

12 hrs.

MATTERS UNDER RULE 377

(1) REPORTED STATEMENT BY ANDHRA PRADESH CHIEF MINISTER SUGGESTING PRESIDENTIAL FORM OF GOVERNMENT OF INDIA.

SHRI JYOTIRMOY BOSU (Diamond Harbour): Under rule 377, I wish to raise the following.

The most significant thing that has happened during the last 33 years of democracy is the public announcement in Hyderabad by a leader of the ruling party and Chief Minister where the Law Minister was present, that a presidential form of Government should replace the present Constitution, although they were to abide by the present Constitution. Their alibi was the alleged constrains in the present parliamentary system and therefore the presidential form should come instead.

This will actually mean absolute concentration of all power in the hands of one person and that in reality it would be a dictatorial system. This is a very serious matter. The Prime Minister being the leader of this House, which owes its existence to the present Constitution should make a statement on the floor of the House clarifying the Government's stand in the matter. If no statement comes forward from the Government, the people will

take it that what has been stated above is correct and true.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): I would like to give the reply. The matter raised by the hon. Member under Rule 377 refers to the alleged public announcement in Hyderabad by the Chief Minister of Andhra Pradesh in my presence. The hon. member presumably seems to allude to the speech delivered by the Chief Minister of Andhra Pradesh on 2nd June 1980 at a function got up to release the Telugu version of the Constitution. I was also present on the occasion and my speech preceded that of the Chief Minister.

A widely circulated daily, 'The Decan Chronicle' of 3rd June 1980 quoted the speech of the Chief Minister *in extenso*. The relevant extract of the Daily is as follows:

"The Chief Minister, Dr. Chenna Reddy, tonight stressed the need for preparing a new Constitution for the country which will reflect the deep aspirations of the people and be a live instrument to secure for the people the social, economic and political justice."

Having referred to the number of amendments made in the Constitution, the Chief Minister observed that the need to change it from time to time reflects the aspirations of the people in fulfilling their dreams. Again referring to the change in the Constitution, he observed, which is

again an extract from the said paper of that date:

"He said that time had come to consider the need to have a fresh Constitution and added that it was his personal opinion.

He further observed, as quoted by the paper:

"He was not reflecting the official thinking of the ruling party as one of its leaders, he said."

He, however, emphasised that a new Constitution could be written only after obtaining the mandate of the people through the democratic process of an election.

I have relied on the quotations of the said newspaper. 'The Deccan Chronicle' as it was quite handy to me this day.

The Chief Minister to my recollection....

SHRI JYOTIRMOY BOSU: What did you hear?

SHRI P. SHIV SHANKAR: Will you please wait till I complete my statement? You need not get unduly excited.

The Chief Minister to my recollection, never mentioned about the Presidential form of Government to replace the present Constitution as sought to be injected in the matter raised under Rule 377. The hon. member is unduly making a mountain of a mole hill.

SHRI JYOTIRMOY BOSU: This is unwarranted. We can produce clippings from national dailies. We have seen many Ministers like you.

SHRI P. SHIV SHANKAR: Mr. Deputy Speaker, my friend indulges in the publicity stunt. I have got to answer him in the manner in which.... (Interruptions). He is drawing his own inference.... (Interruptions)

SHRI JYOTIRMOY BOSU: On a point of order.

MR. DEPUTY-SPEAKER: Under what rule?

SHRI JYOTIRMOY BOSU: Under Rule 376.

SHRI P. SHIV SHANKAR: I am squarely meeting the issue raised by him under Rule 377. May I just complete it?

SHRI JYOTIRMOY BOSU: I am on a point of order.

MR. DEPUTY SPEAKER: What is the point of order?

SHRI JYOTIRMOY BOSU: My point of order is under Rule 376. He is quoting 'The Deccan Chronicle'. He has not said what he has heard with his own ears. He was present there.

MR. DEPUTY-SPEAKER: Where is the point of order? There is no point of order (Interruptions)

SHRI P. SHIV SHANKAR: The difficulty with my hon. friend is that he would not like to hear me properly. I will repeat it.

The Chief Minister, to my recollection, never mentioned about the Presidential form of Government to replace the present Constitution as sought to

[Shri P. Shiv Shankar]

be injected in the matter raised under rule 377.

SHRI JYOTIRMOY BOSU: Why say, "recollection"? Why a rider? (Interruptions)

MR. DEPUTY-SPEAKER: When a statement is being made by the hon. Minister, I ask you, is this the way to deal with the statement? You hear him first. Then, if you want to say anything, you do. But not like this. If this is the way, we cannot conduct the proceedings of the House. He is making a statement. Under rule 377, he is not expected to make a statement. But he is making it. You should be happy about it.

SHRI P. SHIV SHANKAR: I repeat. The hon. Member is unduly making a mountain of a mole-hill. He is drawing his own inference based on the public announcement of the Chief Minister which does not stand substantiated as per his statement at Hyderabad.

In view of this position, there is no room for any apprehension and anxiety on the part of the hon. Member or anyone else. While changes in the Constitution with a view to attaining the noble objectives set out in the Preamble and other parts of the Constitution are always possible, there is no proposal whatsoever under the consideration of the Government to replace the present parliamentary system of Government by a presidential form of Government.

MR. DEPUTY-SPEAKER: Mr. K. C. Halder.

SHRI JYOTIRMOY BOSU: Only one minute. (Interruptions)

MR. DEPUTY SPEAKER: I will not hear you any more. Whatever Mr. Jyotirmoy Bosu speaks will be without my permission. Therefore, it is not to be recorded.

MR. JYOTIRMOY BOSU:*

(ii) SHIFTING OF THE HEAD OFFICE OF HINDUSTAN FERTILISER CORPORATION FROM DELHI TO CALCUTTA

SHRI KRISHNA CHANDRA HALDER (Durgapur): Mr. Deputy-Speaker, Sir, I want to raise the following matter under rule 377:

It is serious matter that even after the categorical assurance and decision taken by the Government, the shifting of the head Office of Hindustan Fertiliser Corporation from Delhi to Calcutta has not taken place so far.

The four units of Hindustan Fertiliser Corporation are situated in Eastern Region and two of them in West Bengal. The Central Government instructed the Corporation to shift the Head Office to Calcutta on or before 1st April, 1980. For that purpose, the West Bengal State Government has extended their helping hand for arranging places for Head Office and residential accommodation for staff. The State Government has arranged a complete air-conditioned floor (2600 sq. ft.) in Poddar Court Buildings in Calcutta with a minimum rent of Rs. 5/- per sq. ft. and the State Government had already spent Rs. 1,50,000 for 3 months' rent of that floor for that purpose.

16-10 hrs.

[SHRI SHIVRAJ V. PATIL in the Chair]

The Chief Secretary of West Bengal State Government has written a letter asking them to take immediate possession of that floor for which the State Government is paying rent, but there is no reply. Moreover, the bureaucrats of the Corporation, by-passing the State Government, are reported to have dealt with a house owner in Theatre Road in Calcutta for an incomplete building for which the Corporation is ready to give Rs. 45 lakhs to the house owner for the completion of the building. However, the rent of the building is also higher than the offer given by the State Government. The