

12.11 hrs.

RE. CALLING ATTENTION NOTICE
(Query)

Mr. Speaker: Now we take up the Call Attention Notice

Shri Krishna Kumar Chatterji (Howrah) rose—

Shri Chintamanj Panigrahi (Bhubneswar) rose—

Mr. Speaker. The hon Member wanted to raise something. I will tell him the procedure. Everyday we get about 10 to 20 call attention notices, but we take up only one a day and that too, the Speaker decides its importance and it has to be admitted. A motion which is not admitted cannot be raised on the floor of the House. Therefore I request the hon Member not to raise it here. It is not proper. If he thinks that it is very urgent I am prepared to discuss this with the hon Member, but he may not raise it here now.

Shri Krishna Kumar Chatterji: Quite a large number of people have been killed.

Mr. Speaker: Now we take up the Call Attention Notice.

Mr Sheopujan Shastry

12.12 hrs.

CALLING ATTENTION TO MATTERS OF URGENT PUBLIC IMPORTANCE

(1) SITUATION ARISING OUT OF THE RESIGNATION OF THE CABINET IN PONDICHERRY

श्री शिवपूजन शास्त्री (विक्रम गज) :
अध्यक्ष महोदय, मैं अखिलमन्त्रीय लोक महत्त्व के निम्नलिखित विषय की ओर गृह-कार्य मंत्री का ध्यान दिलाता हूँ और प्रार्थना करता हूँ कि वह इस बारे में एक वक्तव्य दें.—

“पांडिचेरी में मन्त्रि-मंडल के पद-त्याग से उत्पन्न स्थिति।”

The Minister of Home Affairs (Shri Y. B. Chavan): Sir, I shall place before the House the facts relating to the situation arising out of the resignation of the Council of Ministers in Pondicherry. At 10.15 P.M. on the 19th March, 1967, the Chief Minister of Pondicherry submitted resignation of his Cabinet as two of his Cabinet colleagues had resigned. On the 20th March, a no-confidence motion against the Council of Ministers was to be discussed by the Legislative Assembly. In view, however, of the resignation tendered by the Chief Minister, the Speaker adjourned the House till the 30th March, 1967.

In all seven members including two Cabinet Ministers had resigned from the Congress Legislature party. After the adjournment of the Assembly, these seven members along with eight members of the opposition wrote to the Lieutenant Governor that they had constituted themselves as a United Democratic Front to function in the Assembly on the basis of a minimum programme and had elected Shri A. S. Kankeyan as their leader. A request was also made in that letter that leader of the Front may be given opportunity to form the Government.

On the same day the Congress Legislature party elected Shri Farook Maricar, the Speaker of the Assembly as its new leader and he then tendered resignation of his office as Speaker. He informed the Lieutenant Governor that the meeting of his party at which he was elected leader was attended by fifteen members including himself and that some of the members of the party who had resigned were expected to withdraw their resignation. In view of this he requested that he may be called upon to form the Government.

The position as it emerged on the 20th March was that both sides claimed the support of fifteen members each and neither side was in a majority. If any side provided a nominee for the office of Speaker, it would

[Shri Y. B. Chavan]

have been reduced to a minority. In view of this the Lieutenant Governor advised that we should wait for some time so that either side was in a position to satisfy him that it would have a majority in the Assembly after providing its nominee for the office of Speaker.

On the 21st March the President accepted the resignation of the Council of Ministers and the Chief Minister and his Cabinet colleagues were requested to remain in office until alternative arrangements were made.

On the night of 23rd March the leader of the United Democratic Front wrote to the Lieutenant Governor saying that as a result of his talks with other members of the Assembly he was convinced that it would be possible for his party to gain absolute majority in the Assembly. He also stated that he would require two days to submit a list of members of his Cabinet.

On the 26th March the Lieutenant Governor met the leaders of both the parties. The leader of the Congress Legislature Party claimed at this meeting the support of seventeen members and promised that on the 27th evening he would meet the Lieutenant Governor with the two members who had rejoined the Congress Legislature Party. He also handed over to the Lieutenant Governor a letter to that effect. The leader of the United Democratic Front stated that his party strength continued to remain at fifteen and that one more member of the Congress Party was to join the Front. The leader of the United Democratic Front again met the Lieutenant Governor on 27th and told him that the sixteenth member, who was expected to join the Front, was not doing so.

On the 27th March, the leader of the Congress Party met the Lieutenant Governor along with the two members who had resigned and had

rejoined the Congress party. He satisfied the Lieutenant Governor that the Congress Party had a strength of seventeen and should be entrusted with the responsibility for forming the Ministry. The Lieutenant Governor advised that as the Congress Party had a majority in the Assembly, it should be called to form the Government. Acceptance of this advice was conveyed to the Lieutenant Governor on the 28th March who has called upon the leader of the Congress Legislature Party to submit a list of members of his Cabinet.

Mr. Speaker: Now, Shri Sheopujan Shastry.

Shri Chintamani Panigrahi (Bhubaneswar): Is it necessary that he should put the questions first?

Mr. Speaker: That is the practice that is being followed here.

श्री शिवपूजन शास्त्री : घटनाओं का जो क्रम है उस में कमी सख्या बढ़ जाती है और कभी घट जाती है। क्या माननीय मंत्री महोदय यह बतायेंगे कि क्या इस सम्बन्ध में किसी पर नाजायज़ दबाव डालने की भी खबर है ?

Shri Y. B. Chavan: I have no information about it. Naturally, persuasion was going on on both sides.

Mr. Speaker: Shri Ram Sewak Yadav.

श्री राम सेवक यादव (मुंगेर) : मंत्री महोदय प्रश्न को समझे नहीं। माननीय सदस्य नाजायज़ दबाव के बारे में पूछ रहे हैं—वैसा दे कर, दबाव डाल कर, मार-पीट कर के।

Mr. Speaker: I have called Shri Ram Sewak Yadav.

श्री राम सेवक यादव (बाराबंकी) : राजस्थान और उत्तर प्रदेश के बाद पाण्डिचेरी में यह तीसरी घटना है।

एक माननीय सदस्य : हरियाणा।

श्री अणु लिम्बे : हरियाणा में तो अच्छा ही हुआ है ।

श्री रामसेवक शर्मा : मैं यह जानना चाहता हूँ कि जब कांग्रेसी मंत्री-मंडल ने त्यागपत्र दिया, क्योंकि उसका बहुमत नहीं रहा और उसके बाद श्री कान्केयन ने लेफ्टिनेन्ट गवर्नर को लिखा कि उन का बहुमत है और उन को सरकार बनाने के लिए आमंत्रित किया जाये, तो ऐसा क्यों नहीं किया गया और क्यों तीन-चार दिन का मौका दिया गया कि जोर-दबाव डाल कर, प्रलोभन दे कर, पद का लालच दे कर वहाँ पर पुनः कांग्रेस को सत्ता सौंप दिया जाये ?

Shri Y. B. Chavan: It is a matter for the individual members of different parties to consider on which side they remain. The only thing that we in the administration have to consider is to see which party commands the majority in the House, and the Lt. Governor there advised this Government on the basis of the information that he received from time to time. Who left a party for what reasons is a matter for the party leaders and the individual members to consider. I cannot say anything one way or the other.

श्री रबी राय (पुरी) : क्या सरकार का ध्यान श्री कान्केयन जी के इस ध्यान की ओर आकर्षित हुआ है—

"Mr. A. S. Kankeyan, the dissident Finance Minister, in the present caretaker government of Mr. Venkatasubba Reddiar and leader of the newly-formed UDF has today sent a strong protest to the Lt. Governor against the reported attempt by the Government of India to nominate some members of the Pondicherry Legislative Assembly at the present juncture".

Mr. Speaker: What is the point in reading it? Everybody has read it.

श्री रबी राय : हमारा यह कहना है, अध्यक्ष महोदय, कि क्या सरकार का ध्यान इस बयान की ओर आकर्षित हुआ है कि राष्ट्रपति के जरिये कुछ सदस्यों की नामसूची करा के कांग्रेस पार्टी को बढ़ाया गया है ?

Shri Y. B. Chavan: This is absolutely incorrect. No member was nominated to the Assembly.

श्री रबी राय : यह उनका बयान है ।

श्री यशवन्त राव चव्हाण : यह बयान गलत है । मुझे पता नहीं है कि उन्होंने ऐसा कहा है या उनके नाम से किसी ने कहा है, लेकिन यह गलत है ।

श्री छटल बिहारी बाजपेयी (बलरामपुर) : अध्यक्ष महोदय, 19 मार्च की रात को कांग्रेस मंत्री मंडल ने इस्तीफा दे दिया । नये मुख्य मंत्री की नियुक्ति राष्ट्रपति के द्वारा की जानी थी। मेरे पास गवर्नमेंट का यूनिवर्सल टैरिटरी बिल 1963 है जिसकी धारा में कहा गया है कि यूनीवर्सल टैरिटरी के मुख्य मंत्री की नियुक्ति राष्ट्रपति करेंगे । प्रश्न यह है कि कांग्रेस का मंत्री मंडल जब सत्ता से हट गया तो राष्ट्रपति ने लेफ्टिनेन्ट गवर्नर को दूसरे मुख्य मंत्री की नियुक्ति के बारे में क्या निर्देश दिये ।

अध्यक्ष महोदय, पाण्डीचेरी के लेफ्टिनेन्ट गवर्नर ने 21 मार्च को एक समाचार एजेन्सी को जो वक्तव्य दिया, उसकी ओर मैं गृह मंत्री का ध्यान दिलाना चाहता हूँ, यह संघेजी में है —

"The Lt. Governor of Pondicherry told UNI (21st March) this afternoon that he had not yet received any directive from the President on forming a new Ministry for the Union Territory. The Lt. Governor said he was awaiting a communication from New Delhi"

21 मार्च को लेफ्टिनेन्ट गवर्नर नई दिल्ली से किसी निर्देश की प्रतीक्षा कर रहे थे । मैं

[श्री अटल बिहारी वाजपेयी]

जानना चाहता हू कि नई दिल्ली से क्या निर्देश दिया गया, भंगर दिया गया तो कब दिया गया, देर से क्यों दिया गया। जब कांग्रेस के मुख्य मंत्री ने स्तीफा दे दिया तो गैर कांग्रेसी दल के मुख्य मंत्री को राष्ट्रपति ने नियुक्त क्यों नहीं किया ?

Shri Y. B. Chavan: I have given the whole series of facts and sequence as it happened

An hon. Member: This is an important thing

Shri Y. B. Chavan: Naturally, the constitutional position is that the final decision in these matters is certainly taken by the President here on the advice of the Government of India. On the 19th March when his resignation was submitted by the Chief Minister, he conveyed this message which was received here on the 20th morning. Naturally, we also wanted his advice in the matter.

Shri A. B. Vajpayee: Whose advice ?

Shri Y. B. Chavan: The Lt Governor's advice

Shri A. B. Vajpayee: He says he was awaiting a directive from the Central Government

Shri Y. B. Chavan: That was the constitutional position. At the same time, we have to have some advice on the party position there. Just because one man resigned, we cannot ask some one else.

Shri A. B. Vajpayee: Not one man

Shri Y. B. Chavan: Naturally when the Chief Minister resigns, he resigns as a collective cabinet. That does not make the position automatically clear that somebody else immediately commands a majority. This fact had to be gone into. The very next day when the House was adjourned and the Speaker resigned, the party position became 15.15. From there on the

Governor's advice was 'wait till I get the correct position and find out who commands the majority'. We have to run a democracy . . .

श्री जयु लिंगये : प्राय विधान सभा के अधिकारो को क्यों छीनते हैं ?

श्री यशवंतराव चव्हाण : हम किसी के अधिकारो को नहीं छीनते हैं ।

श्री जयु लिंगये : यह तो विधान सभा का काम है ।

Shri Y. B. Chavan: At no stage the Opposition was in a majority and we refused to allow them to form the Government

Shri A. B. Vajpayee: The reply is not clear

Mr Speaker: He says 15 15

Shri A. B. Vajpayee: What was the position on the 20th March? It was not 15 15. On the 20th March the Congress was reduced to a minority. When the Congress was reduced to a minority after the resignation and desertion of the Congress Members who joined the united front, why did not the Central Government ask the Lt Governor to invite the Opposition to form a Government?

Mr. Speaker: He said the position was not clear

Shri A. B. Vajpayee: It may not be clear to the hon Home Minister

Shri Y. B. Chavan: On the 20th March, he expected advice from the Government of India only about the acceptance of the resignation of the Chief Minister

श्री जयु लिंगये : उस मे क्या सलाह करनी है ? इस बारे मे सविधान साफ है । प्रायको विधान सभा के अधिकारो को छीनने का कोई अधिकार नहीं है ।

श्री यशवन्त राव चव्हाण : विधान सभा की बात तो उस दिन रही ही नहीं।

डा० राम मनोहर लोहिया (कन्नौज) : अध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है। आप राज्यपाल अथवा राष्ट्रपति को कब तक अधिकार देते रहेगे कि वे पता लगाते रहें कि किस की बहुसंख्या है। यह काम विधान सभा का है। प्राज अपने देश की स्थिति ऐसी है कि उसका भी अवलोकन करना चाहिए, बहुत लोग है जो खरीदे-बेचे जाते हैं, इस स्थिति को भूल नहीं जाना चाहिए ..

Mr. Speaker: It is a different question. It applies to the whole of India

डा० राम मनोहर लोहिया इस में सवाल यह उठता है कि किसका अधिकार है? क्या यह अधिकार गवर्नर का है कि वह पता चलाये कि किसी बहुसंख्या है या यह अधिकार विधान सभा का है—यह संविधान का प्रश्न है (अवधान) मैं व्यवस्था का प्रश्न उठा रहा हूँ, लेकिन ये लोग . . .

Mr. Speaker: What is the point of order?

डा० राम मनोहर लोहिया मेरी व्यवस्था यह है कि क्या विधान सभा का यह एकमात्र अधिकार है कि वह पता लगाये कि बहुसंख्या किस की है या राज्यपाल अथवा राष्ट्रपति या कोई भी अधिकारी केवल उसका काम है कि पता लगाये कि बहुसंख्या किसकी है। संविधान इस बारे में साफ है—जब कोई मंत्री महल गिरा, तो उसके बाद वाला कोई भी दल है, उसको बुला कर कहा जाय कि अब तुम मंत्री-मंडल बनाओ और विधान सभा की बैठक बुलाओ और दो-चार पांच दिन में तय कर दो कि कौन सी बीज है . . . (अवधान) . . . यह हल्ला मचाने की बात नहीं है

Shri Shivajirao S. Deshmukh (Parbhani): On a point of order.

Mr. Speaker: This vyavastha must be over before you begin to speak. I have to say to Dr Lohia that he is making such a long speech.

डा० राम मनोहर लोहिया . यह तो इतना बड़ा काम हुआ है, मैं तो एक मिनट में बोल गया हूँ, इतनी जल्दी में बोल गया हूँ। यह तो इतना लम्बा काम हुआ है कि ये तो सारे जनतन्त्र को ही खरम कर रहे हैं। मैंने तो आप से छोटी सी विनती की है।

अध्यक्ष महोदय : उसका कोई जवाब नहीं है।
Let us proceed with the work now.

Shri A K. Gopalan (Kasergod): There is no point of order

Shri Shivajirao S. Deshmukh: I want to raise a point of order which arises out of the utterances of the hon Member Dr. Lohia who has just resumed his seat.

An hon Member: Under what rule?

Mr. Speaker: I may say under the same rule that was pointed out on this side of the House Let him proceed.

Shri Shivajirao S Deshmukh: He said in the course of his speech that many of the people here who are elected to the vidhan sabhas and this House—he mentioned both—could be sold and purchased; it seems he holds a wholesale agency of this. I say that this constitutes a grave breach of privilege to describe a Member who has been duly elected by the electorate to be subjected to sale and counter sale ... (Interruptions.)

What the hon. Member has said is simply out of order and it should be ruled out as such and expunged or the Member should be compelled to withdraw the remarks.

Mr. Speaker: I do not think anybody is for sale.

श्री राम जगोहर लोहिया : बहुत प्रच्छन्न है । यह विधेयाधिकार समिति को सौंप दिया जाय तो यह पीछे साफ़ हो जायेगी । इसे सौंप दीजिये मजा प्रा जायेगा । बहुत फंसोगे इसमें ।

Mr. Speaker: Order, order. Shri A. K. Gopalan.

Shri A. K. Gopalan: May I know whether it is a fact that the Lt. Governor or any other authority who has the power to nominate persons, proposes to nominate three members in order to increase the strength of the Congress so that the future danger may not arise on the ground that there is a lack of representation as far as certain interests from the electorate are concerned?

Shri Y. B. Chavan: There is no proposal to nominate any person as such.

Shri K. M. Abraham (Kottayam): Will the Government give an assurance to this House that President's rule will not be imposed in Pondicherry?

Shri Y. B. Chavan: There is no question of President's rule.

Shri V. V. Menon (Ernakulam): Will the hon. Minister assure this House that the Government of India will not nominate anybody?

Mr. Speaker: In reply to Mr. Gopalan's question, he has assured the House that there is no proposal. Shri E. K. Nayanar. If a reply has been given to a question, that question need not be repeated. He may put a new question.

Shri E. K. Nayanar (Palghat): Yes, Sir. Mine is a new question. The Government nominated some members to increase the strength of the Congress party. On the 23rd, the

Opposition party leader wrote to the Lt.-Governor that he had a majority of 17. Then, within five days, some floating Congress MLAs were caught by Shri R. Venkataraman, ex-Minister of Madras who was defeated. (Interruption). The Congress President sent Shri Venkataraman to catch hold of the floating Congress MLAs who were here and there. On the 23rd, the Opposition leader wrote to the Lt.-Governor to invite him to form an opposition Government. But within 5 days, Shri R. Venkataraman was sent to catch hold of some floating members to get a majority for the Congress. He nominated some members.

An hon. Member: No nomination. (Interruption).

Shri E. K. Nayanar: This is an undemocratic attitude, just like the one that we saw in Rajasthan; a hasty, hostile attitude that was shown in Rajasthan. (Interruption).

Shri Y. B. Chavan: This is creating a wrong impression, that the Opposition leader had claimed 17 members. I have got a copy of the letter that he sent to the Lt.-Governor in which he had said that it would be possible for him to have a majority and for that he required two days' time. Therefore, some time was claimed; he had no majority at that moment. So, at no time was he refused a chance to form the Government.

An hon. Member: What about the "floating" members?

Mr. Speaker: Floating can be by anybody. Why does he worry? (Interruption).

Shri Umanath (Pudukkottai): Sent into space.

Shri K. Ramani (Coimbatore): Is the Government aware that the Lt.-Governor of Pondicherry did not invite the United Democratic Front

which had a majority at that time, though our hon. Minister refused to accept it to form the Government in order to gain time for the Congress Party to send Mr. R. Venkataraman, the ex-Minister of Madras to stay there, and to create a majority for the Congress Party to have a Government *de novo*, and, if so why did the Government allow the Lt.-Governor to do so even after such a widespread public condemnation of hasty and hostile action in Rajasthan?

Mr. Speaker: The hon. Minister has answered it. Shri Nambiar.

Shri Nambiar (Tiruchirappalli): Arising out of the answer already given by the hon. Minister that seven members including two ministers of the old Congress Government resigned and thereby the Chief Minister tendered the resignation of the entire Cabinet, was it not normal on the part of the Governor to invite the other party to ascertain from them whether they would be in a position to form the Government? On the other hand, when that leader himself stated that he was prepared to form the Government, was it not correct on the part of the Governor to give that opportunity to that party before he waits for some more time to ascertain the wishes of the future Congress leader, who might get a majority thereafter?

Shri Y. B. Chavan: I have explained the whole position and the sequence of things as they happened on 19th night and 20th morning. On the 20th the situation was, as Dr. Lohia mentioned, naturally this whole issue should have been decided in the Assembly itself. That is the legitimate thing. But the Speaker adjourned the House and resigned the speakership. The position was that no party was in a majority. If the Leader of the Opposition commanded a majority and then he was refused the opportunity to form the Government, certainly there would be a cause for a grievance.

श्री राज बन्धु लोहिया : विधान सभा को बुला लें ।

श्री यशवन्त राव बन्हाण : मुक्ति का बुलाना ।

श्री राज बन्धु लोहिया : अब स्वीकार रहे तो आप के संविधान में है कि कौन-कौन सम्भाषित्व कर सकता है । अब यदि श्री संजीव रेड्डी चले जायेंगे तो खासिकर साहब उनकी जगह पर चले जायेंगे । कोई न कोई तो रहेगा ही ।

Shri Y. B. Chavan: The point was the Speaker had resigned. The House had adjourned. At that time the position was, both parties had fifteen members each.

12.37 hrs.

RE. MOTIONS FOR ADJOURNMENT AND CALLING ATTENTION NOTICES

SITUATION IN CALCUTTA

Mr. Speaker: I have received notices of Adjournment Motions and Calling Attention in large numbers on the situation in Calcutta. Naturally everybody is anxious about it—the whole country and particularly Members of Parliament. It is an important matter. Therefore, I request the Home Minister to make a statement at 5.30 in the evening today. We shall take it up then. (Interruptions). He will make a statement and after that Members can seek clarification. I think it will take nothing less than half an hour.

An hon. Member: What about the half hour discussion?

Mr. Speaker: There is a half-hour discussion today. That is why I said it will be taken up at 5.30. The Home Minister also will get more information.

The Minister of Home Affairs (Shri Y. B. Chavan): Yes, Sir; I also need some time.