you were asking them to plead and contact them and be in touch with them. (*Interruptions*) No, no; I am not opposing. (*Interruptions*) I am saying that the national interest pursuit may demand that. That may be the correct line. The point was that it was Delhi which had asked Mr. Karunanidhi to continue his talks with the LTTE. (*Interruptions*) In fact, when our Government came, we also had interest that the democratic aspirations of the people of Tamil origin are fulfilled and the powers that were promised, that would be given and devolution of power should take place. In our perception, it was true that the various people of Tamil origin should come together. If they come together, they will be able to achieve

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their goal and that would be in our national interest. That was clear. So, we also said that if you can make efforts that they can come together and the aspirations of the people of Tamil origin can be fulfilled, it is a desirable role and we also respected the integrity of Sri Lanka. We will not allow our part to become a place where militants' activities are there. So, all these points were clear. I had also made the point clear to Mr. Karunanidhi. He also make an attempt in this regard. When I was the Prime Minister, I asked him to try to bring the various groups together. (*Interruptions*)

SHRI P. R. KUMARAMANGALAM: By what? Is it by killing the leader of one group or the other?

SHRI VISHWANATH PRATAP SINGH: It was not the case with Mr. Karunanidhi. He did make an attempt to bring the various groups together but then things had deteriorated and the situation became very rigid and thus success could not be achieved on that count.

As regards action taken, during our regime also the DMK Government took action against various groups. I can enumerate to show the action he has taken against the militants. On 20th January, 1990, police recovered huge quantities of arms and ammunition worth more than Rs. 5 crores at Dhargavalasai in Ramnad District. On 21.1.90, two LTTE militants were arrested in Trichy. On 30.3.90, one Mr. Nagaimugan Ramachandran was arrested. I have got the details as to how many militants were arrested.

SHRI R. MUTHIAH: How had he been released?

SHRI VISHWANATH PRATAP SINGH: On 27.4.90 also, 60 militants were arrested, on 17.5.90, two LTTE cadres were arrested,

on 6.6.90, three Office-bearers of Tamilar Desiya Iyakkam (Tamil National Movement) party led by P. Nedumaran were arrested at Thanjavur for exhibiting photographs and banners supporting LTTE and criticising IPKF. So, all these actions were taken. I do not want to take the time of the House. There are series of actions which the Karunanidhi Government was honestly taking. On 25.7.90, a maruti van with 5 LTTE cadres was intercepted, in July 1990, an explosives dealer was arrested for suspected links with LTTE. Even after the present Government came, action was taken. At least, the present Government cannot have complaints with Mr. Karunanidhi. On 30.11.90 10 LTTE cadres were arrested, 162 militants were arrested on 22.1.91 and similarly, lot of petrol, acid and cash were seized on 26.1.91, on 27.1.91, 5 LTTE cadres were arrested, on 29.1.91 one LTTE militant was arrested alongwith two other LTTE militants..... (*Interruptions*)..... So, the present Government cannot have a complaint against the DMK Government for not taking action against the militants. All which is now being said does not fit in and also the certificates which were being given to the DMK Government. Even in fact, Mr. V.C. Shukla, while going to Sri Lanka, was there in Madras and he gave a clean chit to the DMK Government. Now, it can be understood that this action has been taken all of a sudden only under pressure. There is no other ground except for political pressure. There is no other ground except for political pressure..... (*Interruptions*).... We feel saddened today. At least we assiduously built the inter-State relationship, strengthened the federal spirit and established the inter-State Council. The National Development Council became a living forum, where we took decisions. The National Integration Council was revived. The States, for the first time, got a sense of participation not only in matters of States, but in national issues. They had a sense of participation; as an elected Government, they had a say in national matters.

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DR. THAMBI DURAI: What did he say about IPKF? Why did he not to go to receive them?.....(*Interruptions*)

SHRI VISHWANATH PRATAP SINGH: What is the comment that was made? No longer Delhi will be governed by Madras.....(*Interruptions*). It is not a question of control either of Delhi by Madras or of Madras by Delhi. It is a partnership. We are on equal footing. It is a federal structure and this attitude is the genesis of alienation that has come. The attitude is to treat them as a colony as if they should take dictates from here. If they do not do that, they will be removed; even if the Governors resist, they will go. This is what we are witnessing.

We have seen in the morning what was happening in Bihar. Junior Ministers go to Patna or other States and make a declaration that the Government is going to be dismissed and it is dismissed..... (*Interruptions*) I am not taking names, but they have said so. The point is from the centre Minister goes and threatens the elected Governments. This is a very serious matter. It strikes at the very root of our democracy, our federal structure. The action that has been taken smacks of political blackmail and nothing else. It has no validity either on facts or under Constitution or the law or on political propriety. This action can lead to serious consequences of alienation of the States and the people. I think, it is time that we all put our heads together to put shackles to the use of Article 356 of the Constitution. Either, it has to be amended or deleted, whatever may be necessary. Now, the time has come to think about it seriously.

With these words, I strongly condemn the action that has been taken in removing the DMK Government there. And it is time that to hold democracy and federalism, we rise above party considerations and come together and apply our minds.

SHRI P. CHIDAMBARAM: Shri Vishwanath Pratap Singhji and promised to yield. I would just take a minute.

Prior to 1987, Shri Vishwanath Pratap Singhji's party may not have a presence there, but every political party in Tamil Nadu unanimously demanded that moral and material support must be given to all the militant groups including the LTTE. That was the policy pursued then. He was in the Cabinet. He knows more than I do. I was not in the Cabinet; I was only a member of the Council of Ministers. He knows more than I do. A conscious policy was adopted by the Government of India to lend moral and material support to all the militant groups. After 29.7.1987 when the Accord was signed, the policy changed. As a change of policy, as Minister of State for Home, I went down to Madras, had extensive talks with the then Chief Minister, Shri M. G. Ramachandran and we began to persuade the militants... (*Interruptions*)

SHRI A. K. ROY (Dhanbad): I have got a point of order any my point of order hinges only on one point. I want to know whether the statement of the distinguished member and extinguished minister does not interfere with his oath of secrecy... (*Interruptions*)

MR. DEPUTY SPEAKER: You have said certain things. That is not a point of order. Secondly, any statement made on the floor of the House has its own importance. That should be borne in mind by all members who are speaking.

SHRI A. K. ROY. What are you saying Sir? He is referring to what had transpired between the then Government and the Chief Minister regarding helping different groups of militants.

MR. DEPUTY SPEAKER: I am not a judge here. I have said what I need to say. Please sit down.

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SHRI P. CHIDAMBARAM: The discussions between the Government and the Chief Minister were not secret discussions.....(*Interruptions*)

SHRI SOMNATH CHATTERJEE: No member can speak twice on a motion.

SHRI P. CHIDAMBARAM: He said he would yield to me but he did not. I will take only one minute. Then the policy was.....(*Interruptions*)

Ask them to sit down Sir... (*Interruptions*)

MR. DEPUTY SPEAKER: Order please. Please sit done.

SHRI P. CHIDAMBARAM: A conscious policy was adopted to persuade the LTTE and other militant groups.... (*Interruptions*)

MR. DEPUTY SPEAKER: You must be very responsible while speaking.

SHRI P. CHIDAMBARAM: I am very responsible Sir. They were asked to go back to Sri Lanka. In fact most of them were persuaded to go back to Sri Lanka... (*Interruptions*)

SHRI A. K. ROY: That cannot be a responsible statement. We lament the fact that other countries are interfering in the internal affairs of the country. (*Interruptions*)

MR. DEPUTY SPEAKER: Please take your seat.

SHRI P. CHIDAMBARAM: It was the policy taken by Shri Vishwanath Pratap Singh also. The militants should be persuaded to go back to Sri Lanka and they were not to come back to India.....(*Interruptions*) I will have to explain this.....(*Interruptions*)

How can I shout at the top of my voice Sir?

MR. DEPUTY SPEAKER: Please take your seats.

(*Interruptions*)

SHRI P. CHIDAMBARAM : After 1989, when the policy of the Government of India was that the militants should be in Sri Lanka, they were allowed to come back to India and operate on the Indian soil.... (*Interruptions*)

That is the duplicity of the National Front Government. While following one policy, they were allowing the militants of one group to operate in Tamil Nadu and liquidate all other groups.....(*Interruptions*)

Please allow me to continue.

MR. DEPUTY SPEAKER: No.

SHRI P. CHIDAMBARAM: You have called me to speak. You are succumbing to pressure.

MR. DEPUTY SPEAKER: Please take your seats. When I am standing, I you must take your seats.

(*Interruptions*)

MR. DEPUTY SPEAKER: Please take your seats. This is not going on record.

(*Interruptions*)*

MR. DEPUTY SPEAKER: Mr. Chidambaram, that was very unusual that I allowed you. You took more than what could have been given.

SHRI P. CHIDAMBARAM: I am sorry.

*Not recorded.

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MR. DEPUTY SPEAKER: I am not allowing you. If you have anything to say, you pass it on to your Member. I am not allowing you.

*(Interruptions)**

MR. DEPUTY SPEAKER: I am sorry.

"At this stage, Shri Vakkom Purushothaman and some other hon. Members came and stood on the floor near the table."

*(Interruptions)**

MR. DEPUTY SPEAKER: Please take your seats.

SHRI P. CHIDAMBARAM: Let me complete my statement.

MR. DEPUTY SPEAKER: Please take your seats. Please hear what I am going to say. I did say that Mr. Chidambaram should be allowed to speak. I have allowed him about one minute's time but he took more than one minute.

(Interruptions)

15.00 hrs

MR. DEPUTY SPEAKER: You just sit down. Allow me to conduct the House. Well, I did allow him some time. I am going to allow him some time. But it should not be more than one minute. After that, I am calling on Mr. Chatterjee to speak. Let him, if he wants to say anything against him. But please, don't disturb him, and also do not create a scene.

SHRI P. CHIDAMBARAM: I will take exactly 60 seconds. After the Accord was signed, the conscious policy of the Govern-

ment of India, stated in this House and stated elsewhere, was that the militant groups must be persuaded to go back to Sri Lanka; and this was done by the Central Government as well as the Government of Mr. M G Ramachandran. In 1988, there were some militants, as Mr. Karunanidhi has himself said in his statement: 142 militants were arrested and flown back to Sri Lanka. The question is: after Mr. V.P. Singh's Government came to office, on paper, in Parliament and elsewhere they affirmed that policy. But we charge them with duplicity because after affirming that policy on paper, they scuttled that policy clandestinely, and allowed LTTE to come back to India secretly and liquidate every other group. *(Interruptions)* That is the charge against them.

SHRI VISHWANATH PRATAP SINGH: Sir, 157 LTTE cadres were flown back on 9th November 1988 when IPKF was engaged against the LTTE. They were making their sacrifices. This is double-talk and double-facedness. The Army was making sacrifices. *(Interruptions)* This double-face has to be exposed. While the Army was fighting the LTTE cadres, on 9th November 1988, 157 LTTE cadres were flown by an aircraft back to Sri Lanka. *(Interruptions)* This is the duplicity of what is being said.

(Interruptions)

MR. DEPUTY SPEAKER: Now let us here Mr Somnath Chatterjee.

SHRI SOMNATH CHATTERJEE (Bolpur): The imposition of President's rule in Tamil Nadu is nothing but a travesty of constitutional morality, a blatant abuse of power, and a deliberate decimation of the fundamental principles of federalism, and the principle of parliamentary democracy in this country. The whole decision to issue the

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proclamation dismissing the Government is nothing but a command performance by an *ad hoc* Government.

This history of Article 356 in this country is a history of political and constitutional aberrations, and it is replete with instances of gross misuse by the successive Congress Governments in this country. (*Interruptions*) It is more than proved by the report of the Sarkaria Commission—Mr. Sarkaria did belong to any Left party. But what is astounding is the brazen-facedness and the effrontery of this miniscule Government which has committed this vile act only to secure a temporary reprieve because of the threat of withdrawal of support that was given by AIADMK. The marriage of convenience between the Congress and this motley conglomerate called Janata Dal (S) is producing monsters.

We have a government which has neither any policy nor any programme nor majority nor political authority nor legitimacy and even cannot produce a Budget. And this Government is playing truant with our Constitution and the country. Probably, I will be repeating what other Members have said, but which cannot be denied that this Government is nothing but a bonded labour of a discredited and corrupt political outfit and is acting as its minion. A government which has come into existence by violating the people's mandate can hardly have any respect for the people's mandate; and that has been shown by their deliberate disavowal of the conscious mandate given by the people of Tamil Nadu only two years back.

A party which cannot on its own form a quorum in this House—and they have no stake in Tamil Nadu or for that matter anywhere else in this country—is indulging in committing an outrage on the constitutional set up of this country only to satisfy the lust for power of its political paramour. Can this country with its various problems afford to

have a government which has no credibility, no accountability, no political morality? Can this Government be permitted and allowed to continue to use their political power by dancing to the tune of other political parties? A wonderful spectacle we have seen. AIADMK with its huge complement of 11 members of Lok Sabha is holding the Government to ransom and blackmail. Its Leader goes into hiding in Hyderabad and there the elected government falls. (*Interruptions*)

DR. THAMBI DURAI (Karur): How can he say like this? He cannot use that. (*Interruptions*)

SHRI SOMNATH CHATTERJEE: My friends can deny that. (*Interruptions*) Why not? We found it in the paper but it was not contradicted that the AIADMK wanted that the Government should be removed. The first desire resulted in the wanton dismissal of the elected government; and the second desire resulted in the removal of the Governor just because he did not want to be party to the rape of the Constitution. (*Interruptions*) I will show how unceremoniously he was treated. This is your respect for the Constitution and other institutions in this country. I charge that this government which has no legitimacy of its own is depending for its existence on the smile of the Congress (I) Party and the AIADMK.

It is allowing the Constitution to be subverted and democracy to be debased in this country only to suit the political expediency of a discredited group of people and some political opportunists.

The Sarkaria Commission's Report is there. On the plea that you have not accepted the Sarkaria Commission's report,—that was the justification that used to be given by Shri Rajiv Gandhi's Government—well, since you have not yet accepted the report you cannot go on violating the wholesome recommendations made there.

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It has been held by the Sarkaria Commission that "in majority cases where the President's rule has been imposed there was blatant misuse of the provisions of the Constitution. It was done for partisan purposes. President's rule was imposed to sort out intra-party disputes and differences." These are not my findings. These are the findings of a high-powered commission against which so far nothing has been said. It has not been pointed out that these findings are incorrect. Definite recommendations have been given that "Article 356 should be used most sparingly. Article 355 should be taken recourse to if a State Government is not able to contain the internal disturbances."

So many other recommendations have been given. It has been held by the Sarkaria Commission that "the Article 356 should be used very sparingly in extreme cases, as a matter of last resort when all available alternatives fail to prevail or to rectify the breakdown of the constitutional machinery." It was definitely stated that the State Legislative Assembly should not be dissolved either by the Governor or by the President before the proclamation issued under Article 356 has been laid before Parliament and it had an opportunity to consider it. Article 356 should be suitably amended to ensure this."

Without amendment it could be done. Now, what has happened? So far, at least a pretence of a Governor's report was there. The Central Government used to say, "Well, this is the report which has come from the Governor", many of whom were of course tailor-made reports. They were procured reports, by the Centre. Now here that pretence also has gone. Now even the Governor could be persuaded to make a report, because according to him—we have come to know that—no such situation prevailed in the State of Tamil Nadu. Mr. Chidambaram justified it by saying, "Oh, he was not aware

of the law and order position in the State". Now, he knows better. Now, whose version would the Central Government accept? On whose decision would the Central Government Act? This extra-constitutional authority this *de facto* Home Minister of India and not the Governor who is the *de jure* Head of the State? This is the attitude of this Government. Shamelessly, this Government has surrendered to the political machinations of the people, the Congress (I) and the AIADMK. On their own right they cannot go back to power. That is the reason. Now, this new-found love between the AIADMK and the Congress, between Dr. Thambi Durai and Shri Chidambaram—I do not know how long that will last.

SHRI P. CHIDAMBARAM: As you like.

SHRI SOMNATH CHATTERJEE: Only in 1989 January you fought against each other. Now on what principles and policy have you joined hands?

PROF. MADHU DANDAVATE (Rajapur): Everything is fair in love and war.

SHRI SOMNATH CHATTERJEE: The Presidential Proclamation did not give reasons for the imposition of the President's rule. There was no Press-note even. We did not know what the Central Government's version was justifying the imposition of President's rule in Tamil Nadu. We got it for the first time in the President's Address and in spite of a very laboured attempt which has been made to give some pretence of a reason, one cannot but be amazed at the casualness with which this very important question of imposition of President's rule has been dealt with by the President.

Paragraph 8 of the President's Address says:

"With the worsening situation in the north-eastern province of Sri Lanka,

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there has been large scale influx of refugees, mainly into the State of Tamil Nadu. Besides the refugees, many militant LTTE cadres have been attempting to use places in Tamil Nadu as a base for their activities."

Now they were sponsored, they were given arms, they were given four crores of rupees, they were allowed to set up camps- during which period-during MGR's Government and Mr. Rajiv Gandhi's Government (*Interruptions*)

SHRI A. ASOKARAJ (Perambalur): That amount was not given for arms.

SHRI SOMNATH CHATTERJEE: Can that be taken as an excuse to dismiss the DMK Government which was not in existence then?....(*Interruptions*) I know that you feel disturbed. Probably remnant of conscience is still left. But I doubt it.

The President's Address further says:

"Despite the concern expressed by the Central Government, the situation in Tamil Nadu continued to deteriorate and it was generally perceived that the LTTE could carry on their activities with impunity."

Can a more vague statement be made? No particulars, no period was even mentioned, who was responsible for this has not been mentioned, what was the quantum, magnitude of these activities-nothing has been mentioned.

The President's Address further says: ...(*Interruptions*)

I am reading your President's Address....(*Interruptions*)

AN HON. MEMBER: Is he not your President?

SHRI SOMNATH CHATTERJEE: This was prepared by you...(*Interruptions*)

You are devaluing the office by misusing him.

I again quote the President's Address:

"In one unfortunate incident the LTTE cadres were able to not only kill 15 persons of a rival Tamil Group but also make good their escape."

When did it happen? It happened on 19th June 1990.....(*Interruptions*)

SHRI P. CHIDAMBARAM: Who was the Prime Minister then?

SHRI SOMNATH CHATTERJEE: For an event or occurrence of 19th June 1990, can you dismiss the Government on 30th January 1991?...(*Interruptions*)

DR. THAMBI DURAI: We demanded it at that time...(*Interruptions*)

SHRI SOMNATH CHATTERJEE: I cannot think of a most specious reason....(*Interruptions*)

SHRI P. R. KUMARAMANGALAM (Salem): What a shame! You have justified it!....(*Interruptions*)

SHRI SOMNATH CHATTERJEE: Seven months later, you are dismissing the Government over an incident...(*Interruptions*)

SHRI INDRAJIT GUPTA (Midnapore): If it is not for that, then why did you mention this?...(*Interruptions*)

SHRI SOMNATH CHATTERJEE: The President's Address further says:

"Policing in sensitive coastal areas left much to be desired and offers of assis-

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tance from the Centre were not availed of by the State Government."

Particulars have been no doubt given by a memorandum prepared by the DMK. But they have mentioned....(*Interruptions*)

SHRI P. CHIDAMBARAM: Then, is it that what I said in the House is not correct?...(*Interruptions*)

SHRI SOMNATH CHATTERJEE: Sir, I believe Mr. Kumaramangalam is going to speak. Let him deny this. I do not want Shri P. Chidambaram to stand up and waste our time....(*Interruptions*)

MR. DEPUTY SPEAKER: Mr. Kumaramangalam should bear in mind that he is going to speak next.

SHRI SOMNATH CHATTERJEE: It may also be mentioned that the DMK Government requested the Centre to augment its police with four battalions of Border Security Force. This was necessary because the Tamil Nadu had lent 1,240 men of its police force to Delhi and other States for law and order duty. However, the Central Government did not respond to this request. And it is now being said that in spite of an offer by the Central Government, that offer was not taken by the DMK Government.

I again quote from the President's Address:

"Reports of several unlawful activities on the part of the LTTE and the failure of the State Government to discharge its primary duty of maintaining public order had left the Government with no other alternative but to impose the President's Rule in the State of Tamil Nadu."

The question is fundamental. Law and order is the State subject. Is the Central Government a super policeman?... (*Interruptions*)

DR. THAMBI DURAI: Yes.

SHRI SOMNATH CHATTERJEE: The AIADMK says, yes.

We are condemning the U.S. attitude on the ground that the U.S. is not a super guardian of the people of the other States and other Governments. What is the Central Government doing here? What does the Constitution contemplate?

DR. THAMBI DURAI: It is for the sake of national security that they have taken this step and for any law and order problem.

SHRI SOMNATH CHATTERJEE: The President has not mentioned any national security. The President has only mentioned law and order situation. This is the way they are interpreting and misusing the Constitution. Is this the way the Government of a country with a written Constitution should behave? No answer has been given to this. What was the necessity of dissolving the Assembly? If there was an emergent situation with regard to the law and order situation—let us assume it to be so though I do not admit it—then what was the necessity of dissolving the Legislature there because it had three years left? In this country on so many occasions, President's rule has been imposed where Legislature has been kept alive in suspended animation. Just when it suits their purpose they do so. Here just because they wanted somehow elections to be held, they got rid of the Government because they are hungry for power. Shamelessly this Government has dissolved the Legislative Assembly and for that no explanation has been given. They could not think of even one explanation which could be put in this President's Address. This is the way even

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the President's office has been mis-utilised by them.

The Hindu-nobody can blame it for being a left-run newspaper-what does it say in its editorial of 1st February, 1991:

"Obviously because there was no actual breakdown of law and order, a vague threat to national integrity based on undisclosed, unverifiable intelligence information has had to be invented before the deed could be done....."

Ironically, the LTTE connection with which the DMK Government was finally hanged is a legacy of the earlier Congress (I) and AIADMK dispensations. The flow of refugees into Tamil Nadu in the post-1983 period and the support and political legitimacy provided to the Tamil militant groups by the administrations of Indira Gandhi and Mr. Rajiv Gandhi at the Centre and by the MG Ramachandran regime in the State are only too well known. If after the Rajiv-Jayewardene accord and the IPKF's operations in the northern province of Sri Lanka the Congress (I) and the AIADMK changed their perception of the LTTE, the DMK made no secret of its sympathy for the militant group even when it was battling the Indian army. No doubt this sympathy was exploited by the LTTE and the other militant groups and the State witnessed sporadic incidents of shooting, robbery and smuggling. Even at their worst, these isolated incidents did not add up to a major breakdown of law and order nor did they represent the surfacing of anti-national tendencies."

What are the illustrations that have been given? Yesterday, we were told that after the proclamation of the President's rule to many things have come to be known. Therefore, they are trying to justify this action on the

basis of ex-post facto discoveries. Therefore, it is more than crystal clear and there is no doubt about it that for narrow political interests this Government has taken the Constitution and the country for a ride. If this is the basis on which duly elected Governments can be dismissed, then it is only the people who have to give their verdict and they will give their verdict.

The time has come, more than overdue, when serious look has to be given to article 356 of the Constitution. We have demanded and we demand that it should be repealed because it goes against the very structure of our parliamentary democracy and our federal structure in this country. If they have any courage, they should go to the polls all over India. On this issue, let parliament be dissolved and let us go to the people...*(Interruptions)* The so-called political party called Janata Dal (S) knows that their days are numbered. They have no future anywhere in this country, therefore, they have not the courage to go to the people. The Congress Party which claims to be the largest group here and which is bolstering up an unprincipled, illegitimate Government in this country, has not got the courage to face the people of India. That is why they are compromising with every misdemeanour. This Congress Party has been unceremoniously removed by the people of this country in no uncertain manner. They have been put in their proper position. The Kerala election shows how the people treat them. That is why, instead of facing the people, they are entering into such unholy conspiracies like colluding with the so-called Government for the purpose of riding rough shod over the principle of parliamentary democracy in this country. This is a very serious matter....*(Interruptions)* I challenge you. You go to the polls on this issue. Dissolve this Parliament. That is our demand. Let us go to the people. They do not have the courage. That is why they are indulging in all subterfuges...*(Interruptions)*.

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[Sh. Somnath Chatterjee]

This is nothing but a sordid rape of the Constitution. I am sure, the people of India who are waiting for a chance to give their verdict will give their verdict in no uncertain manner and these discredited people will be consigned to the dustbin of history in no time. So, I oppose this Resolution.

[*Translation*]

*SHRIM. SELVARASU (Nagapattinam): Hon'ble Deputy Speaker, Sir, I strongly oppose on behalf of Communist Party of India, the proclamation issued by the President in Tamil Nadu imposing his rule in the State.

I strongly condemn this as murder of democracy. This is a blatant disrespect to the people of Tamil Nadu, who had elected a legislature for 5 years. This proclamation is against the sensibilities and democratic aspirations of the people of Tamil Nadu. (*Interruptions*)

Let me, at the outset, say a few words about me. Out of the 40 constituencies in Tamil Nadu. I am the only candidate from the DMK alliance. Why I say this? I say this so that nobody here would dare to face me in my constituency. I throw this challenge to them. All those who clap their hands and thump the benches will not be able to face me in my constituency in the next elections. (*Interruptions*)

Sir, let me state very clearly, whether it is a Government of the AIADMK or DMK, it is against the tenets of Constitution to topple an elected Government. Our party condemns it. Today it is the DMK Government, tomorrow it may be the turn of AIADMK Government and, therefore, I say with a view to maintaining the honour of our country and the democratic institutions, this kind of dismissal of elected governments is condem-

nable. This way we are not upholding the Constitution. We are, on the other hand, desecrating it. Therefore, I say, this trend should be stopped. Such steps, I perceive, amounts to trampling upon the precious recommendation of Sarkaria Commission and the Rajamannar Committee. These recommendations were a subject matter of repeated discussions in the House. In spirit, these recommendations have been agreed to by the House. But, this minority Government, this dishonourable Government this unworthy Government has chosen to topple a majority Government I, therefore, strongly urge upon in this House, that before this discussion ends, this minority Government should be thrown out of power it may commit several constitutional murders. This Chandrasekhar Government must be removed forthwith. This is my demand and my party's demand. (*Interruptions*) Hon'ble former Minister of State for Home, Congress Member, Shri Chidambaram says something. He is an adept in law. I have not studied that much. But I am an agricultural worker. I hail from the lower strata of society. My family suffered a lot under Congress which did not implement land reforms. Our family remained as agricultural workers. Therefore, I could not study as much as Chidambaram could study. I, therefore, admit I cannot measure up to him in oration.

One thing is clear, Sir, that this act of dismissal is nothing but an attempt of self-survival of Chandrasekhar Ministry. During the last Parliamentary elections in Tamil Nadu, Miss Jayalalitha openly fancied about that in the elections. Congress would come to power in the Centre the Centre would dismiss the DMK Government and in the Assembly elections AIADMK would be returned to power. This was the theme articulated to the public in the last elections by Miss Jayalalitha.

Till yesterday, she was repeating the

*Translation of the speech originally delivered in Tamil.

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same thing. The Chandrasekhar Government by receiving her support for survival gave concrete shape to her dreams. This has what exactly happened. This fulfilment of her long-dreamt desire to capture power at the cost of popular will is politically atrocious. This is reminiscent of puppet shows in the village. Cinema theaters have come recently. These puppet shows are still shown in the villages. A puppet will be before the screen. The crowd would gather and behind the screen the strings will be pulled by somebody. The puppet cannot talk, cannot walk and cannot move its limbs. Above all, the puppet cannot even think. But the puppet will play the roles of Sita, Rama, Arjuna and Druyodhana. In like manner, the strings were pulled by Rajiv Gandhi and Jayalalitha and the dismissal of an elected Government in Tamil Nadu was the show. Infer who is the puppet.

Sir, the Tamil public are wise. Others put it that they are not tools. Pardon me for using this expression. In 1980, the Congress-DMK combine won handsome majority in the Parliamentary elections. In the subsequent Assembly elections DMK completely lost.

[English]

SOME HON. MEMBERS: That is MGR.

SHRI M. SELVARASU: Yes, that is MGR. But Jayalalitha is not MGR. (*Interruptions*)

SHRI R. MUTHIAH: But, you are going to see.

SHRI C. SRINIVASAN (Dindigul): That is your opinion.

[Translation]

*SHRI M. SELVARASU: Sir, they are

now talking a lot about national integration. But, today a wrong signal has gone about the whole matter. Tamil Nadu has been a frequent victim of President's rule. An opinion is crystallising in the minds of Tamil public that those who rule in Delhi run their writ in Tamil Nadu. Those in Delhi ignore the perceptions of the South. These unconstitutional acts have, therefore, given an opportunity to public impression against national integration.

As far as we are concerned we are clear in our perception. We are strongly against acts of separatism. But the undemocratic acts of the Chandrasekhar Government have supplied fuel to the fire of separatism. The youths are really disturbed. Their minds are obsessed with North-South divide and the imperialism of North over the culture of South. They ask why Tamil Nadu Government should be successively toppled? This is nothing but one in the many of the series of several constitutional misdemeanours committed or led to commit by the Congress. Take Congress for instance. 40 years have passed, they are still unable to fulfill their promises made in their election manifesto. They said they would abolish benami land holdings. But, so far they were not able to abolish*** several areas of benami land holdings.

15.34 hrs

[DR. THAMBI DURAI in the Chair]

[English]

MR. CHAIRMAN: Don't make allegations. The name won't go on record.

(*Interruptions*)

MR. CHAIRMAN: Don't mention the names of persons who are not in the House. The name won't go on record.

***Not recorded.

*Translation of the speech originally delivered in Tamil.

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[Translation]

*SHRI M. SELVARASU: Sir, they have promised in their election manifesto that they would give land pattas to all tillers. So far it has not been provided.

But the DMK Government within a short time, even during last week distributed land pattas to 10,000 agricultural workers. In Vadaparai Mangalm and Karumbupannai area, 4000 acres of land were distributed to the farmers by the DMK Government. Should that Government go? A Government which provided land to farmers has been dismissed. On the other hand, a party which did not fulfill its promise of providing land to the farmers supports the dismissal. Mr. Chidambaram pointed out that there were malpractices in the recruitment of secondary grade teachers. But let it be inquired into, you will find, ladies and men who have been selected or who had been candidates for the recruitment would say that there was not even an iota of doubt about the sincere methods adopted in the recruitment. (Interruptions)

Such a Government has been dismissed.

Sir, the main charge against the DMK Government is that the DMK Government has harboured terrorist camps.

SHRI C. SRINIVASAN: Enough.

SHRI M. SELVARASU: Sir, this is my chance. You don't say that I should stop. You will be given chance to have your say. Sir, they are disturbing me. How could I conclude.

There were different groups of Sri Lankan refugees when they came to India. EPRLF, LTTE, ENDLF, TELCO and other groups were there. Who gave them asylum first? MGR. No one can deny this. Who gave them arms? In 1983, under the auspices of

the Central Government, MGR gave them arms. This also they would not deny. Yes, arms were supplied to Sri Lankans by MGR Government under the very nose of the Central Government MGR gave a 4 crore rupee cheque to them. Subsequently, they were given cheques of Rs. 3 crore and 1 crore. But when Karunanidhi gave Rs. 25,000 to LTTE, Prabakaran did not accept it. Who patronised Prabakaran? Tell us, who patronised Prabakaran? (Interruptions)

Therefore, LTTE activities were encouraged by AIADMK. AIADMK fed them and nourished them with arms. Now they are blaming DMK. During MGR period, LTTE had 31 camps. In Thanjavur, Orathanadu, Kumbakonam and Vedarana yam they had camps and training in arms was provided by MGR Government. Why did MGR provide them with arms? And today, the Congress and AIADMK accuse the DMK of turning Tamil Nadu into a den of arms. But who gave them the arms? The Congress and AIADMK. Now they are shedding crocodile tears that Tamil Nadu has become a den of terrorists, that there are a large number of arms factories and so much and so forth. Therefore, these men have no moral right to accuse the DMK. If you provide the LTTE with arms, will they put them in their pockets. They will definitely use it to destroy people. Therefore, Sir, the basic structure of terrorism in Tamil Nadu was built by Congress and AIADMK and Hon. Chidambaram was the then Minister of State for Home.

. Sir, they are pointing out that it was great mistake that Chief Minister, Shri Karunanidhi did not go to receive the returning IPKF. (Interruptions)

[English]

MR. CHAIRMAN: I request the Hon. Members to allow the Speaker to speak.

*Translation of the speech originally delivered in Tamil.

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SHRI M. SELVARASU: We ourselves have condemned it that the Chief Minister had not gone to receive the IPKF.

SOME HON. MEMBERS: He is anti-national.

[Translation]

***SHRI M. SELVARASU:** These people have no moral right to call him so. Only the AIADMK and Congress are responsible for growth of anti-national elements in the country.

As far as my constituency is concerned, it has a coastline of 100 KMS commencing from Nagapattinam and running upto Pudukottai. They are today saying that arms and petrol are being smuggled out by LTTE. I am duty-bound to reveal those responsible for this. There is only one petrol bunk in Vedaranyam. I did not want to name the proprietor. They know him. Who is he? Shri Chidambaram knows. The proprietors of petrol bunks are directly responsible for smuggling-petrol out of India. They have a vested interest in it. Let them come out with the truth. Who is the owner of Petrol bunk in Vedaranyam.

Sir, only during DMK's rule, several welfare schemes were implemented. For example, the meal under the nutritious meal scheme was made really nutritious by adding an egg to every meal supplied to children. 5 marks were added in addition to what they had secured in respect of backward class students in educational institutions.

Sir, they are now talking about law and order. It is not fine in President's rule. The District Collector of Thanjavur has been backed to death yesterday in President's rule. Then what for President's rule was imposed. (Interruptions)

Sir, when they called the *Rasta Foko* agitation demanding dismissal of the DMK Government, the Congress and AIADMK indulged in large-scale violence. They burnt buses and destroyed public property. They are now talking of violence.

Sir, Hon. Members have talked about the poll. We are ready to face early poll. Let us see whether the people to Tamil Nadu are on side of democracy or on the side of constitution murderers. The verdict will be definitely befitting.

With these words, I conclude.

***SHRI R. MUTHIAH (Periyakulam):** Mr. Chairman, Sir, with a heavy heart I rise to support the resolution for approval of President's Rule in Tamil Nadu on behalf of AIADMK. We are not glad over the situation in which President' rule has become absolutely necessary. The reason is that when in 1980 when MGR was giving a very good dispensation to the people of Tamil Nadu his "Government" was pulled down. Mr. V.P. Singh very scrangely pointed out that the DMK Government has been dismissed without a Governor's report for the first time. But I would like to point out to him that when Puratchi Thalaivar MGR's Government was dismissed in 1980 that was also done without the Governor's report. Therefore, Mr. V.P. Singh was absolutely erring when he said that this Government has been dismissed without the Governor's report for the first time. In the same State, in 1980, when the welfare Government of MGR was toppled without the Governor's report, Shri V.P. Singh was Central Minister. We are not gloating over what has come to pass. But we are extremely distressed that a Chief Minister of State has led to this kind of situation in which President's rule though an evil, has become necessary, by his anti national activities of disintegrating Tamil Nadu from India. We are

*Translation of the speech originally delivered in Tamil.

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very much sad about that. However, Mr. Jaswant Singh and Hon'ble Som Nath Chatterjee have chosed to describe the imposition of President's rule in Tamil Nadu as murder of democracy. They have given the reasons that an elected Government has been toppled. But let them know that elections were not held in 1989 only but even in December, 1989 also. They should know that in December, 1989 elections, the Government which has been dismissed, was outrightly rejected by the people and therefore a reelected Government was dismissed and not an elected Government. Out of the 234 assembly constituencies only in 4 assembly Constituencies, the DMK won in the last general elections. In 230 constituencies they were decisively defeated. Therefore, how can you call the dismissed Government as an elected Government. When the communist member from Tamil Nadu spoke he rightly pointed out that he was the only member who scraped through in the last general elections from Tamil Nadu. We welcome him. He has thrown a challenge that whether any of us here is prepared to face him in his constituency. But the truth must be stated here. How did he won his constituency last time? When our leader Puratchi Thalaivi Jayalalitha toured 38 parliamentary Constituencies out of 39 in the last general elections she could not tour his constituency due to heavy rain. In all the 38 constituencies toured by Jayalalitha our party and our allies have won by a handsome majority. A person who has won from such a constituency is throwing a challenge in this august House. I am ready to accept his challenge. We will not face him in his constituency. But a basic worker of our party will oppose him in his constituency and let us see whether the person who has thrown the challenge in the House is able to come to this House. But I would also like to warn him that let him not bask in undue glory. After all out of the six assembly constituencies he had

been able to secure more votes only in two constituencies.

Mr. Chairman, Sir, Hon'ble Members who spoke on this resolution have repeated expressed the opinion that the AIADMK has issued threats to the Prime Minister and pressurised him to dismiss the DMK Government Hon'ble Somnath Chatterjee has expressed this opinion, Shri V.P. Singh has also stated it under compulsion. But let them analyse the fact that when we extended our support to the present Government in November last, we extended our support without attaching any condition with a view to having a stable Government at the Centre. Several newspapers even predicted at that time that the AIADMK will join the Central Ministry. Contrary to these rumors, we did not participate in the formation of the Central Ministry. We have categorically asserted that our support will be unconditional. Therefore, I am unable to understand how an inference of this kind that we have pressurised the Chandra Shekhar Government to dismiss the DMK Government can be drawn.

16.00 hrs

Even if it is agreed that we have pressurised him, these Hon. Members who are making this allegation should know that the Chandra Shekhar Ministry can run without our support. There is no danger to Chandra Shekhar Ministry even if we withdraw support. Therefore, Sir, this inference and this allegation of having pressurised Chandra Shekhar Ministry is baseless and preposterous Hon. Minister of State for Home and the former Hon. Minister of State for Home belonging to the Congress party have enumerated the reasons one by one for dismissing the DMK Government. These reasons amply explain that the dismissal was simply a suicide by the Chief Minister. He has showered soil on his own head. Nobody is responsible and nothing is responsible

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more than him and his acts. He supported LTTE, he invited LTTE, he allowed them to disturb the law and order, he allowed them to have links with ULFA. LTTE had links with ULFA, with the Naxalites and with other extremist out-fits in India. These nefarious activities have been victoriously carried out under the patronage of the Chief Minister. That is why Mr. Karuna Nidhi had to go.

On the other hand Mr. V.P. Singh has posed a different question. He asked when did the LTTE come to India. He said the LTTE came to Tamil Nadu way back in 1983. He pointed out that when Indra Gandhi was there and when Rajiv Gandhi and MGR were there, LTTE operations continued unabated in the State. He thus tried to absolve Shri Karunanidhi from all his irresponsible actions for which he deserved dismissal. These points have also been reiterated by Mr. Somnath Chatterjee. They said repeatedly that MGR supplied arms to LTTE militants. They asked the question how today Karunanidhi can be held responsible for all these things. But I am duty bound to clarify the difference between the assistance provided by Indira Gandhi, Rajiv Gandhi and MGR to the militants and the assistance provided by Mr. Karunanidhi to these militants. When Sri Lankan Tamils came to India as refugees, Indira Gandhi, Rajiv Gandhi and MGR provided them with the necessary assistance for their rehabilitation out of fraternal sensibilities. These three great leaders extended their friendly hands and welcomed these refugees of our ethnic relation. Therefore, the assistance provided then was in a different context. These refugees had sworn that they seek the help of India because they believed that at that time, at that critical juncture, their survival was safe in India. They sought asylum in India to escape the oppression of Sinhals in Sri Lanka. Sir, but the assistance that was provided by Shri Karunanidhi to LTTE was qualitatively different. I am **having** a video cassette in my hand. This cassette depicts the visit of a responsible Member of Parlia-

ment belonging to the DMK to the camps of LTTE in Sri Lanka. During the conversation between the MP and the Sri Lankans terrorists, the Indian army was castigated as a foreign army and as an army of occupation. This is what the cassette depicts. Therefore, Sir, when Indira Gandhi, Rajiv Gandhi and MGR supported the Sri Lankans when they described India as a land for their asylum. When Karunanidhi provided assistance to LTTE, the LTTE called the Indian army as an occupation army and as an army of murderers. This is the difference. Therefore, Shri V.P. Singh and Karunanidhi provided support to the LTTE when the LTTE castigated our army as an army of murderers, as an army of occupation and as an army of genocide. Our army is the symbol of sovereignty. The attack on our army is attack on our sovereignty. Therefore the support provided by Mr. V.P. Singh Karunanidhi to LTTE was anti national. The DMK member had the audacity to say in public that if there is a need they would crush the Indian army under their feet which has committed genocide on terrorists in Sri Lanka. Is this not an anti national statement. Several members here in this House condemned cassettes which are recently being circulated among the public inciting communal passions. But what about the cassette which I am holding in my hand. This is purely anti national. This is purely heretic. This is being played in all parts of Tamil Nadu by the DMK. The Indian army is being described in the cassette in the barest manner. Insults are being heaped upon the Indian army, but the cassette is being played by the DMK and shown to the public. The cassette is being freely distributed to the public by the DMK. Therefore, Sir, the support provided by MGR and the support provided by Shri Karunanidhi to Sri Lankan Tamils are different. Shri MGR did not support any particular group, he did not support only LTTE, he supported LTTE alongwith EPRLF, ENDLF and other groups, but Mr. Karunanidhi supported only LTTE for their militant activities in Sri Lanka and for their

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anti national activities in India. Therefore, Shri Karunanidhi cannot say that he provided the same support to LTTE which MGR had provided. When MGR provided support to Sri Lankan Tamils who came here as refugees he had taken every care that the refugees did not disturb peace in the State, did not participate in anti national activities and they did not carry on any activity which was pernicious to the Provisions of the Constitution of India. He did not allow them to develop links with ULFA and with other extremists organisation. All the Sri Lankan Tigers were caged in Tamil Nadu and out of fraternity he fed them for their survival. He was thus the ring master who kept all the Tigers under his control under the Constitution of India. But Mr. V.P. Singh and Mr. Karunanidhi cannot be compared to MGR. These weak personalities, unlike MGR who moved with the Tigers, in and around the cage, were only orderlies who opened and closed the cage of the Tigers at somebody's instance. When they opened it they were overawed by the Tigers, by their terrorists activities. That was MGR's capability and these were the weaknesses of Mr. V.P. Singh and Mr. Karunanidhi.

Due to the inept handling of the Tigers, and by the weak actions of Mr. V. P. Singh and Mr. Karunanidhi there was huge influx of LTTE militants into the State developing and multiplying the terrorists camps and strengthening their links with ULFA and other extremist organisation in the country.

Sir, we are 80 crores of people in this country. When we are to look after the welfare of these large masses, the DMK Government was allowing a large number of terrorists in the country from the neighbouring land. He was issuing orders to the local police not check their infiltration into India. He has ordered the police to aid and assist them to come into India, and have free

access in Tamil Nadu. Therefore, the incoming terrorists met with no resistance. This gave them the impression that they could carry on their nefarious activities in India with impunity. Hon'ble Member who spoke before me tried to quote an editorial in Hindu. But let me quote a news item appeared in Indian Express. The news item is dated 9th July, 1990. A few days back, on 16th June, 16 persons belonging to EPRLF including its leader Shri Padmanabha were brutally murdered in broad day light by LTTE cadres in the city of Madras. After this incident the news item appeared in the Indian Express:-

"The LTTE brought some of its cadres allegedly wounded in the recent fighting to Tamil Nadu in four boats on June 30.

The boats arrived at Marakkapalayam near Uchipuli, at night. The militants are said to have singalled to the shore with flashlights, as an indication to police patrols. They disappeared after landing unchallenged.

In another incident, an unarmed LTTE militant entered the Mandapam refugee camp on June 28, and was beaten up by some Lankan Tamil inmates. He was rescued by others and handed over to police, who released him subsequently."

So Sir, all these incidents as narrated by the news item happened immediately after 15 days of the brutal murder of 16 EPRLF men by LTTE cadres in the city of Madras. Despite this hon. Members are comparing the support given by MGR and the support given by Shri Karunanidhi. The support by Shri Karunanidhi meant signalling terrorists to come to India to carry on anti national activities. But while providing support to Sri Lankan Tamils, MGR did not order the police to assist Sri Lankan terrorists to carry on subversive activities on our soil. On the other hand Shri Karunanidhi did it. Let me also

illustrate what happened when a dutyfull policeman tried to obstruct the free passage of terrorists in Tamil Nadu. A policeman in Mandapam on suspicion tried to stop a van carrying Sri Lankan terrorists. The policemen's body was grilled with bullets and the Sri Lankan terrorists sped away. This happened in April 1990. No action has been taken so far to apprehend the terrorists by Karunanidhi Government. 80 crores people are there in this country and for their protection the policemen are functioning in the country. But a terrorist from a neighbouring country comes here and bores the body of a policeman with bullets and gets away scot free. This was being allowed by Shri Karunanidhi. Not only that the then Secretary for Home in the State Government Mr. Nagarajan called the Press Correspondents and threatened them with dire consequences if they published this news item. At that time there was no Chidambaram and no Kumaramangalam. There was Shri V. P. Singh here in the Centre and Shri Karunanidhi in the State. Is it not a matter of shame.

Not only this Sir the militants abducted 300 fishermen who were fishing in our waters and took them to Sri Lanka. After 10 days the militants issued a warning to India and released them. This matter was raised in the Assembly by the Congress and AIADMK Members. Due you know what was that reply of the Chief Minister? He did not condemn the abduction of fishermen and customs officials. He did not say that he would take stern action against the militants. He on the other hand dismissed the matter as not a serious one. He consoled the members that the fishermen were kept in the militants custody with all kind treatments. The militants provided the fishermen with Briyani and their well being was looked after. Therefore, he said that the members need not worry. Now let this House judge whether such a Chief Minister should continue in Office. So irresponsible, so careless and so ignorant of the peoples' welfare. Do you still consider that

we should accept Shri Karunanidhi as a patriot.

Let me again refer back to the brutal murder of 16 EPRLF men in Madras. Why did EPRLF cadres come to India? The reason was that when our army was stationed in Sri Lanka, these EPRLF cadres looked after the interests of our army in Sri Lanka. When the army was about to be called back there was a climate in Sri Lanka in which the Government of Sri Lanka and the LTTE came closer. Apprehending that there may be danger to their lives, the EPRLF men, who once actively assisted Indian interests in Sri Lanka, had to seek asylum in India. The India Government itself provided asylum to the EPRLF men and allowed them to come into India in two ships. But Mr. Karunanidhi has betrayed the EPRLF men who came to India on invitation of our Government by actively colluding with LTTE cadres in murdering them. The murderers belonging to LTTE were allowed to travel 400 kms in Tamil Nadu undetected and to escape to Sri Lanka. This betrayal is unpardonable. Those who came as our guests were murdered by us. This is an unpardonable crime. Therefore case must be filed against Mr. Karunanidhi, the police officials who were involved and Shri V.P. Singh who saw to it that Karunanidhi Government continued despite the rout in the General Elections, for merciously executing the conspiracy of liquidating EPRLF men through LTTE. Then only we would be able to secure the dignity and honour of our country.

Hon'ble Congress Member and former Minister of State for Home Shri P. Chidambaram has given a list of charges against the DMK Government and proved that Shri Karunanidhi is not a nationalist and patriot. He is against national integration and the unity and integrity of the country.

Hon'ble Indrajit Gupta has come. The Central Secretary of the Communist Party of

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India of Tamil Nadu Unit Shri Manickam gave an interview to journalist on Jan. 3, 1989. The Press-man asked Shri Manickam the reason for not having alliance with DMK when CPI (M) their partner are having alliance with DMK. Manickam replied that there was no self respect in the side o Shri Karunanidhi. That was why they did not want an alliance with Shri Karunanidhi. The Pressman continued his question by asking whether there were any other political reasons for not having alliance with Shri Karunanidhi.

16.17 hrs

[MR. DEPUTY SPEAKER *in the Chair*]

[English]

MR. DEPUTY SPEAKER: Mr. Muthiah you have already spoken for about 25 minutes.

SHRI R. MUTHIAH: Sir, this is a subject relating to Tamil Nadu. We are the only party here. Everybody has posed several questions. We have to answer to the questions. I will finish within a minute.

[Translation]

*To that question Mr. Manickam replied that Shri Karunanidhi is against the unity and intergrity of the country. Shri Karunanidhi is anti national by his words and deeds and therefore they did not wish to have an alliance with DMK.

[English]

SHRI INDRAJIT GUPTA: You are 'quoting the devil now.

[Translation]

*SHRI R. MUTHIAH: The party which described him as anti national on the eve of elections to the assembly is now supporting Shri Karunanidhi. We have not voiced the demand for dismissal of the DMK Government after the Chandra Shekhar Government came to power. We have been consistently voicing this demand for a long time. We voiced this demand when 16 EPRLF men were murdered incold blood. We appealed to the V.P. Singh Government that the dismissal of the DMK Government should not brook any delay. We demanded that Chief Minister who insulted the Indian army should not be allowed to continue. All our demands against the anti national Government of Shri Karunanidhi had fallen on deaf ears. Today we come to know of startling facts of how the V.P. Singh Government was hand in glove with the anti national Government of Shri Karunanidhi. Several facts are coming out one by one. I, therefore, would like to make a crisp charge that for all the anti national activities in Tamil Nadu for the past 2 years only Shri V.P. Singh and his protege Shri Karunanidhi were responsible. I therefore demand in this august House that all these anti national activities can be exposed only if a commission of inquiry is appointed to go into these nefarious activities of Shri V.P. Singh and Shri Karunanidhi over the past 2 years.

They are saying that the DMK Government has been dismissed with a view to capturing power. But let them appreciate that when the Government was dismissed it was clearly told to the public that there will be elections soon. Elections may come soon, even as early as tomorrow. The Legislature has been dissolved so that we could go to people. That is the only way of going to the

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people. Let people decide this issue and they will decide in our favour. The verdict would be so stinging that would justify the dissolution of the Legislative Assembly.

With these words I support the resolution for approval of President's rule in Tamil Nadu.

[English]

SHRI C.K. KUPPUSWAMY: Sir, the Home Minister is not present in the House.

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BHAKTA CHARAN DAS): I am here to represent the Home Minister.

SHRI P.R. KUMARAMANGALAM (Salem): Mr. Deputy Speaker Sir, it is necessary to understand the background of the reason for the developments that took place in Tamil Nadu leading to the imposition of President's Rule. Sir, the DMK came to power in Tamil Nadu due to a political accident in early 1989. It was actually an accident of circumstances because after a long time, parties which have identical though processes and which are jointly anti-DMK have fought separately in the elections for the first time. That gave the DMK an advantage and that was where a minority vote they could come to power.

But what was surprising was that not only in the immediate by-elections but also within a few months when in November 1989 the Lok Sabha elections took place, the people rejected the DMK. In fact this rejection is not an accident because during the Lok Sabha polls, the main slogan that the DMK and Shri Karunanidhi flaunted on every wall in the form of posters and in every public meeting in every manner they could publicise was: "If you want Karunanidhi's rule to continue, vote the Rising Sun". The Rising Sun was the DMK's election symbol. There was

total rejection to the extent that ultimately only an ally, Shri Selvaraj could make it in the elections and nobody else could make it to the House. People rejected the DMK not in a small manner or casually. The margins were large. People made it clear categorically that they did not want the DMK rule.

The fallout of this clear mandate, unfortunately, was that the DMK realised the writing on the wall that they would never come back if elections are held. All of us did ask Shri Karunanidhi to resign and recommend the dissolution of the Assembly and have elections. But he steadfastly refused, though during the campaign he had gone on to say that if he lost even five seats out of the 39 seats, he would come back for elections. He never kept his words. That is usual. But the fall out that was there was something which is unimaginable. The party in power, i.e. the DMK actually lost the will to serve the people and indulged in total personal aggrandisement. Corruption has reached such heights that is unimaginable. It has become totally institutionalised. There is nothing hand in glove about corruption there. The demand is open, the acceptance in open, the contract is made and nobody is ashamed anymore. Not only that. There was total misuse of power to protect individuals who are either elected Members of the Assembly or Ministers of the local Government, their kith and kin, the twisting of the arms of law and hamstringing the police was something that happened every minute during the 24 months, especially, the 12 months after the Lok Sabha Polls.

What was even worse was to see the participation of those who should protect and implement the law, violate to serve their own ends. They went to the extent of becoming a better and participants in smuggling, drug trafficking and weapon running, openly with no-holds-barred. On top of all this, they encouraged collusion with insurgents of Assam, Punjab and Andhra. Not only this.

[Sh. P.R. Kumaramangalam]

They ensured that this Governmental machinery was there to provide protection contact and communication. The worst of all was their Master Plan. Their Master Plan was to create organised armed gangs which are to be efficient enough to intervene in the electoral process, to attain power by organised booth-capturing. It has never happened. But for the first time, in Tamil Nadu, when the Corporation Elections took place—Mr. Jaswant Singh while speaking casually referred to Mr. Chidambaram's reference to the Corporation Elections and said it was parochial—it happened. I think, he did not understand the issue. The issue was how was the election conducted. We saw the police. We saw the officials. We saw the goon gangs, the real goondas, armed to the teeth stood and captured booths. They did not allow voters to come in. They picked up the candidates and took them away. All this was done, with this objective in mind, i.e. to develop an army, to completely subvert and destroy the democratic process in the State, because they knew that they do not have the support of the people. Mr. Somnath Chatterjee, while speaking did mention casually about elections and said the people will decide the elections. 'Yes' the people will decide the elections. The people of Tamil Nadu will tell you that your original stand in the month of May, 1990 was correct and today, it is wrong.

SHRI SOMNATH CHATTERJEE: That is why, you don't want to dissolve this House and go to the people. You do not want to face the elections. (*Interruptions*)

SHRI P.R. KUMARAMANGALAM: Unfortunately, the problem is that, the hon. senior Member Shri Somnath Chatterjee is a very good speaker but when he does not have points, he resorts to rhetoric. When he does not have issues or facts on his side, he resorts to rhetoric and mild form of abuse,

sometimes viciously. But this time, we saw it in a full swing. I admire him for it but anyway that is the talent which he has and one must accept it.

What is important is, as soon as Mr. V.P. Singh's Government took charge, the action programme of the fall out was implemented. The ITTE's contact with the DMK was strengthened. They were promised firstly, immediate withdrawal of ĩPKF, by supporting them in the form of ammunition. Governmental support was also given to undertake clandestine activities and help in the annihilation of other Tamil groups. I would request the Left to hear this carefully. It was planned that all the democratic regressive groups of the Tamil militants will be annihilated. It was not a plan offhand: and the 15 people including the leader of EPRLF Mr. Padamanabha were not killed casually. Information was passed on by the State intelligence clearly to the LTTE hit squads who knew exactly when Padmanabha had come into the house where he was staying, and his item was staying. It was executed, the worse is when we see that the DGP immediately after the incident defended the LTTE and said: 'LTTE had nothing to do with it' without even knowing what has happened. And no investigation of any sort; not even statements were recorded at that time.

This plan was partly successful. I am not only obliged just as a Member of Parliament, but also as a citizen of this country, belonging to Tamil Nadu—I would like to say that this President's rule has saved the State. If it had not come, and if for a few months more the DMK had been allowed to run the State the way they were running, we would have had something much worse than Assam or Punjab in Tamil Nadu, because they had arms and drugs.

I have not said this casually. I would like to say that when in the middle of May, on 14th May 1990 a case was registered re-

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garding an underground arms factory, my friend Mr Saifuddin Choudhury he is unfortunately not here; he had raised it in this House and asked what was being done; and no reply came—said that if this was allowed, it would spread throughout the country, and become even much stronger. He went on record. Unfortunately, his leader has, I think, turned coat at the moment, (*Interruptions*) and is resorting to clarifications. (*Interruptions*)

SHRI SOMNATH CHATTERJEE: How many times have you supported the DMK, and how many times you have supported AIADMK—have you got any list?

SHRI P.R. KUMARAMANGALAM: We have done it less than you have; I can assure you our record is less. But the most important point is that what was being manufactured were grenades, mines, and explosive shells—this is purely military equipment, it is not casual bombs—explosives for making these grenades, mines and their shells were supplied by the State Government, using their services. Explosives meant for commercial purposes were diverted to this factory; and what is worse is that after a case was put in the middle of May 1990, the factory continued; and the person, Udayan who was the LTTE export who was brought for the purpose of giving technology for manufacture, was arrested only after the President's rule was imposed. What better evidence have you got than this, viz. that the local Government was hand-in-glove in having an illicit, illegal arms factory there? (*Interruptions*)

AN HON. MEMBER: Mr Somnath Chatterjee is walking out .

SHRI P R KUMARAMANGALAM: And he is asking Saifuddin Choudhury: 'What did you say?'

SHRI P CHIDAMBARAM: Saifuddin is

categorical on this issue. What Saifuddin said is correct, and Mr Somnath Chatterjee should not quarrel with that.

SHRI P.R. KUMARAMANGALAM: What is even more important is that when the annihilation of EPRLF leadership was being sought and done, the hit squad drove 350 Kms to go to the shares, catch beats and go. Not only that; they were using VHF communication to summon their transport, inform the Police of their route. And mere amateur radio operators had picked up this conversation right through this route. And the police could not catch them. That is what was surprising. It is very clear that that murder was totally with the approval of the Government and the DMK-functionaries. That is what really happened. (*Interruptions*)

What is even more important is that when the Central Government took steps to identify this wireless equipment and trace them out—there is a particular method by which you can trace the source of transmission—this information was transmitted immediately to the LTTE, so that they could take corrective steps and adopt a different system of transmission, of moving from one place to another when they transmit.

And therefore they could not be caught immediately; and this was because the wireless subject unfortunately is in the jurisdiction of the Central Government. And therefore when the wireless adviser decided on direction that they must intervene, the State Government did its best ensure that it was not implemented.

What is worse is that in the year 1990 all over the world it came to light that the LTTE had joined in the international drug cartels drug trafficking exercise. In January 1990, at New Orleans labour, two LTTE personal were caught with 20 kilos of cocaine worth over two million dollars. Not only that, there was head of the LTTE in West Germany one

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Sooriya Kumaran Selvadarai who had told a reporter of *Sunday Times London* that @ £, 40,000/- he was willing to have a kilo of drug delivered anywhere in London. This was printed. In February 1990, two LTTE personnel with 340 grams of heroin were arrested in Colombo Airport coming from Madras International Airport. What is surprising is that not a single case has been registered in State of Tamil Nadu. So, it is a well-known fact that many seizures were done, drugs were recovered, gold was recovered and so on; not only that, arms were also seized, but every single police officer, who had the audacity to challenge or confront the LTTE persons was victimised; police constables were killed; those who were using AK-47, but no action was taken; and here we hear about justification for what action was taken. Not only that, what is really important is that the narcotic trade has been taking place in the Asian region and it has been mainly handled by the LTTE people; and this is a fact which is known the world over; and this information has been printed in all the International Magazines. There was an article on this between 4th and 10th November, 1990. The name of the article was: 'Indepth'. In that article, the total analysis was done and brought forward. But still-even though the Central Government has given a direction that action must be taken against those who have been identified under COFEPOSA; those who have been detained under COFPOSA-for doing smuggling activities; a list was supplied-no action has been taken by the State Government. On the contrary, the customs men were kidnapped, man-handled and threatened. This is exactly what is happening.

When I charge Mr. V.P. Singh, I am sure, you would be interested to know about it. I also charged Mr. Karunanidhi that he and his family were indulging in drug trafficking. He turned round and replied through the

press: "There was nothing wrong in it". (*Interruptions*) On the top of that, he said, "My grand-father was then the Union Cabinet Minister." His jeep was used at some time for taking drugs. When I asked him to prove, when I challenged him, he backed out. But the truth is that one of the spins-off helping LTTE was the profit that came from drugs trafficking. Today arms, drugs are available with the DMK and they still indulge in it. I would like to know from the hon. Minister of State what steps he has taken to ensure that this cartel is broken and the drug trafficking is put to an end? Through you, I would like to inform Mr. V.P. Singh that he knows-but if he does not know about it, then he should know-that Mr. Karunanidhi is neither loyal to the country nor to his party nor to his State not to your Front. He will be the first man to stab you. He is like a serpent to whom you are giving milk. In the arms trade evidence is available. Mr. Chidambaram has already given a lot on record. But everybody knows that the LTTE had the assistance of one particular Member of Parliament belonging to the to the DMK party in whose house he stayed, the representative stayed there, one Mr. Rangappa stayed there, Mr. Karunakaran stayed there and the cassette is what Mr. Muthaiah was trying to present. But the important point is, that they have sold AK-47, Arul 89 grenades, claymore mines to the ULFA as well as to the Naxalites in Andhra Pradesh as well as certain extreme militants of Punjab. The game was that it does not matter whether the insurgents in the rest of India raise their voice or not, because after all the objective was to de-stabilise Tamil Nadu as a whole and that objective was what they were planning, pulling wool definitely over the eyes I hope of Mr. V.P. Singh. If he had been aware of it, I do not know. (*Interruptions*) What is more important is that when the Central Government gave specific directions that on the coast-line there must be check-posts and supplied AK-47s to be given to the personnel who will be posted there, the check-posts were neither manned

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all the time, nor were those AK-47s supplied by the Central Government for the police ever distributed to the personnel posted in the check-posts.

I am sure that the Home Minister would clarify if what I am saying is right or wrong. I do not speak from the sources Mr. Jaswant Singh used to have. But I do speak from the knowledge the common of Tamil Nadu have.

About the misuse of power I wish to say that in my own constituency in the town from where I and my forefathers come, Salem, very categorically I wish to go on record to say, that the local Minister and his family went on a rampage. They have, raped over twenty young ladies including nurses, college teachers, students and every single case they covered up after public acclaim was made about how they were running their show. The most unfortunate thing is that the people sitting here do not understand what the people of Tamil Nadu feel. When the polls take place the beating that the DMK and the National Front will get will be clear. Then I hope at least at that time their eyes will open and they will realise the sudden change that had come in the Press. We have seen over the last few years, over the last few days in fact after the President's rule was imposed. Till then they were singing a different tune. If you had taken the *Hindu* or *The Express* or the *Statesman* or any other paper which belonged directly to the DMK and their sympathisers, you would have noticed that article after article was criticising the position in Tamil Nadu and exposed it. But the moment President's rule was imposed, the tune changed. Because they knew that the danger has now gone and now it is time to take political advantage of the what could be considered a questionable attitude.

There are one or two things I thought I would refer to and reply to.

**THE MINISTER OF COMMERCE AND
MINISTER OF LAW AND JUSTICE (SHRI**

SUBRAMANIAM SWAMY): The DMK government had filed sixteen cases against the Press, for your information. It is on record.

SHRI P.R. KUMARAMANGALAM: What is even more important is, Mr. Jaswant Singh while speaking had categorically requested that a direction under Article 256 should have been given before the President's rule was imposed. Not one but many were issued by the Central Government that action should be taken, though it may not be specifying Article 256. The directions were given indicating that these are the main actions they have to take. Not one, but many were given, whether it was COEFOPOSA, whether it was under the National Security Act, whether it was for securing the borders, whether it was for ensuring that the police are able to look after law and order, whether it was ensuring that the militants are contained.

Now, in the name of arrest of militants, let me tell you, and through you Mr. V.P. Singh, that the militants who were arrested invariably were not LTTE but the other groups whom Mr. Karunanidhi used to call betrayers and traitors. (*Interruptions*)

Do you want me to yield? (*Interruptions*)

PROF. RAMGANESH KAPSE (Thane): When Mr. Jaswant Singhji referred to directions, he categorically said that he had asked this question to the Prime Minister, to which the Prime Minister said, "that will be the last act. So, I am not giving any direction." ...(*Interruptions*)

SHRI P.R. KUMARAMANGALAM: If one looks at Article 256, he would see that Article 256 deals with basically the law and not the breakdown in the constitutional machinery as an issue. Where some act done which is inconsistent with the law, directions can be given. There have been acts which were

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inconsistent with the law and directions were given, which may not be specifically quoting Article 256.

Sir, what is important is that Article 356. Mr. V. P. Singh knows it very well, does not depend only on the report of a Governor. There is the word 'otherwise' and that has been taken into consideration by the framers of the Constitution in detail. In fact, Dr. Ambedkar in the Constituent Assembly specifically said that when the President has got certain facts within his knowledge and the Governor has not given a report, because of the earlier Article having imposed on the Central Government the responsibility to upkeep the Constitution, the President should act as he thinks proper and he should be given the power. It is Dr. Ambedkar who said this, not I or anybody else. The framers of the Constitution categorically analysed the situation and did foresee a sort of a situation that has arisen in Tamil Nadu. The situation that arose in Tamil Nadu unfortunately is one which really threatened not only the integrity and the national security of the nation but also the very fabric in the State of Tamil Nadu.

We have seen before that the DMK not only indulged in drug trafficking, weapon running, other illegal activities and corruption but also we have seen the activity on their part in trying to cover-up every illegal action that was indulged in by the LTTE. What is bad is to see that the National Front Government after having been warned not once, not twice but many a time in the House and outside the House by petitions, decided to close their eyes. But I would like to know definitely whether the trip of the former Home Minister Shri Mufti Mohammad Sayeed to Madras was cancelled at the insistence of the then Chief Minister Shri Karunanidhi saying that he will resign if Mr. Mufti Mohammad Sayeed steps his foot on the soil

of Tamil Nadu in order to come and see whether the coastal areas are within the control of the Tamil Nadu Government or within the control of the LTTE. If Mr. V.P. Singh know about it, then he should reply. If that really happened, then it exposes definitely the fact that the then Government knew was going on in Tamil Nadu and consciously for political expediency decided to close their eyes. And similar is the case about Assam. I am sure that if they had stayed a little longer, this would have been so in a few more States.

Sir, I would like to congratulate the Government for having had the foresight to take the decision, but at the same time what is really necessary now is to have a fullfledged probe into the activities the DMK had indulged in, both the so called legal and their illegal activities, whereby the national security of the nation was really endangered and also the corruption that they indulged in. Let the people of this country know as to how they looted the complete treasury of the State of Tamil Nadu.

Sir, in addition to that, what is very important is that we should have a CBI probe into those cases where murder has been committed by people in power or their kith and kin so that the cover-up that the Tamil Nadu police has been forced to indulge in could be exposed and the real criminals could be brought to book.

Last but not the least, it is necessary to have a popular rule in Tamil Nadu. An early election is a demand of every single Member of Parliament from Tamil Nadu. I will be grateful if the Government could consider these requests from our side.

SHRI MANDHATA SINGH: I have one question to put to Mr. Kumaramangalam.

MR. DEPUTY SPEAKER: I am not

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allowing you. You can mention that when you will speak.

SHRI MANDHATA SINGH: But I may not be given a chance.

MR. DEPUTY SPEAKER: I will give you a chance to speak.

PROF. RAMGANESH KAPSE (Thane): Actually whatever I know from my personal visit to Tamil Nadu because in the last year I visited Tamil Nadu four times, I would like to say here that the situation in Tamil Nadu under Karunanidhi Government was bad. As far as relations with LTTE were concerned, they were there. About law and order situation, there was no law and order. Whatever I experienced at Dindigul I can say that almost undeclared emergency was there in Dindigul. Some citizens who attended the public meeting, were harassed. Even a purse which was to be presented to the wife of a person who was murdered in riots, was not allowed. So undeclared emergency existed in Dindigul for a month or so.

About smuggling on sea-shore, yes, it was going on there. And it is very clear that it was added and abetted by the Karunanidhi Government. I agree with Mr. Chidambaram that Home Secretary was hand in hand with the Government and he was not doing his job as a bureaucrat. So about LTTE, about law and order, about smuggling, about bureaucrat's behaviour and DMK's role in the whole affair.

16.58 hrs

[DR. THAMBI DURAI *In the Chair*]

I think, the situation was pretty bad.

Now Mr. Kumaramangalam referred here that instructions were given. I am unable to know how Mr. Kumaramangalam knows it.

When it was referred here by Mr. Jaswant Singh and when he asked a specific question to the Prime Minister whether instructions had been issued, the Prime Minister replied in the negative in the last session only. So, BJP does not approve of President's rule without instructions. We have this much reservation only that this was the last resort which should have been taken after whatever was necessary had been done—Governor's report, instructions, warning, etc. But the extreme step was taken by the new Government.....(*Interruptions*). If these other steps had been taken, we would not have kept any reservations as far as the President's rule is concerned. Article 356 should be rarely used. All the formalities must be adhered to. So, I would like to know from the Minister of State for Home Affairs—he was in charge of Home Department in earlier regime also—whether there was a stage which required the President's rule so urgently. Why this extreme step was taken by this Government? Three months before also he was the Home Minister. So, we would like to know from Mr. Sahay what is his role...

(*Interruptions*).

AN HON. MEMBER: Double role.

PROF. RAM GANESH KAPSE: About the double role we would like to know. We do not support this action but we also will like to agree with Mr. Chidambaram and the speakers who followed, that the situation in Tamil Nadu was going out of hand and, at the same time, it is in national interest that such fissiparous activities should not be continued. But one thing remains and that is that was there any necessity for dissolving the Assembly. When you take one step in Goa and other in Tamil Nadu, it is very clear that you are following the dictates of Congress (I) and Anna DMK. There is no other reason. Therefore, we cannot support this action. This much I wanted to say.

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SHRI BRIJ BHUSHAN TIWARI (Domariagan): Mr. Chairman, Sir, today, the discussion is going on a very serious issue and I was listening to all the senior Members very carefully. I would like to clarify first of all that the President's Rule has not been imposed in Tamilnadu under any pressure. Rather a constitutional duty has been performed through it. The facts as laid down just now by Shri Kumaramangalam and yesterday by Shri Chidambaram in the House and the details that came to the Government through the News Papers as well as through its own Agencies, are very surprising indeed. From those reports, it is apparent that actions and attitude of the D.M.K. Government in Tamilnadu was posing a threat not only to the Law and Order situation in the State but also to the security, sovereignty and unity of the country as a whole. Sir, according to the facts came to light, the Chief Minister had passed out the secret information of the Government of India to the LTTE Militants. The senior leaders of the D.M.K. Party also were indulged in this rackets and were passing out the information about the Government's decisions and policies to them. Besides this, the State officials were also having contacts with the LTTE groups and they used to give informations to groups about the decisions taken during the discussions between them and the higher officials of the Central Government. All this has been stated by the Prime Minister himself here in the House on January 10 during the last session. I quote it:

[English]

"I have information that certain information that was just given to the Chief Minister has gone to the LTTE Headquarters, not only in Tamil Nadu, but even in Jaffna. This is something very serious. In spite of this, I have repeatedly said that nothing will be done against the Government."

[Translation]

Besides this, the facts state that this was a direct contact among ULFA of Assam, the extremists organisation of Andhra Pradesh, the militants of Punjab and LTTE. Thus, Tamilnadu was being used by them as their sheltering place. AK 47 Rifles were being supplied from there to these militants groups and to other secessionist forces in the country. The Prime Minister once in this House had stated that AK 47 Rifle were available at the cheapest rates in Tamilnadu. Sir, please think yourself, if any State Government ignores its Constitutional duties, it fails in mentioning law and order in the State or it does not create the sense of security among the people in the State and above all its conduct goes against the interest and security of the country, then what is the responsibility of the Central Government? Just now a question has been raised that the hon. Governor had not given his report. Hon. Kumarmangalam has rightly replied that the architect of our Constitution, Ambedkarji pre-conceiving such a situation, had, made this provision in the Constitution. And the Prime Minister has already said many a times both inside as well as outside this House that the Governor of Tamil Nadu whenever was called her and he was asked to apprise about the prevailing conditions as had been reported here, he always expressed his unawareness about the reported situation. When he was apprised of the information collected by the Ministry of Home Affairs, he told that he had no knowledge about that he had been kept in dark. Now you can think yourself as to how the administration will run and how the constitutional duties will be carried on if the whole machinery of a State Government is involved in such a conspiracy and the Governor has been kept totally in dark? So, the President, on the basis of information, he got through the Ministry of Home Affairs, the Government of India and the Government intelligence Agencies imposed the President rule in the

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State by dissolving the Legislative Assembly. The former Prime Minister Shri V.P. Singh while delivering his speech said that LTTE had its links with the previous DMK Government. As per the facts which have come to light reveal that subsequently the existing Central Government constantly kept in touch with the Government of Tamil Nadu and consulted them in the matter and drew their attention to following three points.

[English]

"No Tamil militant group should be allowed to operate on Indian soil and those found doing so, should be kept in confinement."

He further said:

"Action should be taken against LTTE militants and smugglers under COFEPOSA and NSA. No group of Sri Lankan Tamil militants should use Tamil Nadu for training purposes or logistic support."

[Translation]

But instead of accepting the suggestions offered by the Central Government, the Government of Tamil Nadu acted otherwise. Sir, Kumarmangalamji has already mentioned that an clandestine factory has been unearthed where weapons and hand grenades used to be manufactured. In addition to this high frequency communication apparatus and arrangements for imparting formal training to operate them. All this was going on with the connivance of the DMK Government.

Not only this, there is acute shortage of petrol and diesel in the country, but the State Government conspired to provide petrol and diesel to the extremists and it was being

diverted to their training camp. Medicines from the local hospitals were also being diverted to them. Above all, Government funds which were meant to provide facilities to the people were provided to them and thus it was misused in this manner. It would have been different had they collected donations for them or made available to them funds from their own resources. Smuggling in gold, medicine and weapons are going on there unchecked. Boats used to take them safely to the coastal areas. There were forty such places which were equipped with landing facilities.

This was all going on despite the Central Government's strict orders to keep strict vigilance at those places. The Centre has suggested that police force should be deployed at check posts. However, the State Government ignored all these instructions. ULFA activists were there in Assam. There is evidence to show the methodology of their training and how the activists in Belore were apprehended.

Sir, Jobel Gogia, who was the main accused in the murder case Dibrugarh S.P. took shelter in Tamil Nadu and he was not arrested. But as soon as the present Government took over Gogia was arrested. In this manner together militant groups in the country also got the protection of LTTE.

Sir, this is a very serious matter, because in a situation when separatist and terrorist movements are being organised, weapons are being smuggled and attempts are being made to disintegrate the country, if a State Government try to stand in revolt by deliberately violating the constitution, the Central Government must take a serious notice of it.

There are people who criticise the present Government. They say that it is a minority Government and it depends on the support of some other political party. But the Government after all is a Government. The

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[Sh. Brij Bhushan Tiwari]

Hon. Prime Minister has clarified that until this Government is there, its foremost duty will be to protect the unity and sovereignty of the country. Futile criticism does not bother us. Moreover, the Chief Minister of the State kept warning the Central Government and gave a statement to a newspaper that he would fight with Centre till his last breath. Whatever suggestions the Prime Minister has, he advises the Chief Minister accordingly. However, the Chief Minister leaked out everything to the newspaper and makes it look as if he has acted under the Constitution. He adopted an attitude of confrontation. The news of "greater Tamil Land" appeared in the newspapers. Information has also been received that a number of extremist organisations were coming up and getting powerful in Tamilnadu. If such separatist organisations are induced to indulge in militant activities or given protection for this purpose the unity of the country cannot remain intact. It is not a political issue. This thing has been stated in view of the political issue. This thing has been stated in view of the political interests. The Hon. Prime Minister has made it clear in the House umpteen times that he does not want to do anything unpleasant till the last moment. It was only after the situation crossed all the limits that he was forced to take recourse to such action. As the hon. Members have supported the imposition of President's rule there and the Legislative Assembly stands dissolved, it is imperative that elections should be held there at the earliest and let the popular Government run the administration there. The federal structure and democracy that we have, do not permit any State to get separated from the federal structure of the country. With these words I support the President's promulgation and conclude.

[English]

SHRI CHITTA BASU (Barasat): Sir, I

rise to oppose the Resolution seeking for the approval of Presidential proclamation in the State of Tamil Nadu. The reasons are very simple—primarily based on the principle and the experiences of the abuse of article 356 of the Constitution of the country during the last 40 years.

According to me, the imposition of President's rule in Tamil Nadu is a murder of truth, justice, democracy and finally federalism. These terms I use consciously. I am not using these terms inadvertently or without giving proper thought to the meaning and the contents of these phrases or words. If we thoroughly analyse the facts of the case, then the conclusion is inescapable that the President's rule which has been proclaimed on January 30, 1991 was a flagrant cold-blooded and cynical abuse of the spirit of the letter of the Constitution of the country. In one word, I want to sum up my feeling that this has been done by way of bending the Constitution of the country in order to satisfy the political expediency of certain political combinations in our country, namely the Congress-I and AIADMK. The facts are very clear and I do not like to refer to them or mention anything in this regard. I also want to put on record the remarks made by certain hon. Members of this House belonging particularly to the Congress-I and the AIADMK characterising or castigating DMK as anti-national. Allow me to put on record what is the criterion of a party being anti-national. Let us also understand. I think you will respond to it. What are the criteria? You explain. What are the criteria of the people for characterising a party, a political formation in the country, as anti-national? What are the decisive criteria for this?

SHRI SAIFUDDIN CHOUDHURY (Katwa): You have to be anti-national.

SHRI CHITTA BASU: In this particular case, I think the only refrain has been the relation between LTTE and certain political

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formation within the country. If that is one of the reasons, then can Mr. Chidambaram absolve himself of the responsibility of not encouraging, indulging, supporting, collaborating or colluding with some anti-national activities within the country?

SHRISAIFUDDIN CHOUDHURY: They did it.

SHRI CHITTA BASU: They say they did it. MGR is also to be accused of it. AIADMK can be accused of it. But he says that the relation between LTTE is one of the criteria for determining whether a party or a political formation is anti-national or not. He agreed that that is one of the criteria.

SHRI P. CHIDAMBARAM: I do not understand what they are saying. What to do?

SHRI CHITTA BASU: It is an irresponsible remark made by a political party, by an hon. Member of this House, castigating a political party functioning in a part of the country, adhering to the principles of the Constitution, taking oath under the Constitution and running a Government which has been popularly elected, to call that Party as anti-national. If you indulge in this principle in this way, you will be ultimately creating conditions of chaos, disunity and ultimate disintegration of this country.

Federalism alone and alone can reinforce the strength, the unity of the country. Here, by the promulgation of Article 356, that very fundamental principle of federalism, as enshrined in the Constitution of our country, has been assaulted. By assaulting federalism and by taking away the rights of the States by flagrant and blatant violation of the Constitution of the country, you cannot protect the unity and integrity of the country, however loud you may be castigating a political formation as anti-national.

They have given a number of instances. Smuggling is a part of that. If smuggling is one of the reasons for dissolving a Government, I think almost all the State Governments would be dissolved.

SHRI PIYUS TIRAKY (Alipurduars): Including the Central Government!

SHRI CHITTA BASU: You cannot yourself absolve of this responsibility, not to speak of this minuscule government. I apprehended it. Many of us know the history of the abuses of Article 356. I do not repeat them. But I want to remind Shri Chandra Shekhar, -not the Prime Minister but Shri Chandra Shekhar-that he participated in a Conference at Srinagar some years back, on the issue of Centre-State relations. He is a signatory to a communique which was arrived at after due consultations among all the political parties. He is a signatory to that and in that communique, it was stated that Article 356 has been abused and it should be repealed and it should be removed. I feel it is that Mr. Chandra Shekhar as the Leader of the Janata Party at that time, as the President of the Janata Party at that time, who agreed to that formulation for the repeal of Article 356 of the Constitution. I also smell a rat.

MR. CHAIRMAN: Please conclude. Try to be brief.

(Interruptions)

SHRI CHITTA BASU: I think it doesn't satisfy you. You may not like my views. *(Interruptions)*

SHRI P. CHIAMBARAM: Don't cast aspersion on the Chair. You cannot cast aspersion on the Chair. *(Interruptions)*

MR. CHAIRMAN: He only requested me that he wanted to go earlier and finish his speech.

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SHRIP. CHIDAMBARAM: He has said: "You don't like my views." The Chair has no likes and dislikes. *(Interruptions)*

SHRI CHITTA BASU: Mr. Chidambaram, When I said that, I have not referred to the Chair. I have spoken of you. 'You' means whoever is here this side. You are also here. You may not like my views.

SHRIP. CHIDAMBARAM: I don't I have already expressed my dislikes.

SHRI CHITTA BASU: You have expressed your dislikes. But I can ignore you. I come to the subject now. I smell a rat. Normally, a Presidential proclamation is preceded by a report of the Governor. Here, a new precedent was created. I presume that has been done and Article 356 of the Constitution has been invoked under the cover of one expression i.e. 'otherwise'. If this omnibus words 'otherwise' is taken too seriously, then we shall give complete authoritarian power to the Centre. Sir, I do not have much time to explain matters. I have gone through the proceedings of the Constituent Assembly. There was a debate, a long debate on the use of the word or the expression 'otherwise'. Shri H.V. Kamath Shri H.N. Kungru and some very prominent Members who were the framers of the Constitution of our country took very serious objection for the use of the word or for the incorporation of the word 'otherwise'.

SHRIP. CHIDAMBARAM: What did Dr. Ambedkar say?

SHRI CHITTA BASU: Even if you speak of Dr. Ambedkar, he was of the firm opinion that Article 356 should remain as a dead-letter. Therefore, the invocation of Article 356 under the presumable use of the word or expression "otherwise" makes me very apprehensive. It can be used by any Government at the Centre against any Government at the State, even if the Gov-

ernment is led by the own party which is at the Centre....*(Interruptions)* Naturally, I express my great concern about this act, about the authoritarianism in our country to the basic principles of federalism in our country.

Sir, this has been done in disregard to the Sarkaria Commission's recommendation. You will be knowing that the Sarkaria Commission, after analysing in-depth the experiences of application of Article 356, has laid down certain criteria also for the use of Article 356. My contention is that those criteria have been thrown out and they have not been taken into consideration. It has been done in complete disregard to the Sarkaria Commission's recommendations and criteria which they meticulously worked out for the use of Article 356.

Coming to the relation between the Central and the Tamil Nadu Government, they have made many charges. But those charges were not substantiated. If there are any charges, they have to be probed into. But so far as the evidence that is available is concerned, there was no internal disturbance at all in Tamil Nadu during the period November 1990 to January 1991 when the present Government mounted offensives against the DMK Government, a duly and popularly elected Government, enjoying the overwhelming majority of the House. There was no riot. Why was it not problem?

SHRI P. CHIDAMBARAM: Let us probe it now.

SHRI CHITTA BASU: There was no riot, there were no clashes, there was no breach of general peace and tranquility during this period. There was no grave situation bordering an Insurrection and chaos. Therefore, that action is not warranted. It was an action which may be mildly described at least in one way.

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Last point and I will finish. Much noises have been made about the connection between LTTE and ULFA. I am not for ULFA activities. I do not know about it. There should not be a misunderstanding on that score. But what did Mr. Karthikeyan, adviser to the Governor say? He says in a press statement that President's Government in Tamil Nadu had not identified any ULFA camps in the State. That statement was only made on February 5 last. Now Mr. Chidambaram, it is Mr. Karthikeyan who is Adviser to the President's Government in Tamil Nadu who says openly and publicly that there has been no camp run by the ULFA in Tamil Nadu. How can I believe that your charges are correct, that your charges are not the cock and bull story, that your charges are not fabricated. Mr. Karthikeyan is taken and reinstated as administrator in the Government. Therefore, I oppose this proclamation. I think, the House should throw it away because it affects the democracy and it also encourages the course of disintegration.

SHRI R. PRABHU (Nilgiris): Mr. Chairman, Sir, we have been hearing since yesterday various speakers speak on the discussion on the Statutory Resolution on imposition of President's rule in Tamil Nadu. We have heard various Members criticise this move. But the only criticism we can admit to is that this move is a belated one. The people of Tamil Nadu had to bear with the atrocities for two to three months more after the Chandra Shekhar Government took charge. Chandra Shekharji gave a long rope to Mr. Karunanidhi and gave several warnings even in this House and ultimately took the right decision and recommended the imposition of President's rule in the State.

The President in his report has summarised the reasons for imposition of the President's rule in para 8 which Mr. Somnath Chatterjee read out to all of us. The liaison between the LTTE and the DMK

Government is well-known to everybody in Tamil Nadu and to people even outside Tamil Nadu. The whole culture of Tamil Nadu has been transformed by LTTE. Tamil Nadu is a peace-loving State where people live peacefully. But they were subjected to atrocities. Murder, smuggling, gun-running was the order of the day and the people of Tamil Nadu were made to witness and accommodate violence. The slogan of the day in Tamil Nadu during the DMK rule was 'have gun will travel'. Now, I am happy the situation has changed and the President's rule has been imposed in Tamil Nadu.

Various Members have stated in the House that this move was a blow to federalism; it is characterised as having *mala fide* intentions; it is arbitrary and politically opportunistic and constitutionally indefensible. They also described it as a murder of democracy and an unprecedented act of vendetta. All these allegations are borne out of ignorance of what the real situation in Tamil Nadu was, and out of a theoretical doctrinaire approach. Some people have just come here with briefs to support their friend Mr. Karunanidhi without really knowing the situation on the ground there. There was only one voice here from Tamil Nadu out of 39 which spoke in favour of the DMK Ministry.

We consider the imposition of President's rule in Tamil Nadu as an essential corrective action administered at the right stage to preserve the body-politic of India and the democratic institutions of our great nation. If this action had not been taken then we and the Government of India would have been responsible for turning Tamil Nadu into another Punjab and creating a problem for the security of the country.

Speakers before me, Mr. Somnath Chatterjee and just now Mr. Chitta Basu have questioned the imposition of President's rule under article 356 in as much as the Governor's report had not been called for.

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We should look into the information system of how a Governor can get a report and what is his knowledge to collect a report and make a report. His knowledge is confined to the State Police, to the State administration and probably the Chief Minister of the State. What else is available to the Central Government and to the President of India? What other information would be available to them and what are the systems? The Government of India has many agencies under them. The CBI is there, various intelligence organisations are there such as the Police Intelligence, Economic Intelligence, Revenue Intelligence, Navy Intelligence, Military Intelligence and various forums are there for them to get information.

In article 356 the clause on which these people have been harping on is, "the President, on receipt of a report from the Governor of the State or otherwise". To me, the more important point in this article 356 is, "if the President is satisfied that the government of the State cannot be run in accordance with the provisions of the Constitution, he can issue a proclamation dissolving the State Government". That is more important than the report of the Governor.

Now we all know what has been happening in Tamilnadu. Various Members have stated it. In fact yesterday Mr. Chidambaram and today Mr. Kumaramangalam have made specific charges against the DMK Government. I would not like to go into that and repeat the charges. But we are also aware, the MPs, the public of Tamilnadu are aware that the LTTE has been indulging in murder, drug trafficking, smuggling and gun-running. In fact recently when I had gone to the temple in Rameswaram, I was staying in a hotel there and somebody came and offered me an AK 47 machine gun at Rs. 12,000/- AK 47 guns are available all over the place. Is this in the interest of our country?

Also I understand that Interpol has written a communication to the Government of India saying that Tamilnadu was the conduit for drug trafficking from Sri Lanka to Europe and Tamil Nadu Government was not taking any action. The Government of India has not taken any action against the Government of Tamilnadu to stop this drug trafficking.

Various Members stated about how Mr. Padmanabhan and 16 other members of EPRLF were killed in broad daylight. I would just like to stress one point here. Those of us who know the configuration of Madras know that Kodambakam is so congested that in the peak hours it takes you 45 minutes to go for two kilometres at 6 or 7 O' Clock when there is peak activity. Yet Mr. Padmanabhan and his associates were gunned down and the culprits got into their Maruti Van, crossed the congested area, Tamil Nadu, a distance travelled the whole of Madras at a speed of 300 kms., waited for a speed boat for 12 hours and then got away. There was no policeman even to say good-bye to them!

The irony of the fact is that after two-three days when MPs and the MLAs of the Congress Party and the AIADMK wanted to present a petition to the Governor, we saw thousands of policemen standing in front of the Raj Bhawan. This is the law and order situation in the State. It is not that the Tamilnadu Police are incompetent. I would like to remind you that Tamilnadu Police is one of the most competent forces in the country. But they were made impotent by their political masters.

Whenever LTTE cadre were apprehended by Coast Guard or by Navy, they have no means to keep them in custody. So they used to hand them over to the Police. You will find that after two-three days the police let them go for no reason at all. This is not stated by me; this is stated by Mr. Ramdas who is one of the Chiefs of the Naval Staff.

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The traditional hospitality of Tamilnadu was thrown to the winds when shiploads of refugees from Sri Lanka were sent to Orissa and Andhra Pradesh and were not allowed to come to Tamilnadu because they were hostile to the LTTE.

Our Prime Minister himself has stated in the House and outside that whenever sensitive information was told to Mr. Karunanidhi, it was passed on immediately to the LTTE. Anyone who raised a voice against the LTTE got threatening letter immediately. Even TNCC (I) President, Shri Ramamurthy, who is a Member of this House is being protected by guards because he is under threat of his life.

I would like to take you back in time. Shri Somnath Chatterjee just now said that the previous Leader of the Opposition in the Tamilnadu Assembly Ms. Jayalalitha was hiding in Hyderabad. He does not know what he is talking about. We all know what has happened in the Assembly on 25th March 1989. Without even seeing that she is a lady, they tried to murder her in the Assembly on that day. Is this not a rape of democracy? Not only that. She had gone for campaigning for the Pondicherry elections. When she was coming back, a lorry which was standing there, a lorry which was not on the regular route, specifically goes and bangs against her car, out of a convoy of many cars. I am told that police were there, monitoring her arrival with wireless sets and informing the lorry as to when to start, where to go and where to hit. And the irony is that the lorry driver was not even charged with anything serious. He was given a fine of Rs. 1750 and the whole case was closed in one week. Her life was in danger in Madras.

Our point is not that it is just a break down of law and order machinery. Our case is that there was a total collusion of the police force with the culprits which led to a law and order situation. There was a threat to the

national security. In fact, 12 Members of Parliament have given signed a memorandum, consisting of 102 pages to the Prime Minister on 11th December, in which various charges against the DMK Government and collusion of officers were made out I would not like to repeat those charges because I really have no time.

Shri Jaswant Singh said that we were being parochial, when we talk about cooperative elections and the public distribution system. How can we be called parochial when we are talking about large scale corruption in our State in the matter of the public distribution system —essential articles not being available in the ration shops, to the poor? How can we be called parochial? If we cannot raise it here which are the other forums where we can raise it?

Shri P.R. Kumaramangalam has correctly said that there was large scale rigging in co-op elections. There were not only large scale rigging and booth capturing, but also, even at the time of filing the nomination papers, there was fraud and collusion of the police. In fact, I can state one or two cases which will illustrate the point. There is a cooperative society in my Constituency, Nilgiris, which is called NCMS. At the time of scrutiny, the nomination papers filed by the DMK party members, were rejected, because they were faulty. So, immediately, the cooperative elections were postponed and again elections were held. This is how they frustrate the very process of elections. In another cooperative bank in Coimbatore, the nominations were to be filed between ten and eleven hours. Then, the police came and stood there; a big line of 50 people from the DMK party was made to stand in the line; and after 11 O' Clock, they refused to receive nomination papers. This is how they were frustrating the election process. How can they call themselves as democratic? (*Interruptions*) Naturally we have to talk about this. But you cannot talk. (*Interruptions*) Sir, those

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hon. Members who spoke here said there is law and order problem—law and order problem in Andhra Pradesh, in Gujarat, in UP etc. But, they are not the same scale. There is no collusion between the police force and the law and order break down. But, here there is a total collusion between police force and hence a law and order break down. Yesterday, one of the Members mentioned that an officer who was right-hand man of Mr. Karunanidhi was made the Home Secretary there. I do not know whether he is the right-hand man or the left-hand man. But, I know this that he is a very junior officer and he is No. 89 in the list of IAS Officers in the State. He has been put as Home Secretary, given charges of Public, Law and Order, Excise and Prohibition; and the Home Department. This goes to show that whichever officer was collecting with them, was given rewards.

Let us go back to the issue of Governors. I am not saying anything against Governor Barnala. I have the highest respect for the Governor Shri Barnala. But, let us go to the State, where he is from. He is from Punjab. Look at the culture of Punjab. How can you compare it with the culture of Tamilnadu? The culture of Punjab is that everyone has a gun; everyone has a sword and walks around, while in Tamilnadu, these things are not allowed. So, his perceptions are different, his feeling for law and order break downs is completely different, his norms are different. How can he be expected to give a report saying that there is law and order break down in the State?

When he was transferred, I would think, being a devout Sikh he would be very happy to go to the birth-place of Guru Nanak because Patna is a place where Guru Nanak was born. It is one of the five important Sikh centres. But, no, he resigned.

What is the sequence of events leading

to his resignation? The National Front Chairman, Shri N.T. Rama Rao, announces his resignation much before the Governor resigns. If you remember the National Front leaders were all in Madras. One of the reasons may be that they were all out of power. Mr. V.P. Singh is without any position. Mr. Karunanidhi is without any position. Mr. N.T. Rama Rao does not have any position. Why should Mr. Barnala sit in a high position? You remove him also. That is why they announced his resignation even before he resigned. The resignation was later announced T.V. I am not making it up. (*Interruptions*)

Much was said about transfer of Governors. Who politicalised the office of the Governor? As soon as Mr. V.P. Singh came to power, in his short tenure, he dismissed or made a Governors. I can understand if a political person, who stood for election, has to be adjusted and was then made Governor was dismissed. I can understand that. That is politics. But the Governor like Mr. Alexander had a very unblemished record of civil service, who has been a senior bureaucrat in the country. He was the Tamil Nadu Governor. What was the need to make him resign? So that you can put somebody who could play according to the tunes of the National Front. And they talk about democratic norms. They talk about misuse of Article 356.

What happened in Karnataka recently? You yourself raised it in the morning. Just because one Chief Minister was sick and probably the legislature party wanted to appoint another Chief Minister, the Governor gave a report to the President saying: the Assembly should be put in suspended animation and President's Rule was announced. In fact, the Governor went to the extent of calling for the Congress legislature party meeting. Is this democracy? When this sort of Governors are there, how can you wait for a Governor's report to come and then dismiss

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this Government? How can you wait? Mr. V.P. Singh today himself said: They have not gone through the formality of getting a report. Mr. Somnath Chatterjee said: They have not even made a pretence of getting the report. So, they think, it is only a formality and pretence, and it is not really required.

Sir, under Article 356, Governor's report is not a pre-condition. The President and the Government of India can find out what is happening in the State from other forums. They have various other information systems. The very fact that otherwise is indicated in Article 356 without spelling out what are such other measures available to the President means that the Constitution-framers understood that there would be other means to get information and did not want too much credence to be put on the Governor's report. So, there is nothing unconstitutional. There is no reason why the President should wait for a Governor's report before taking action. He has taken action in connection with protecting the security of this nation.

All the parties in this House, who have been talking about dismissals and all that, at one time or another, have been a party to dismissals under Article 356 be it in 1977 or 1980. Today, they come and criticise us and the Government for imposing President's rule when the national security is at stake. What was the reason for dismissal in 1977? Because the State Government, they felt, had lost the mandate of the people, had lost the political will of the people. Here what has happened? As if Mr. Karunanidhi has the political will of the people! After he came to power in the 1989 when Lok Sabha elections were held DMK party did not get even one seat out of 39, we had one dissenting voice only. I would like to tell you that except for in three three constituencies, in every other constituency, there was majority of more than one lakh of votes. The Congress-AIDMK alliance candidates got majority more than one lakh votes in every constituency. If Mr.

Karunanidhi was a true democrat he should have immediately resigned and said: "I will seek the mandate of the people." What is democracy? It is will of the people and the will of the people is reflected in the democratic process. Only the Indian democracy can tolerate you can find the representative of the DMK party in the National Front Government without having even one Member in this House. It is only in this democracy that this can happen and in no other democracy it can happen. This is called 'democracy'. But when things are done in the national interest, and in the interest of security of the nation they say: "It is undemocratic." I just conclude by saying that I thank the President and the Government of India for taking correct action at a correct time to impose President's rule in Tamil Nadu. (*Interruptions*)

[*Translation*]

SHRI PIYUS TIRAKY (Alipurduar): Mr. Chairman, Sir, I strongly condemn and oppose the President's Rule imposed in Tamil Nadu. It simply means the abuse of Article 356 of the Constitution. Congress (I) always try to topple the non-Congress Governments in the States wherever non-Congress Governments have been formed and wherever they find anything unpleasant for them, they try to find an opportunity to dismiss the Government. The excuses given to dismiss the Government of Tamil Nadu are just lame excuses. The circumstances, which they claim, forced to impose President's Rule there, prevail in Haryana and Uttar Pradesh too where Harijans are being killed the law and order situation is very bad and smuggling is going on at large scale. But they are least bothered about this. My submission is that the Congress Party brought pressure on Shri Chandra Shekhar to take this step. It was the same Shri Chandra Shekhar who said that Shrimati Gandhi had committed a blunder by sending the troops into the Golden Temple. It is this thing which makes me confident that in this case he did not act on his own. Today

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the Congress-I is leading him to a path which is grossly wrong. They will have to face the consequences of it when elections are held in Tamil Nadu.

Wherever President's Rule has been imposed—whether it is Punjab, Assam or Jammu and Kashmir, the law and order situation has gone worse. If the present situation continues for a few more days, the situation will further deteriorate. Therefore, I am of the opinion that elections should be held there at the earliest. The Congress and AIDMK alliance which is having its sway to-day is likely to lose its hold in the days to come. There is great resentment among the people over the manner in which the Government of Shri Karunanidhi was dismissed. Congress is optimistic about the ensuing Lok Sabha and Legislative Assembly elections results which, it thinks, will go in its favour. However, I feel that with the passage of time, their number of seats will come down. Today the Congress is sadly mistaken about its prospecting elections to be held. As the situation exist today, I think that the sway of the Congress and AIDMK alliance has altogether disappeared. It was Congress which was instrumental in toppling the V.P. Singh's Government. The Government under V.P. Singh was functioning very smoothly but the Congress engineered the down fall of the V.P. Singh's Government. However, the people of the country will never forgive the Congress Party for that. With these words I conclude.

[English]

SHRI D. PANDIAN (Madras North): Mr. Chairman, I rise to support the Proclamation of President's rule in Tamil Nadu. At the outset, I would like to remind the Members from other parts of the State and from other parties to give at least the minimum credence to our voice because only the wearer of shoe

knows where it pinches. You are an on-looker. You look at the polish and you go on talking about the value of the shoe. But we are groaning about the pinching toes. So, at least, give the minimum respect to the voice of people of Tamil Nadu. You speak in the name of democracy and you have accused the Government of stifling democracy forgetting that in the recently held Parliament elections, the so-called popular party, the DMK party, was routed in Tamil Nadu and it was able to secure only thirty-three per cent of the polled votes. And when we are speaking, we speak with sixty-two per cent of the polled votes behind us. So, our voice is the voice of Tamil Nadu. Do not ignore it even now....(Interruptions)

The whole thing started when our respected Forward Block leader, Shri Chitta Basu asked us: under which criteria we have dubbed them as anti-nationals. I am grateful to him having provoked such an idea. Just for refreshing their memory, I want to tell the Marxist Party that their State Committee had issued a pamphlet just immediately after the Indo-Sri Lanka Accord was signed and the IPKF was sent to Sri Lanka. It is your official document. Of course, it is in Tamil with a foreword by your States Secretary and it has listed not one or two charges, they have leveled very many charges. They have categorically stated the name of the person, who is not in the House, but can find it in that document. The name of the person and the charges which have not been levelled by anyone here, or Shri Chidambaram, but by your own document include him as being a CIA agent. It is in black and white. You can refer to that statement. You have not only accused him as a CIA agent, but as anti-national, separatist, representative of such forces and had also taken up the cudgels and promised to fight against him tooth and nail. That was the declaration of CPIM when Indo-Sri Lanka Accord was signed. You had a different criteria because, just to remind you, you were in alliance with AIADMK then.

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You were all praise for Shri M G Ramachandran. You had supported the Accord and I think, your Party's stand even today is the same. You do not go back on that. Similar is the stand of the CPI also. The only party from Tamil Nadu which did not subscribe to the Indo-Sri Lanka Accord was the DMK. They described it as a sell-out, as a surrender to Sri Lanka. They started accusing and levelling charges against the Government for betraying the Tamil interests and so on. But after the Assembly elections, they were keeping quiet and lying low, because they were not sure and there was a Government at the Centre not very friendly to them at that time, according to them.

However, at the advent and formation of the National Front Government at the Centre, they were emboldened. Then, they slowly started, because the National Front Government also wanted the return of the IPKF. The DMK Government also voiced that, the LTTE also voiced similarly. These three were in one voice demanding the withdrawal of the IPKF. Before that what happened? The Government at the Centre delegated the power to negotiate with the LTTE not to the Minister for Foreign Affairs, but to the Chief Minister of Tamil Nadu. The CPIM objected to that at that time. They said, it cannot be allowed to be negotiated by Karunanidhi. Then, what happened ultimately. There were elections in Sri Lanka, Jafna, part of Tamil-speaking area. With sixty-two per cent of the votes, a Government was formed and that State Government which had never existed in the history of Sri Lanka was born out of the Indo-Sri Lanka Accord. For the first time, the Tamil-speaking population of Sri Lanka got an elected Government.

18.00 hrs

Where is that Government today? With the return of the IPKF that Government vanished into thin air. The people, who speak of Tamil interest and defending of Tamil

interest and all that, what happened to that hard won state right in Sri Lanka? Now that is gone and after creating the State Government and giving the protection, the Indian Peace keeping Force did not go there as the American-led Allied Forces which are just now entering into Kuwait in the name of releasing it with that passport of United Nations Resolution. The IPKF was sent to Sri Lanka with the consent and agreement of Sri Lankan Government, with a view to implement the stipulations and terms of agreement and everybody welcomed it, excepting the DMK. It was waiting for an opportunity. That is why when the IPKF was, at the instance of Central Government, withdrawn, the Chief Minister did not care to go to receive it. And on the floor of the Assembly he said: "It was a mercenary army sent to Sri Lanka to annihilate the Tamil people". And let me remind all the Members here including our youngest comrade, joined us in condemning that in this House without mentioning the name of the Chief Minister. In one voice, the whole House condemned the statement as "anti-national". Our eminent leader, Shri Chitta Basu was on that day not questioning the criteria of dubbing him as "anti-national". Let me ask Shri Chitta Basu as well as other Members from the other party: You are fighting all the time against the Congress party. The parties, CPM or the Forward Bloc, which have been fighting the Congress right from the time of Netaji Subhas Chandra Bose down to the time of Shri Chitta Basu, even after experiencing the pitterest oppression from the Congress Government, have they ever said in anger that West Bengal will not from part of India, and it will be removed from the map of India? But Mr. Karunanidhi said: "If the Central Government dared to attack the DMK Government, the map of Tamil Nadu will be cut out of India". If that is not anti-national, let me know what is 'anti-national'. What else, what other criteria do you want? You can fight against the party. You can fight against the abuse of power. But how can you, in the guise of fighting

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against the Party, say that Tamil Nadu will be cut, out of the map of India? It happened and if that had been uttered from a platform by a normal person, it can be ignored. As a Chief Minister, having, taken a under the Constitution, he declares that Tamil Nadu will not form part of India and yet you want us to keep quiet and be a dumb witness of this tragic drama? (*Interruptions*)

SHRI SAIFUDDIN CHOUDHURY (Katwa): That is why we always counsel that this kind of undemocratic acts are not to taken. It is not a matter of whether Karunanidhi will be saying something or not. These kinds of acts actually provoke secessionist in different parts of the country. So, must be careful in the Centre not to indulge in these kinds of undemocratic activities. That is how we also condemned and we did not support the imposition of President's rule in Assam though we are all fight ULFA. This is the precise point he made for me.

SHRI D. PANDIAN: I thank you for the clarification and in the net result he agrees with me that when something goes beyond the control of the State Government, that Government which is responsible at the Centre look after the unity and the orderly improvement and orderly development of the entire part of India because the Central Government is responsible for the whole of India and not for one particular part. Hence, I think the Central Government has to discharge its duty. (*Interruptions*). Some revered and senior leaders with much experience for whom I have great regard, even had asked that whether there had been enough riots in Tamil Nadu, whether there had been enough murders in Tamil Nadu, whether there had been bloodshed as it is happening in Assam, or Punjab and so on. I am really perturbed to share that argument because just to prevent such a thing to happen in Tamil Nadu we were fighting. Do you feel

that we should wait till Tamil Nadu is converted into another Punjab or Assam, and them come to the Lok Sabha to plead that now everything has gone beyond our control and people are being killed in millions? Then you too will say that it is much delayed and that you too regret who delay. The wise people of Tamil Nadu have the wisdom to demand that prevention is better than cure and they have taken the correct step at the correct time.

MR. CHAIRMAN: I want to inform the House that there is no sitting of the House on 28th February 1991. And tomorrow we have to take up to the Kashmir issue also. I have received many requests from hon. members who want to speak on this subject. If you all cooperate, we may extend the House upto 7 O 'Clock so that we can finish the speeches. Tomorrow the Minister can give the reply.

SHRI SAIFUDDIN CHOUDHURY: No Sir.....(*Interruptions*)

SHRI SRIKANT JENA (Cuttack): Sir, you are imposing your will on us.

MANY HON. MEMBERS: We do not want to sit late.

MR. CHAIRMAN: Some members who attended the BAC meeting may kindly recall that they agreed to sit late in case some Bill has to be passed. Please try to cooperate.

SHRI SRIKANT JENA: Is this also some sort of imposition?

MR. CHAIRMAN: No, no. No imposition at all. It is the free will of the House. If you decide and cooperate then we can accommodate all the members who want to speak on the subject.

SOME HON. MEMBERS: Okay Sir. You may extend the time.

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MR. CHAIRMAN: We may sit upto 7 O' Clock.

SHRIMATI MALINI BHATTACHARYA (Jadavpur): I want to put a question to the hon. member. The elected government was toppled in the Punjab also. Do you think that it deterred the secessionists?

SHRI D. PANDIAN: It is a very pertinent question which deserves a proper reply. If you think that you can put a question which nobody can answer, you have a right to do so. But I am attempting to give a reply to you....(Interruptions) She has drawn a parallel between the Punjab and Tamil Nadu. Even after the imposition of the President's Rule, terrorism in Punjab has not been curbed. On the other hand, it has been giving an impetus to it. If you go by principles and say whether an elected government can be removed or not, it is a debatable point. Every party has a right to say what it thinks on this. I think this has been discussed at length....(Interruptions). If the DMK Ministry had allowed the law enforcing machinery to take proper steps as it was expected to, then things would not have come to this pass. The charge is that the DMK Government not only did not allow the law enforcing machinery to prevent smuggling of arms but also did not take any steps to trace and attempt to investigate into the murders that have taken place right in the capital city..(Interruptions) Every Member has a right to express his opinion. If you ask as to why the other Member has said it, then it is not for me to answer, you will have to go and ask him. The DMK Government have never exercised its obligations and they did not discharge their responsibilities of even protecting the lives and rights of the people. There was a charge not only by the political parties but by others also. You may say that we want dispose of the Government or you may say that we are clamouring for power as soon as possible. But without the support of the people, nobody can go and fight the election. You remember

that. So, for the final verdict, you have to go to the people. (Interruptions)

SHRI TARIT BARAN TOPDAR (Barrackpore): You are trying to smuggle into power just like Mr. Chandra Shekhar.

SHRI D. PANDIAN: If you want to visit Tamil Nadu now, I extend to you a warm welcome. You will receive our hospitality. You can meet the people. With all your eloquence, you can put your arguments before them and try to get their verdict. I am not going to close the doors. (Interruptions) Then, we brought to the notice of the former National Front Government, led by Shri V.P. Singh and also to the Lok Sabha to draw the attention about the activities of the LTTE and other militant divisive forces operating in Tamil Nadu as a market place for buying arms and all that. We gave the evidence also. The former Prime Minister promised to look into that but never followed it up with any action. On the other hand, even the statements of the Chief Minister were not contradicted. But after that, much more thing had happened, i.e. regular smuggling. We are not talking about the smuggling, corruption and all that in the ordinary sense because it has come to be seen everywhere. On that point, you cannot justify it. I am not saying simply because there have been smuggling, there have been corruption and for that the DMK Government should go I am saying that the smuggling of arms had reached even the ordinary citizens of Tamil Nadu. We want to avert this. Supposing if there is any spurt in communal clashes, then both the sides will use sophisticated weapons and our police force will not be able to curb it at all. Such thing is spreading in the whole of Tamil Nadu. We wanted the Central Government to intervene and stop it.

AN HON. MEMBER: Even AK-47s.

SHRI D. PANDIAN: AK-47s and other sophisticated weapons. Even mining of land

Proclamation of President's

[Sh. D. Pandian]

is being taught to the high school boys. They are being trained in that. Now, it has gone to almost to the remotest part of Tamil Nadu. We have given enough evidence that from which factory the spare parts are being produced and how they are being taken to Sri Lanka and all that. It is not that we want to fight with LTTE. If they fight against their Government for their rights, let them do it. But on our soil, they will have to respect the rules of our country. (*Interruptions*)

SHRI TARIT BARAN TOPDAR: What about Mr. Chidambaram's and MGR's interaction with the LTTE?

SHRI D. PANDIAN: At that time, the LTTE were here. They were attempting to get the support of India because they were friendly to India at that point of time. Only after returning to Sri Lanka, they have turned against India and they have become anti-national and were indulging in all these anti-national activities. Hence, action has to be taken against them, and correctly so, though belatedly. Any attempt to argue for such a bad case, even with a fine eloquence of Mr. Jaswant Singh and Shri Somnath Chatterjee, will not be able to help such a bad case. Do not waste your time or do not waste your eloquence. We welcome you to Tamil Nadu. Come to Tamil Nadu soon and then you will see that democracy is restored in letter and spirit and Tamil Nadu will give a lead to the whole of India. You will at least after that, respect the verdict of Tamil Nadu people and realise what we have said is true to be believed in this context.

Our position with regard to national unity and secular character or about law and order situation do not change with alignments of political parties as it has happened with some other parties.

I am sorry at the end I have to reply to my

dear friend Mr. Sivaraj from Tamil Nadu. He threw a challenge and asked whether any Member of Parliament here would be able to contest against him in the Nagapattinam constituency. The only thing is that it is a reserved constituency, where I am forbidden to contest. I think he is fully aware of it, and that is why he has thrown that challenge. But he is not prohibited from contesting from my constituency. So, I invite him, and I also invite any of his top leaders to come to that constituency. I am prepared to resign forthwith and contest again, any day, to seek the verdict of the people. Then he will know what is the mind of the people of Tamil Nadu, and what is the voice that they are representing here.

You have joined a bad company, and with the bad company you are moving. Ultimately, I can only say that I sympathize with you. Please come. (*Interruptions*) The challenge is accepted, including your Nagapattinam constituency.

18.15 hrs

BUSINESS ADVISORY COMMITTEE**Twentieth Report**[*English*]

DR. LAXINARAYAN PANDEYA (Mandsaur): I beg to present the Twentieth Report of the Business Advisory Committee.

18.15 1/2 hrs

STATUTORY RESOLUTION RE. PROCLAMATION OF PRESIDENT'S RULE IN TAMIL NADU-CONTD.[*English*]

SHRI SAMARENDRA KUNDU (Balasore): I will be very brief, and will