

LOK SABHA

Friday, 23rd March, 1956

The Lok Sabha met at Half Past Ten of the Clock.

[MR. SPEAKER in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

11-25 A.M.

MOTION FOR ADJOURNMENT

FORMATION OF MINISTRY IN TRAVANCORE-COCHIN

Mr. Speaker: I have received notice of an adjournment motion from Shri A. K. Gopalan on the failure of the Government of India to avert an undemocratic situation created in the State of Travancore-Cochin. I would like to know from the hon. Member if it is not the province of the Rajpramukh to call any person who commands the confidence of the House. If the Governor or Rajpramukh calls some other person, it is possible that as soon as he takes office a vote of no-confidence may be passed against him and he will be dislodged. If nobody is appointed Minister and the Governor takes charge of the Administration, then the matter has to come up here and it is then time for this House to say what it intends saying. How is this relevant and what jurisdiction has this House at this stage to go into this matter?

Shri A. K. Gopalan (Cannanore): As has been pointed out, there was the resignation of the Congress Ministry in Travancore-Cochin. After the resignation of that Ministry, the Rajpramukh called one of the leaders of other parties and according to reports the P. S. P. leader, Pattom Thanu Pillai said that he will be able to form a Ministry and on the 20th he gave a list of those persons who have signed a list and said that there were about 60 people who would be able to form a Ministry. After that, other leaders were called. The question now is that there should not be a constitutional

crisis; another Ministry should be formed. So, if there is a possibility of forming a Ministry, it is the duty of the Rajpramukh to see that the Ministry is formed. But if there is a calculated delay it may not be formed. So, I want to know what the position is, whether there is any possibility of forming a Ministry. If the Rajpramukh is not calling that person to form the Ministry there will be President's rule. They have already given the names; but the Rajpramukh has not called them after the 20th.

Mr. Speaker: I will assume all the facts are true. Is it not open to the Governor to say whether he has got confidence in these signatories, whether they will stand by it or whether a stable Government is likely to be formed or not? I am now on the question of jurisdiction. Does the hon. Member say that we must issue instructions or that the Government of India is competent to issue instructions? Is it not the peculiar right of the Governor or the Rajpramukh to call any person whom he thinks fit to form the Ministry? What right has the Central Government to give him advice? That is the simple point. Let us not go into details, whether Shri Thanu Pillai has got 61 persons or not. It is for the Rajpramukh to decide. If he does not think so and decides that there ought to be President's rule, then no President's rule can be established unless Parliament agrees to it. The Parliament has the right to find out whether the action taken is right or not. Now, it is simply a question of jurisdiction. If the Central Government can do anything, I will certainly allow it.

Shri V. P. Nayar (Chirayinkil): May I submit one thing, Sir? This morning every paper has featured that the matter has to be decided by the Central Cabinet and that the Cabinet will have a session this morning to consider this particular question. It has come out in the papers today that the Central Cabinet is meeting this morning to consider this specific question. If,

[Shri V. P. Nayar]
as you have said, the question of jurisdiction has to be taken into consideration, I submit that since the Central Cabinet has gone into the question as reported in the Press or is going into the matter shortly, it is a matter which gives us jurisdiction to consider what it is about.

Shri M. S. Gurupadaswamy (Mysore): The point is this. The Central Cabinet is responsible to this House to give full information about the happenings in Travancore-Cochin in respect of the resignation of the previous Ministry and the subsequent developments. The Central Government has to come to a decision in this matter whether there should be President's rule or not. But, here, we are concerned with one aspect of the matter and that is, the Central Government should not issue instructions to the Rajpramukh to call only one particular leader and not any other leader to form the Ministry. It is a question of propriety.

Mr. Speaker: I am now concerned with the question of jurisdiction.

Shri M. S. Gurupadaswamy: Because it is a point of propriety as well as.....

Mr. Speaker: Very well, the hon. Member has nothing more to say. I am anxious to know how this House is clothed with jurisdiction or how the Government is concerned.

The Minister of Home Affairs (Pandit G. B. Pant): As you have been pleased to observe, the Rajpramukh has the primary jurisdiction in the matter. The complaint here is that something undemocratic is being done. I agree that something undemocratic is being attempted by means of this adjournment motion. We are asked to impose our will on the Rajpramukh who has complete jurisdiction to exercise his own discretion, whether the signatures are genuine and whether the number is 60, 70 or even 90. That is not my concern. The Rajpramukh is entitled to form his own opinion and it is for him to invite anybody to form the Government; or, in case, he is satisfied that no stable government can be formed, to take such other steps as may be open to him under the Constitution. So I do not see how the Parliament can ask me to direct the Rajpramukh to adopt undemocratic ways at this stage. If any proclamation is issued, then it will come

before the House and, under the law, it will have an opportunity of expressing its opinion.

Shrimati Renu Chakravartty (Basirhat): May I take it that the Central Cabinet is not discussing it at all?

Mr. Speaker: Many things will be discussed but the question is, so far as the adjournment motion is concerned, is it the responsibility of this Government or is it the responsibility of the Rajpramukh there. It will be certainly undemocratic to seize the jurisdiction of the Rajpramukh or allow this Government to have supervisory control over the Rajpramukh when the Constitution definitely empowers the Rajpramukh to decide who ought to be his Chief Minister. If perchance he does not allow any person to serve as Chief Minister and a proclamation is issued, then hon. Members have ample jurisdiction to discuss the matter. But, I do not think now it is in the competence of this House to discuss this matter. The adjournment motion is, therefore, disallowed.

DEMANDS FOR GRANTS*

Mr. Speaker: The House will now take up discussion of the Demands for Grants Nos. 95, 96, 97, 98, 99, 100, 140, 141 and 142 relating to the Ministry of Transport. As the House is aware, 3 hours have been allotted for the Demands of this Ministry.

There are a number of cut motions to these various demands. Hon. Members may hand over the numbers of the selected cut motions which they propose to move at the Table, within 15 minutes. I shall treat them as moved, if the members in whose names those cut motions stand are present in the House and the motions are otherwise in order.

The time-limit for speeches will, as usual, be 15 minutes for the members including movers of cut motions, and 20 minutes if necessary, for Leaders of Groups.

DEMAND NO. 95—MINISTRY OF TRANSPORT

Mr. Speaker: Motion moved:

"That a sum not exceeding Rs. 44,53,000 be granted to the President to complete the sum

*Moved with the recommendation of the President.