

13.05 hrs.

RE. RESIGNATION BY SHRI
MOHAN DHARIA

श्री अटल बिहारी वाजपेयी (ग्वालियर):
नियमों के अनुसार जो मंत्री त्यागपत्र देता
है वह आप की इजाजत से सदन में वक्तव्य
दे सकता है। मैं जानना चाहता हूँ कि क्या
श्री मोहन धारिया ने आप से वक्तव्य देने
की इजाजत मांगी है? क्या वह वक्तव्य
देने जा रहे हैं?

अध्यक्ष महोदय: वह जब चाहें दे
सकते हैं।

श्री अटल बिहारी वाजपेयी: अध्यक्ष
महोदय नियम 199 देखिए।

I shall read Rule 199. It says:

"A member who has resigned the
office of Minister may, with the
consent of the Speaker, make a
personal statement in explanation
of his resignation."

हम यह जानना चाहते हैं कि क्या उन्होंने
आप की इजाजत मांगी है? हम उन्हें सुनना
चाहते हैं क्यों कि त्यागपत्र का मामला केवल
प्रधान मंत्री और श्री मोहन धारिया के बीच
का मामला नहीं है। उस में बहुत राष्ट्रीय
महत्व के मुद्दे जुड़े हुए हैं।

(Interruptions)

MR. SPEAKER: Order, please.
Please try to listen to this. What are
you doing?

SHRI SHYAMNANDAN MISHRA:
(Begusarai): Sir, I have made a re-
quest to you....

SHRI SAMAR GUHA (Contai):
What kind of partiality is it! It is my
right to raise a point of order.

MR. SPEAKER: You can raise a
point of order on the subject before
the House. I will allow you after
Mr. Mishra.

SHRI SHYAMNANDAN MISHRA:
Sir, under Rule 377 I had made a re-
quest that since a great deal of con-
fusion has been created with regard
to the mode of exit from the Council
of Ministers of the hon'ble Member,
Shri Mohan Dharia, a statement is
required to be made both by the
Government and the hon'ble Mem-
ber, Shri Dharia. Certain constitu-
tional issues also arise. The news-
paper reports and the statement that
he made after his return from Ahme-
dabad indicate that he had received
a letter from the Prime Minister at
1.15 P.M. to say she was informing
the President that he should cease to
be a Member of the Council of Min-
isters. I ask the hon. Members
on the other side to consider it coolly
whether the Prime Minister has only
to inform the President or the Prime
Minister has to advise the President.
The Prime Minister cannot take an
action because a Minister, according
to us now, holds an office during the
pleasure of the President and the
Minister can cease to be a Minister
only when the pleasure of the Presi-
dent ends and the pleasure of the
President ends on the advice of the
Prime Minister. But the Prime Min-
ister cannot drop a Minister and in-
form the President. That is the
point.

Another point is that since the hon
Member was introduced to the House
as a Minister, so the House has every
right to know in what way he has
been disposed of. Then further
doubts have been created because of
conflicting reports from the AIR and
the newspapers. The All India Radio
said that the hon. Member was being
dropped from the Council of Ministers
and the communique from the Rash-
trapati Bhavan says that the President
was pleased to accept the resignation
of the hon. Member Mr. Dharia. Now
Sir, please mark the difference. All
India Radio says that he was being
dropped. That is also the headlines
in many of the newspapers which say
that he is being dismissed. But, the
communique which is the authorita-
tive statement from the Rashtrapati

Bhavan says that the resignation of the hon. Minister was accepted by the President. Now, we would like to know what exactly is the position, whether he has resigned or he has been dropped or dismissed because these are different concepts. They are not the same thing. We would like to know about both the issues which arise out of this, whether the Prime Minister has written in her letter to the hon. Minister Mr. Dharia that she would only inform the President that he was being dropped and secondly, whether he had resigned or he has been dropped from the Cabinet. These issues arise and we demand that statements should be made in the House, both by the Prime Minister and by Mr. Dharia, what is the position in this regard.

MR. SPEAKER: I will treat it as a submission only and not as a point of order.

SHRI MOHAN DHARIA (Poona): Sir, with your permission, may I inform this House that I have already informed the hon. Speaker that under Rule 199 I should be allowed to make a statement. (*Interruptions*) Under the rules, I am supposed to give a copy of the statement or the gist of the points to be made in my statement 24 hours before making the statement.

MR. SPEAKER: They will be full statements, not gist.

SHRI MOHAN DHARIA: I have written to the Speaker that I should be allowed to make a statement on Wednesday and I shall submit to him my statement or the points or the gist of my statement, before 12 Noon tomorrow because it should be before 24 hours. I shall have to make a statement immediately after the Question Hour. You can be rest assured that whatever may be the circumstances, the statement will be made before this House.

MR. SPEAKER: That statements have always come in full. We have not allowed any gentleman to say

anything out of the statement, in this House.

SHRI SHYAMNANDAN MISHRA: Not necessarily.

SHRI ATAL BIHARI VAJPAYEE Sir, kindly see the proviso to sub-rule (2) of Rule 199.

"Provided that in the absence of a written statement, the points or the gist of such statement shall be conveyed to the Speaker....".

SHRI SAMAR GUHA: Sir, today's business is before you and before the House. The most important point which has appeared in the Press today is the resignation of Shri Mohan Dharia. (*Interruptions*) Sir, this resignation has been made in an intriguing situation. It has already been explained by my friend Shri Shyamnandan Mishra that the President was only informed. A Minister has been dropped. If it was a case of resignation of the whole Cabinet or it was a major reshuffle, one would have understood. But, when a Minister is dropped and the President is informed about it, a duty is cast on the Government and on the Prime Minister to inform the House about the reasons for dropping a Minister in whose name the second item in today's List of Business stands. Therefore, Sir, you should ask the Prime Minister to explain first why he has been dismissed.

MR. SPEAKER: I have no right to ask her. It is her prerogative. I do not enter into that. It is the Prime Minister's prerogative to exclude or include.

SHRI SAMAR GUHA: A Minister has been dropped in whose name the second item in today's List of Business stands. The House has got to know. The Government should inform the House about the reasons. They must make a statement. The House must know what are the reasons, whether he has actually been dismissed or it is just a version of the Press.

(*Interruptions*)

[Shri Samar Guha]

Will you ask the Prime Minister to confirm whether he has been dismissed, and if so, the reasons for the dismissal? The Prime Minister owes this to the House. Otherwise, since this business stands in the name of the Minister, we are not supposed to know whether he has ceased to be a Minister before an official statement on the floor of the House by the Prime Minister herself.

MR. SPEAKER: I do not think the Speaker can give a direction. It is the Prime Minister's prerogative. It is for her to tell or not. I cannot give any directions.

SHRI SHYAMNANDAN MISHRA: Is not the Prime Minister obliged to tell the House why she has acted in a manner *ultra vires* of the Constitution?

SHRI SAMAR GUHA: You have not said whether it is a point of order or not. What has happened to you?

MR. SPEAKER: I do not come in. I cannot give any direction to the Prime Minister. It is her prerogative.

(Interruptions)

MR. SPEAKER: If she makes a statement, that is welcome.

SHRI SAMAR GUHA: We are here by the will of the people. Have you got any communication about the resignation and dismissal?

MR. SPEAKER: Kindly sit down. You have said what you wanted to say.

SHRI SAMAR GUHA: Have you got any communication? If not, you must inform the House.

श्री रामरतन शर्मा (बादा) : अध्यक्ष महोदय कृपा कर मुझे दो मिनट सुन लीजिये । बादा में हरिजन छोड़ने के साथ बहुत अन्याय हो रहा है

SHRI SAMAR GUHA: Have you got any communication?

MR. SPEAKER: What can I do?

SHRI SAMAR GUHA: Otherwise, how does this business stand in the name of the Minister?

MR. SPEAKER: It is purely the Prime Minister's prerogative.

SHRI SAMAR GUHA: It is her prerogative no doubt. But there is item 2 standing in his name. The Speaker should be informed, the House should be informed whether he has ceased to be a Minister. But in his name a business is before the House and the House does not know.

MR. SPEAKER: You have said what you wanted to say.

SHRI SAMAR GUHA: That is not the point.

MR. SPEAKER: Please sit down.

SHRI SAMAR GUHA: Let us know whether you have got any communication. A business stands in the name of the Minister. But we are not informed about it. How do we know? Are we to be cheated in this way?

MR. SPEAKER: I have received a communication.

"Under item 2 of the Order Paper, Shri Mohan Dharia is to lay on the Table of the House the document. Since Shri Mohan Dharia has ceased to be a Minister, I may kindly be allowed to lay it on the Table".

He has informed me this morning.

SOME HON. MEMBERS: Who?

MR. SPEAKER: Shri Raghu Ramaiah.

SHRI SAMAR GUHA: Has this become a playground of the Prime Minister or anybody else? With all respect to her is this the why to

treat the House and the Members? Is it a farce that we are playing here? We are not informed that a Minister has ceased to hold office or that he has been dismissed.

SHRI SHYAMNANDAN MISHRA: I rise on a point of order. Earlier, when any Minister is appointed by the Hon Prime Minister, he is introduced to the House. The House comes to know that a particular Member is now a Minister and therefore, the House deals with that Member as a Minister accordingly. The House has again the right to know when a particular Member has been withdrawn from the Council of Ministers. Otherwise the House cannot reckon with that. The whole point is whether the House deserves a communication from the Government or not. This is a communication to the Chair for the purposes of the business on the agenda, but the main thing is that the House deserves a communication from the Government.

MR. SPEAKER: I admire your fertile brain.

जब कोई मिनिस्टर बनता है तो खुशी के मीके पर उस को इट्रोड्यूस करते हैं। जाते हुए को क्या करता है।

श्री अटल बिहारी वाजपेयी : नहीं अध्यक्ष जी, मातम की भी खबर देनी चाहिये।

श्री श्यामनन्दन मिश्र : फातिहा का भी लट्ठू बटता है।

श्री अटल बिहारी वाजपेयी : अध्यक्ष जी, आप ने कहा कि प्राइम मिनिस्टर का प्रेरोगेटिव है। तो क्या यह भी प्रेरोगेटिव है कि ईमानदार मिनिस्ट्रो को निकाल दे और जिन के खिलाफ़ अफ़्ताचार के आरोप है उन को बनाए रखे ?

following message dated the 28th February, 1975 from the President:

"I have received with great satisfaction the expression of thanks by the Members of the Lok Sabha for the Address which I delivered to both Houses of Parliament assembled together on the 17th February, 1975."

श्री अटल बिहारी वाजपेयी (ग्वासियर)
 अध्यक्ष महोदय, हम ने समझा कि धारिया साहब को हटा दिया इसलिए बड़ा सेटिस्फेशन है।

अध्यक्ष महोदय : जो उस में लिखा हुआ है वही मैं ने पढ़ा है।

13.23 hrs.

MOTION RE. PRIME MINISTER'S STATEMENT ON JAMMU AND KASHMIR

MR. SPEAKER: We will now take up the discussion on the Prime Minister's statement on Jammu and Kashmir. Four hours have been allotted for this. We can have some marginal adjustment.

SHRI SHYAMNANDAN MISHRA (Begusarai): It can flow over to the next day.

MR. PEAKER: It has to be finished today.

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF ELECTRONICS, MINISTER OF SPACE, MINISTER OF PLANNING AND MINISTER OF SCIENCE AND TECHNOLOGY (SHRIMATI INDIRA GANDHI): Mr. Speaker, I beg to move:

"That this House do consider the statement made by the Prime Minister in the House on the 28th February, 1975 in relation to the State of Jammu and Kashmir."

13 22 hrs.

MESSAGE FROM THE PRESIDENT

MR. SPEAKER: I have to inform the House that I have received the