

**STATUTORY RESOLUTION APPROVING PROCLAMATION ISSUED BY THE PRESIDENT ON 30TH JANUARY, 1988 IN RELATION TO STATE OF TAMIL NADU—Contd.**

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI P. CHIDAMBARAM): Madam, I rise to move;

"That this House approves the Proclamation issued by the President on 30th January, 1988 under Article 356 of the Constitution in relation to the State of Tamil Nadu."

The Tamil Nadu Legislative Assembly was scheduled to meet on 28th January, 1988 to vote on the confidence motion to be moved on behalf of the Chief Minister Smt. Janaki Ramachandran. The Governor of Tamil Nadu has reported that when the Assembly met at 10.00 hrs the Speaker announced that he had received a telephonic message from five Congress (I) members informing him about their resignations from the House and the Congress(I) Party. When the members belonging to Congress(I) Party objected to this announcement, the Speaker adjourned the House to 12.00 hrs.

The Governor has further reported that when the House met at 12.00 hrs., the Speaker announced the decision to disqualify six former Ministers on the basis of a complaint made by Thiru Tamilmani and adjourned the House to 3.00 P.M. According to the Governor, it was improper on the Part of the Speaker to have adjourned the House twice instead of taking up the vote of confidence.

After the House was adjourned by the Speaker, rival group comprising Congtes; (I), A.I.A.D.M.K (Jayalalitha faction) C.P.I, and C.P.M, etc; are reported to have held a parallel session and elected Cong res(I) Party member Thiru S. Sivaramar as Speaker after dismissing the present Speaker Thiru P H. Pandian from his post. They also passed the following two resolutions:—

- (i) Expression of no confidence in Smt Janaki Ramachandran's Government.

- (ii) Adjournmen. of the House sine die.

The Governor felt that this was unwarranted and led to a situation where future business of the Legislature could not be conducted peacefully.

When the Assembly met at 3.00 P.M. complete pandemonium prevailed in the House. Chairs, wrenched out mikes, paper weights, chappals flew across the House and the members engaged in fistcuff leading to injuries to some of them. The Governor has stated that the pandemonium which prevailed in the House at 12.0 hrs. and at 15.00 hrs. and the police intervention inside the House has been one of the most sordid chapters in the annals of the Legislative Assembly.

A very large number of M.L.As. were forced to leave the Assembly Chamber leaving only 110 out of 222 members (effective strength of the House) present in the Chamber. Once the members other than those belonging to A.I.A.D.M.K. (Mrs. Janaki Ramachandran faction) D.M.K., Muslim League and Janata had Left. the House passed a vote of confidence in the Ministry headed by Mrs. Janaki Ramachandran. The Governor has reported that the manner in which voting was conducted by A.I.A.D. M.K; Party casts serious doubts about its claim that it had been able to win the vote of confidence as only 110 members out of 222 were present in the House.

The Governor further stated that atmosphere in the State had been fully vitiated and there was political deadlock in the State. In view of the situation which had arisen, he was of the opinion that there was breakdown of constitutional machinery and a situation had arisen in which it would be impossible to carry on the Government in accordance with the provisions of the Constitution. The Governor, accordingly, recommended that (i) the Legislative Assembly may be dissolved and (ii) President's rule imposed under Article 356 of the Constitution.

The Proclamation under Article 356 of the Constitution was issued on 30th January, 1988 and the Legislative Assembly of the State was dissolved.

[Shri P. Chidambaram]

With, these words, Sir, I commend the Proclamation issued on 30th January, 1988 under Article 356 of the Constitution in relation to the State of Tamil Nadu for approval of this august House.

*The question was proposed.*

SHRI M. A. BABY (Kerala): When we discuss this aspect, we may have to view certain issues which have not been in fact mentioned in the introductory remarks of Shri P. Chidambaram.

There would not be any difference of opinion in identifying the happenings within the Tamil Nadu Legislative Assembly as unfortunate, but without going into the details of the events within the Assembly and the events that preceded and succeeded there, I would like to humbly submit that the ruling party at the Centre cannot isolate itself from the unfortunate political developments of Tamil Nadu. We do not want to oppose the declaration of President's rule there, but that does not mean that the hand of the Congress(I), the ruling party at the Centre, has been clean in these developments. Who has helped the installation of Mrs. Janaki Ramachandran there? While the mind of Shri Chidambaram was with Mrs. Jayalalitha. ..

SHRIMATI JAYANTHI NATARAJAN (Tamil Nadu): How do you know?

SHRI M. A. BABY: You can explain it.

SHRI DIPEN GHOSH (West Bengal): You say Jayalalitha faction.

SHRI V. NARAYANASAMY (Pondicherry): Madam the other Member whom my hon. friend is referring to is not in the House.

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1.00 P.M.

THE DEPUTY CHAIRMAN: I would request the Member to keep the debate at a high level. -

SHRI DIPEN GHOSH: He wanted to mean that Mr. P. Chidambaram's mind Miss Jayalalitha faction' of AIAX

MR. M. A. BABY: I did not m.

SHRI DIPEN GHOSH: Miss Jayalalithe herself.

PROF. C. LAKSHMANNA (Andhra Pradesh): He is talking about the minds together.

SHRI M. A. BABY: While having full political sympathy with the faction led by Miss Jayalalitha due to political exigencies or due to dubious reasons or due to troubled waters of the political scene of Tamil Nadu, the ruling party at the Centre decided first to support the faction led by Mrs. Janaki Ramachandran without going into all the details. Later on I want to recall that one rationale was sought to be circulated through the press that at the last minute the ruling party at the Centre withdrew its support to the faction led by Janaki Ramachandran which was allowed to form the Ministry because this particular faction tried to purchase the support of the MLAs of the ruling party at the Centre. I do not know whether it was correct or not. I do not want to say that this was correct or this was wrong. This shows the sorry state of affairs of the ruling party at the Centre. Here the integrity of its Members were involved. That means the MLAs belonging to the ruling party at the Centre were purchaseable commodities. In the recent past we have seen many such episodes. For example, in Meghalaya without getting a majority the ruling party at the Centre with the help of the Governor, formed a Ministry and MLAs belonging to other political groups and regional parties were lured away and those who have defected, in fact, constitute less than one-third of the Legislature party of the Hill Peoples Union. They were not disqualified under Anti-Defection Act but instead they were given Ministerships by the ruling party at the Centre. They know that they can purchase MLAs wherever they want to form the Ministry as in the case of Meghalaya. Due to the same reason they were afraid of their MLAs being purchased by many other factions. So, this is ridiculous. This shows the sorry state of affairs in the ruling party at the Centre. That is why I say that the ruling party at the Centre cannot absolve itself the fast developments taking place in Tamil Nadu.

Madam, now, we would like to forcefully demand that the earliest possible opportunity should be availed of in holding elections in Tamil Nadu so that the democratic process can be restored in that State and the people of that State can get a democratic opportunity to see who should formally govern them.

Here my humble submission is that the ruling party at the Centre should not try to exploit the situation in Tamil Nadu in an unfair manner or in an undemocratic manner because we have had enough experiences in different parts of our country when the ruling party at the Centre tried to manipulate and manoeuvre political developments to their advantage. Most unfortunate and painful political developments have taken place in Punjab. I do not want to illustrate all the States. If the Congress (I), the ruling party at the Centre is not in a position to command the political developments of a particular State, then it should not create confusion. We have experience that a particular political force, a regional political force, which actually commands authority over the political developments, that party is getting split. I do not know whether the Congress (I), the ruling party at the Centre is behind it or not. But we have the experience in Punjab in relation to Dal, moderates, extremists, terrorists that and negotiations are going on.' Munis, Tantriks and many others are coming into the picture to ne-for a settlement. We have the problems of J&K before us and simi-even in Tamil Nadu, the different means that the Congress (I) had according to 'the convenience' of the situation dismissals of many previous Governments by the ruling party at the Centre when those political parties were having majority within the Assembly, for the political convenience of the ruling party these experiences there before us. We would like to humbly submit that through manipulative manoeuvres, a political party cannot be developed and a political party cannot command the support of the people. The effort of any democratic party should

be to grow at the expense of national leaders, at the expense of the unity of our country, the health of the political system, democratic traditions and values. If you try to exploit certain sad political developments and also try to manipulate and hope that by sending somebody to take charge of the political affairs of a particular State will help you in dislodging other regional political forces from the scene and you would be in a position to command the affairs of the political developments in a particular State, this is going to have dangerous political ramifications. In connection with another discussion in the same House, I just mentioned that Tamil Nadu should not be converted into another Punjab. I would like to repeat that with grave concern. There are many similarities, linguistic, nationalistic, geographical and the type of problems that we experience also between Punjab and Tamil Nadu. We have part of the Punjabi-speaking population within another sovereign country.' In the case of Tamil Nadu also, we know, Tamil-speaking population is there in a neighbouring country and the operation of hostile forces, operations of imperialistic forces from the soil of the foreign country in order to exploit disturbances and political turmoil within our country. We experienced both in and around Punjab and in and around Tamil Nadu and not only in relation to Punjab and Tamil Nadu, all different linguistic nationalities in our country are having very genuine democratic feelings, grievances which are not duly taken note by the ruling party at the Centre. So, there is a fertile soil for dissatisfaction and a feeling of alienation to develop among the different nationalities of our country. If the unity of our country is to be preserved, if the geographical sovereignty of our country is to be preserved, a more balanced and democratic approach has to be evolved. It is there where the importance of the dealings of the ruling party at the Centre assumes greater significance. The ruling party at the Centre has to take note of greater national issues of unity and sovereignty of our country. If immediate narrow, political goals are going to dictate your steps and your actions, the ruling party at the Centre will lead to be have in an in manner as you

[Shri M. A. Baby]

have been doing in the case of many States. With the portents of dangerous political developments within Tamil Nadu, in the backdrop of the happenings and developments in Sri Lanka in relation to Tamil problem, I would like to humbly submit to the ruling party at the Centre that you should not behave with ulterior motives in your mind. You should not try to manipulate and manoeuvre in Tamil Nadu politics with the sad developments there. Madam, when we demand that elections should be held to Tamil Nadu Legislature as early as possible I doubt whether the Central Government will sincerely try to do so because the ruling party at the Centre is having some allergy towards elections, not only elections within the party but also elections to various pancha-yats, municipalities, metropolitan councils and all that

THE DEPUTY CHAIRMAN: Please conclude now. Your time is up.

SHRI M. A. BABY: Madam, I am very much grateful for your indulgence. I "will be concluding.

THE DEPUTY CHAIRMAN: I will be grateful if you can conclude now

SHRI M. A. BABY: Madam, the point is there. I hope the everybody will agree that elections are to be held at the earliest. There also, sincere efforts should be there from the ruling party at the Centre. Now, since Central rule is prevailing in Tamil Nadu—President's rule means rule by the Central Government—*(Interruptions)*

AN HON. MEMBER: Congress.

SHRI M. A. BABY: That implies. Here also, I would like to strike a note of caution. A statement by Minister Shri Chidambaram. ...

THE DEPUTY CHAIRMAN: Please conclude now.

SHRI M. A. BABY: I am just concluding. A statement by hon. Minister Mr.

Chidambaram has come to our notice which appeared in newspapers on 5th March. The statement must have been made on 4th. It read that more foodgrain allocation for the State of Tamil Nadu had been demanded by us. This is the statement of hon. Minister Mr. Chidambaram. A discussion has been undertaken with the Minister of Food and Civil Supplies and it has been ensured (that prompt supply of foodgrains for the State of Tamil Nadu will be made. We are very happy. But was the Central Government sleeping all along? Why is this sincere overenthusiastic effort to ensure prompt and proper allocation of foodgrains for Tamil Nadu? Why is the same spirit not being shown in the case of other States? So here comes the effort of the ruling party at the Centre to have mass bribing. They think that if some thing is given from the Centre on the eve of elections either in the form of loan melas or in the form of allocation of foodgrains to the States or in the form of our great Prime Minister going to the States and announcing "I am going to give you these many crores of rupees" as if that money is being given from the pocket of the Prime Minister even by passing the Planning Commission, they will score a victory in the elections. This type of irresponsible behaviour on the part of the ruling party at the Centre is most unfortunate. This is where I would like to say that this type of behaviour is not healthy for the democratic polity of our country. I hope without engaging in such manipulative manoeuvring politics—I do not know whether my hope would be out of the Central Government will behave in a little better fashion. Of course, I do not have any illusion about the leadership at the Centre.

SHRIMATI JAYANTHI NATARAJ  
Madam, I wish to support the motion before I begin, I would like to take strong exception to what the honourable Member just before me said about the role of the ruling party. Justifiably, Madam, he is obsessed with the ruling party at the Centre and rather than saying anything about the actual events that took place in Tamil Nadu on that day which has now come to be known as the Black

Thursday, he has devoted his entire time . . .  
(*Interruptions*) Madam, before I continue amidst these interruptions, you have got to take note of these interruptions and extend my time to that extent; otherwise, am not going to speak. I am not going to indulge once again like the honourable Members here and their colleagues in the Tamil Nadu Assembly throwing chap-pals, beating. . .  
(*Interruptions*)

THE DEPUTY CHAIRMAN: No interruptions, please

SHRIMATI MYANTHI NATARAJAN: I am not going to have a repeat performance of what happened there.. (*Interruptions*)

THE DEPUTY CHAIRMAN: No interruptions, please. and no encouragement either.

SHRIMATI JAYANTHI NATARAJAN: I just want to ask the honourable Member: Is the ruling party at the Centre responsible for the shameful slur on democratic practice that took place on that Black Thursday Is the ruling party at the Centre responsible for the wrongful disqualifying of 33 MLAs on one day and, most of all, the shameful occurrence of bringing the police into the Legislature and beating up lawfully elected MLAs, particularly MLAs who were in opposition to the party ruling in the State, to make sure that those MLAs were not present to vote, injuring a woman MLA whose hand was also seriously injured, bringing the police into the precincts of the Legislature? Is the ruling party at the Centre responsible or is the Speaker of the Assembly responsible for this? Therefore, it is wrong to say that.. (*Interruptions*) Before I continue with the events that happened on that fateful day, one word about the so-called role of the Congress Party to which I belong. Everybody, all the Opposition parties except for condemning the action of the Speaker on that day, said that the Congress Party is responsible and as such justifiably they are obsessed with the Congress because Congress is a factor that has come to stay in the country and everybody has to reckon with the Congress. But from the beginning. ..

SHRI DIPEN GHOSH: Always depending on one faction or the other in the State.

SHRIMATI JAYANTHI NATARAJAN: ...from the day the honourable Chief Minister of Tamil Nadu, Dr. MGR, passed away, ugly scenes erupted within the AIADMK party; even on the day of the funeral ugly scenes were enacted between the two factions of the AIADMK for reasons that are too well known. . .

SHRI G. SWAMINATHAN (Tamil Nadu): It is not relevant here. What happens within our party is not relevant to the debate here,

SHRIMATI JAYANTHI NATARAJAN: It is relevant, when they are going to discuss what happens within the Congress. Those scenes occurred for reasons that are too well known even to talk about now. It became obvious. Everybody knows that there was a split within the AIADMK Party and by no stretch of imagination could anybody say that the Congress was responsible for that split. We all know that, we all know the reasons for that and we all know that the Congress (I) Can certainly not be responsible for that split.

Madam, this brings us to one more aspect of the matter which the honourable Member, who spoke just before me, referred to, that we were trying to exploit and manipulate the situation in the State to our own narrow political advantage. I strongly refute that statement, Madam. First of all, it is not we who do it. We are a political party and the Congress (I) is not a charitable institution to go to the support of the ruling party in the States to prop them up and keep them in power. It, in fact, exposes the hollowness of their claim of majority. It clearly shows that without the support of the Congress (I) they did not enjoy the majority in the Assembly they did not and they do not enjoy the support of the people and they have no moral right to continue in Government and, therefore, President's Rules were clearly justified. That apart. . . (*Interruptions*)...

SHRI ALADI ARUNA *alias* V. ARUNACHALAM (Tamil Nadu): You betrayed. . . (*Interruptions*). . .

SHRIMATI JAYANTHI NATARA-JAN  
We have a right to support or vote in any particular way. The point, therefore, is that they are losing sight of a very simple issue, Madam, and that is that the issue is not one of support to any faction. They have no right to ask for our support. The issue is what best serves my party to continue to serve the people of this country which is the best interest of our party. This is the major issue and this is the reason why we decided to vote in a particular way. I think it is ridiculous and amusing that the two factions here should be asking for our support—in fact no faction can—in order to continue in Government. The very fact that without our support the Government will collapse shows that they have no moral right to continue in Government. In any event, after that, when Mrs. Janaki Ranaachandran was sworn in as Chief Minister and was given three weeks time to prove her majority on the floor of the Assembly, she was saying and she had been saying from that time onwards that she was going to see the Prime Minister, Shri Rajiv Gandhi, and seek his support. . . (*Interruptions*) . . . She made a trip to Delhi. She came here to see the Prime Minister and ask for the Congress (I) support on the floor of the Assembly. But, today, it is very easy to say that it is a betrayal. I strongly refute it. . . (*Interruptions*) Unless it requires a political stupidity of a very rare order . . . (*Interruptions*)

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: If you call it stupid—we call it betrayal. . . (*Interrupt!*)

SHRIMATI JAYANTHI NATARA-JAN: Will you let me finish? I do not know why you are getting excited. . . (*Interruptions*) . . . I said that those people who think now . . . (*Interruptions*) . . . I said that those people who think now or those people who thought at that time that the Congress (I) was extending support to Mrs. Janaki Ranaachandran possessed a political stupidity of a rare order . . . (*Interruptions*) . . .

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: This is a distortion of oil facts . . . (*Interruptions*) . . . This is a distortion of facts. You go through the statements of the Prime Minister.

SHRIMATI JAYANTHI NATARA-JAN: I have gone through. . . (*Interruptions*) . . .

SHRI DIPEN GHOSH: Anyhow you have got the right to say something and then withdraw. . . (*Interruptions*) . . .

SHRIMATI JAYANTHI NATARA-JAN: Therefore, I repeat what I said. It requires a political stupidity of a rare order to believe that the Congress (I) would extend its support. I have, Madam, some newspaper reports of the day when Mrs. Janaki Ranaachandran came here to meet the Prime Minister. Madam, I would like to quote from "The Statesman". These are the headlines in "The Statesman": "Janaki fails to secure firm Congress (I) support." If you go through the text, you will see that every word of the text says so. It even says in some places that she was lacking adequate support because the Congress (I) had not given her any support. Then, Madam, I take you through the news items in "The Hindustan Times" which says, "No Congress (I) support to Janaki." . . . (*Interruptions*)

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: The Prime Minister was only saying that he was maintaining neutrality. . . (*Interruptions*) . . . You are misleading. . . (*Int.*)

SHRIMATI JAYANTHI NATARA-JAN: Madam, I seek your protection. . . (*Interruptions*) . . .

SHRI ALADI ARUNA ARUNACHALAM: Why do you

SHRIMATI JAYANTHI NATARA-JAN: I am only reading; the newspaper reports. What is misleading in this? These are all only Press reports.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: It is all wrong.. *(Interruptions)* ...

SHRIMATI JAYANTHI NATARAMAN: I am merely quoting the Press reports and I am not misleading the House. It is not your prerogative alone to mislead the House. *(Interruptions)*..

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: Then it is all right; you have your prerogative..... *(Interruptions)* ..

THE DEPUTY CHAIRMAN: Order, please *(Interruptions)*....Order, please. *(Interruptions)* ..

SHRIMATI JAYANTHI NATARAMAN: Madam, every single newspaper 'whether the newspapers were from Delhi or from Tamil Nadu, reported in it the fact that there was no, firm Congress (I) support, that there was no Congress (I) support, that the Congress (I) had refused to support Mrs Janaki Ramachandran. And when she was asked, she gives a statement. She clearly says, when reporters approached her and asked by news men if the Prime Minister and other Central leaders had asked her to explore ways of bringing about unity with the rival faction, Mrs. Janaki Ramachandran said that she would be visiting Delhi again in 4 or 5 days and "then I would speak on this matter". This is what she said. Of all the questions, this was the one she answered. And she knew very well that there was no Congress (I) support forthcoming to her even at that point of time. Then immediately, on January 11th itself there were other newspaper headlines:

Congress wants ADMK groups to patch up".

Congress insists that it will back only an undivided ADMK".

Now, Madam, from the beginning the stand of Congress (I) has been that its support was extended to Dr. M. G. R. who was a great nationalist and it was

the undivided ADMK that was led by M. G. Ramachandran that was an ally of Congress (I) and its support would only go to the undivided legacy of ADMK. The Congress had no intention of exploiting any situation, but on the contrary, in the interest of bringing about political stability in the State, in the interest of ensuring that the people of the State did not suffer because of in-fighting, it was the Congress that made repeated appeals to both factions to unite and even offered its services in bringing about both the factions together. But it was a gesture which was unilaterally rejected by both the factions. Therefore, from the beginning, and ultimately. Madam, even on the day before the voting took place—that was on January 27th; the voting was to take place, on January 28th—even on January 27th, Madam, a statement was given by the Congress party that the Congress would only back the undivided ADMK and that Congress supported the legacy of Dr M. G. Ramachandran who was a great nationalist and a great Tamilian. I would just quote one paragraph—this is from the official statement of the party:

To build a strong Tamil Nadu and united India, he built a strong united party and expressly stated in his will and testament that the party must remain united after his death. Any break-up of his party will be a great disaster to the poor, the weak and the oppressed, for whom the party was founded. All must rise above personal squabbles and personal differences, and at this crucial juncture in life of the nation Tamil Nadu needs political stability and political continuity. Therefore the Congress Legislature Party in Tamil Nadu and its support only to Dr. M. G. Ramachandran's undivided legacy.

Madam, beyond this if any body still believes that the Congress (I) was going to support the Government that was in power at that time in Tamil Nadu, I would again reiterate, it would be a political stupidity of a rare order. *(Interruptions)*.

SHRI ALADI ARUNA *alias* V.  
ARUNACHALAM (Tamil Nadu): It  
calculated fraud. (*Interruptions*)

SHRIMATI JAYANTHI NATARAJAN:  
Even Mrs. Janaki Ramachandran, when  
she was immediately approached after the  
voting took place, and even now some  
of my friends on the other side belong  
ing to Mrs. Janaki Ramachandran's fac-  
tion, were just calling it an act of betra-  
yal. I do not know by what stretch of  
imagination they can call it an act of  
betrayal because when there was no  
promise forthcoming at all of any kind  
of support, I do not understand what  
the act of betrayal was. Even now a  
story is sought to be circulated that she  
received an assurance from the hon.  
Home Minister that they would support  
her. I want to point this out, Madam,  
for the information of this honourable  
House, and I have a newspaper statement  
with me to substantiate it, because this  
is an example of how they are build-  
ing up their case and issuing different  
statements at different points of time  
in order to suit their convenience. Im-  
mediately after the voting had taken place  
and the Congress had voted against her  
Government when Reporters approach-  
ed Mrs. Janaki Ramachandran and  
asked her why it was that the Congress  
had voted against her Madam, she  
clearly said—this is the report dated  
January 29th—that she and her sup-  
porters had all along a strong belief  
that Congress (I) would extend its sup-  
port to her. She says that she even  
spoke to the Union Home Minister, Mr.  
Buta Singh, over the telephone on Janu-  
ary 27 seeking the Centre's support for  
her Government. Only the Congress (I)  
can explain its sudden decision to change  
its position. This is what she says.  
But there was no firm promise of sup-  
port given by Congress (I). Shrimati  
Janaki Ramachandra never said that any  
firm promise of support had been made  
to her by the Congress (I). But this  
is the story sought to be circulated for  
their narrow political advantages and  
narrow political gains.

THE DEPUTY CHAIRMAN: The

House stands adjourned for lunch till  
2.30 P.M.

The House then adjourned for lunch at  
thirty-one minutes past one of the clock.

The House re-assembled after lunch at  
thirty-two minutes past two of the clock.  
*The Vice-chairman (Shri Jagesh Desai)* in  
the Chair.

THE VICE-CHAIRMAN (SHRI  
JAGESH DESAI): Smt. Jayanthi Nata-  
rajan to continue.

SHRIMATI JAYANTHI NATARAJAN:  
JAN: Mr. Vice-Chairman, Sir, just before  
we adjourned for lunch-break, I was  
referring to the fact that at no point of time  
did the Congress party extend support. It  
might be—I remember reading in one  
particular report—that it was the claim of  
the faction lead by Mrs. Janaki  
Ramachandran that the Prime Mi-  
nister had promised support to her faction to  
form the Government. Sir, I have here a  
newspaper clipping of a report of their  
meeting, and I am reading from the report  
and this is possibly the only sentence which  
they might be referring to. Sir, I am reading  
from a report of 11th January. "Mr. Gandhi  
assured the Centre's full co-operation to the  
Government and people of Tamil Nadu. Mr.  
Gandhi told Mrs. Janaki Ramachandran that  
it was and always would be the Centre's  
endeavour to ensure the welfare of the  
people, of all the States." This is the only  
sentence that the Prime Minister has ever  
stated and by this he meant that his  
cooperation would be forthcoming to any  
properly elected Government, to any State  
and all the people of India. As the Prime  
Minister of India this is what he said. By no  
stretch of imagination can this be construed  
to mean that he could have possibly assured  
co-operation to a minority Government  
which did not enjoy the support of the  
people and also extend  
ed support of the Congress Party to a



Government which had no legitimate or moral claim to continue in power because it clearly lacked a majority support in the Assembly. Then, Sir, I would like to briefly refer to the events that occurred on that fateful day and talk about the Governor's Report. I am now referring to this very briefly to illustrate only one point, i.e. the party ruling in the State at that time the faction of the AIADMK, led by Mrs. Janaki Ramadhandran used every possible means at its disposal to somehow stay in power even though it did not have majority support. Sir, it used trickery, it used illegality, and it used violence in various phases. Sir, trickery was used, as the Prime Minister said, when we received information that efforts were being made to convert some of the Congress Members, to lure them over to join them in supporting the majority party. And when those efforts failed and it was known that the Congress party was voting against them, then began a sordid saga in the Assembly of total illegality and of a mockery of democracy that was presided over by the Speaker of Tamil Nadu. Sir, the illegality began at the very first moment. Sir, we all know that a date was fixed by the Business Advisory Committee for 28th of January, 10 a.m., at which point of time, Mrs. Janaki Ramachandran had to prove her majority on the floor of the House.

SHRI ALADI ARUNA alias V. Sir, I am on a point of order. Rule is very specific that the 'procedure of the Assembly cannot be quoted here. It is very specific under Rule 338.

SHRIMATI JAYANTHI NATARA. Jan I have got the Rule, Sir. (*Interruptions*)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): What she is stating is 'what was happening'. She is telling the facts. (*Interruptions*)

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SHRIMATI JAYANTHI NATARA-JAN I am referring to the Governor's report.

SHRI ALADI ARUNA alias V. ARUNACHALAM: How can she question the Governor's prerogative? Then we will speak about the Speaker of the Lok Sabha. Then we will speak about other Speakers.

SHRIMATI JAYANTHI NATARA-JAN; I am talking only about the Governor's report.

SHRI ALADI ARUNA alias V. ARUNACHALAM; Even for that there is a specific provision.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): She is not at all telling anything about. . . . (*Interruptions*),.

SHRI ALADI ARUNA alias V. ARUNACHALAM; The rule is very specific, you go through it, and it says: A Member while speaking shall not use offensive expression about the conduct or proceedings of the Houses or any State Legislature. It is very clear.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): What is offensive in it?

SHRI ALADI ARUNA alias V. ARUNACHALAM: What she is speaking. (*Interruptions*).

SHRI RAOOF VALIULLAH (Gujarat) Do not interpret the rule according to your convenience. You try to respect the rule.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Mr. Valiullah, the rule is very clear. Offensive language has not to be used. She can speak.

SHRI ALADI ARUNA alias V. ARUNACHALAM; You go through it there are so many clauses.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI V. You go ahead, Mrs. rajan.

SHRIMATI JAYANTHI NATARA-JAN: Therefore, Sir, the proceedings in the Assembly on that day and the conduct of the proceedings were a blot on democracy, it was a farce on democracy. At 10 a.m...

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: i have said it is not permitted under the rules. You give us the ruling, so that on other occasions also we must utilise this. We want a ruling.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) It prohibits use of offensive language. *(Interruptions)*.

SHRIMATI JAYANTHI NATARA-JAN: She has ruled it out.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: She has not right to speak about the Speaker. She has no right to speak about the Speaker. It is an unhealthy thing. It is unwarranted, If you allow her to speak, it is unwarranted. It is not a healthy practice.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI); Rule 238(iii) says; use offensive expressions about the conduct or proceedings of the Houses or any State Legislature. It is very clear.

SHRIMATI JAYANTHI NATARA-JAN: I am not using offensive expressions. I am paying him compliments. *(Interruptions')*.

SHRI V. GOPALSAMY (Tamil Nadu): Madam, would you please yield for a minute? I am helping you.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): I have given the ruling.

SHRI V. GOPALSAMY: Mr. Vice-Chairman, Sir, I want a clarification. Our hon. Lady Member was celebrating when democracy was murdered by the same Speaker on the floor of the Tamil Nadu Assembly, when 10 MLAs of D.M-K

were disqualified by the Speaker.

SHRIMATI JAYANTHI NATARA-JAN: No, we walked out\_ We were not there even. *(Interruptions)*.

Sir, there are three main issues here. We all know that in the conduct of Parliamentary proceedings when time is fixed by the Business Advisory Committee, the Speaker has no authority to override that time. The time was fixed at 10 a.m. on the 20th of January for Mrs. Janaki Ramachandran to prove her majority on the floor of the House. Sir, secondly, the Governor had clearly stated that it was only a simple majority that she needed in order to prove her claim that she enjoyed the confidence and the majority support in the House. When these two factors were already there, the Speaker had absolutely no authority to over-ride the decisions of...

SHRI ALADI ARUNA *alias* V. ARUNACHALAM; This is the prerogative of the Speaker.

SHRIMATI JAYANTHI NATARA-JAN: At 10 a.m. what happened, I am going to read from the Governor's report. The Speaker arrived at 10 a.m. and he announced.. . *(Interruptions)*

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: That is the prerogative of the Speaker. The Speaker manages the affairs of the House. How can you question the prerogative of the Speaker? *(Interruptions)*.

SHRIMATI JAYANTHI NATARA-JAN: He came at 10 a.m. and instead of taking up the vote of no-confidence... *(Interruptions)*... He had no authority, absolutely no authority, to override the decision of the Business Advisory Committee. *(Interruptions)*.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Mr. Aladi Aruna, will have the chance to tpeak.

SHRIMATI JAYANTHI NATARAJAN: So, once the time was fixed for the voting...

SHRI M. VINCENT (Tamil Nadu): Time was not fixed; the date was fixed.

SHRIMATI JAYANTHI NATARAJAN: Time was fixed at 10 a.m. The Speaker arrived in the House and immediately announced that he received telephonic message from five Congress MLAs that they were resigning from the House and from the party, and on that score, he was adjourning the House. This has absolutely no connection. Whether it was true or not, but it had absolutely no connection and he had no business to adjourn the House because resignation of five Congress MLAs was irrelevant for the purpose of vote of confidence for Mrs. Janaki Ramachandran in the House. So, in the first place, he had no power or authority to adjourn the House once the time was fixed, and secondly, in any case, the excuse was simply a ruse so that it could be put off for some time, and they could gain some more time to buy, lure and beg other MLAs for their support.

SHRI ALADI ARUNA alias V. ARUNACHALAM: The Speaker was not able to manage the House at that time and so he adjourned it. (Inter-  
sions).

VICE-CHAIRMAN (SHRI DESAI): Please don't interrupt; have your chance to speak.

SHRIMATI JAYANTHI NATARAJAN: 12 O'clock, a further Constitution was enacted when he started giving disqualification of certain members. Here I will make one submission: the Speaker's action in trying to disqualify all those members of the Opposition whom he knew were going to vote against the party was totally unconstitutional, illegal and violative of natural law...

SHRI ALADI ARUNA alias V. ARUNACHALAM: I am sorry for your legal knowledge.

SHRIMATI JAYANTHI NATARAJAN: Under the Tenth Schedule of the Constitution the anti-defection Act has been passed and in that, I would read clause 2 of the Tenth Schedule, which says: A member of a House belonging to any political party shall be disqualified for being member of the House—(a) if he has voluntarily given up his membership of such political party; or (b) if he votes or abstains from voting in such House contrary to any direction issued by the political party to which he belongs... without obtaining in either case the prior permission of such political party, person or authority and such voting or abstention has not been condoned by such political party, person or authority within fifteen days....

ALADI ARUNA alias V. ARUNACHALAM: 'Within fifteen days'.

SHRIMATI JAYANTHI NATARAJAN:.. from the date of such voting or abstention.

Then clause 3(6) of the Tamil Nadu Legislative Assembly (Disqualification on Ground of Defection) Rules, 1986 says: 'Where a member belonging to any political party votes or abstains from voting in the House contrary to any direction... without obtaining... the prior permission of such political party, person or authority, the leader of the legislature party concerned... such member shall as soon as may be after the expiry of fifteen days from the date of such voting or abstention, and in any case within thirty days I read only the relevant portion. Therefore, Sir, the disqualification can only take effect if a particular member has voted or abstained from voting against the whip or direction issued by his party and that also not immediately but 15 days-, later and in any case before 30 days. But, Sir Speaker is known for his instant judgement. He set aside a judgement of the High Court, he imprisoned the editor of newspaper. He is known for his instant judgement. Everybody knows that.

SHRI ALADI ARUNA alias V. ARUNACHALAM: That was on the initiative of the Congress party.

SHRIMATI JAYANTHI NATARA-JAN;  
You come to that subject. I am having the  
proceedings of the Tamil Nadu  
mbly.

SHRI ALADI ARUNA *altos* V. ARU-  
NACHALAM; It was because of your ini-  
tiative.

THE VICE-CHAIRMAN (SHRI JAGESH  
DESAI); You can make your point when you  
speak.

SHRI V. GOPALSAMY; It was punish-  
ment for the Speaker for the sins he com-  
mitted early. (*Interruptions*).

THE VICE-CHAIRMAN (SHRI  
ESH DESAI); Why do you want to  
interrupt? You can meet the argument  
when you get the chance to speak. Please  
allow her to speak.

SHRIMATI JAYANTHI NATARA-JAN;  
My point is very simple that once a member  
has voted or abstained from voting in a  
particular way that is contrary to the direction  
of the party, the Speaker no authority to  
disqualify him on the spot. He has to wait for  
15 days, There is one more instance. In his  
report the Speaker has said that the whip of  
the party has not condoned it. In my submis-  
sion this is immaterial. The question whether  
he has condoned it or not will only arise after  
the member fills in a particular form as per  
the provision in the Act. After the incident  
has occurred, 15 days' gap is mandatory and  
the Speaker has no business to override this  
rule. The rule is: after 15 days and before 30  
days. So, it is utterly illegal and  
unconstitutional on his part to have  
disqualified those members. The only reason  
why he did it was because he knew that they  
were going to vote against Mrs. Janaki  
Ramachandran faction, against the party in  
power at that time. Therefore, he acted in  
total violation of the rules.

Having said that that he acted in an illegal  
manner, the second chapter of the sordid tale  
begins when, after having sent these people  
out on illegal grounds, he resorted to total  
violence. Even then the Congress was against  
them and the members of the DMK party had  
also announced

they were going to vote against. The  
House was adjourned till 3.00 p.m. At that  
point of time outsiders entered into the  
Assembly. Outsiders in the guise of watch  
and ward staff entered. on top of all that, this  
is the worst kind of atrocity in any de-  
mocracy, totally unheard of in political  
democratic history of India when the Speaker  
actually called upon the police to enter the  
precincts of the Legislature and attack those  
MLAs who were opposed to the Janaki  
Ramachandran faction. They were beaten up,  
shamefully beaten up. Not one Congress  
MLA was allowed to enter the House. The  
police conducted a lathi charge. I demand  
that the Speaker should be removed for this  
action alone. (*Inter-nip: ions*).

SHRI ALADI ARUNA *alias* V. ARU-  
NACHALAM; She is innovating everything.  
(*Interruptions*).

THE VICE-CHAIRMAN (SHRI JAGESH  
DESAI); You can narrate your story  
also when you get a chance. (*Inter- ahead*.  
(*Interruptions*),

SHRIMATI JAYANTHI NATARA-  
JAN; No. no. that is not right. That is a There  
was no Congress MP who did like that. I  
take strong objection to it. He did not do  
it.

SHRI V. GOPALSAMY; The word\* is  
unparliamentary. -

SHRIMATI JAYANTHI NATARA-JAN;  
I am sorry, it is just a terminologi-cal  
inaccuracy. It is not a\* it is just untruth.  
(*Interruptions*).

SHRI M. VINCENT; It is the Congress  
and Congress alone that created turmoil in the  
Assembly.

SHRIMATI JAYANTHI NATARA-  
JAN; Let me read out what all happened. Let  
me read out from the papers. There are  
glowing tributes paid to the Tamil Nadu  
Speaker.

THE VICE-CHAIRMAN (SHRI JAGESH  
DESAI); Time is very much limited. You do  
not hear what they say.

\*Expunged as ordered by the Chair.

SHRIMATI JAYANTHI NATARAJAN: Sir, I am going to conclude. I lay all the tributes paid to the Speaker of Tamil Nadu Assembly on the Table of the House, if you permit me.

THE VICE-CHAIRMAN (SHRI JAGDESH DESAI): No, they are not to be laid on the Table of the House.

SHRIMATI JAYANTHI NATARAJAN: I will just briefly quote the Governor's report. The Governor clearly says;

The manner in which the voting was conducted by the AIADMK party when only 110 members out of 222 were present in the House, casts serious doubts about its claim that it had been able to win the vote of confidence."

There is one more quotation from the recommendations made by the Governor:

"It was improper on the part of the Speaker to have adjourned the House at 1000 hours on 28-1-88 instead of proceeding with the only item on the Agenda i.e. taking up the motion of Vote of Confidence in Smt. Janaki Ramachandran Government, on the ground that five members had informed him over telephone that they were absent from their seats in the Assembly from the Congress (I) Party. It had been unambiguously clarified on 25.1.1988 that the fate of motion of Confidence would depend upon the total number of members *present and Voting* and the absence by the five members of the Congress (I) Party would not make any difference to the ultimate outcome."

Then, again, he says

"The pandemonium which prevailed in the House at 1200 Hrs and 1500 Hrs, when chairs, wrenched out mikes, paper weights, chappals etc. flew across the House and members engaged in fist fights leading to injuries to some of them and police intervention has been one of the most sordid chapters in

the annals of the Legislative Assembly. Again, there is a serious threat of breach of peace resulting in acute law and order problems if the Assembly meets again."

Therefore there was absolutely no objection but that the Government should be dismissed because it did not enjoy the confidence of the people and of the State and that President's rule should be imposed. And also once again strongly condemning the police brutality. The fact that the Speaker brought in police, I want to make a very strong appeal to Government. I plead, I demand that the Speaker should be removed. Under article 179 ... (Interrupted) That is the problem. We all know that under Art 179(c) it has been provided that the Speaker of an Assembly continued even though the Assembly dissolved because in the interest of continuity of the institution of the legislature, if we go through the debates of the Tamil Nadu Assembly, it will be found that because the office of the Speaker such a vital and important one and cause it was conceived that a person of a particular calibre should occupy the office of the Speaker, there was not even any debate about this particular clause of Art. 179 that the office of Speaker will continue whether the Assembly is dissolved or not. But as one of the leaders from Tamil Nadu says. ... I know to read the Constitution. I resent your interruptions. I can read the Constitution. It is much as you can and when your turn comes you can read it yourself. Therefore, as one of our leaders from Tamil Nadu was saying, the Speaker calls himself the heart-beat of democracy. It is true, but when the heart itself starts malfunctioning, then there is a threat to the whole democracy as such. The malfunctioning heart has to be removed; otherwise the whole democracy will come to a standstill.

Now if it is my submission that under Art. 356, which I will read just now, there is also provision for all incidental and consequential provisions which are required to make sure that proper constitutional law and order is carried on and

[Shrimati Jayanthi Natarajan] the State Government is conducted with proper law and other Such incidental and consequential provision, can also be made. Therefore under the powers that have been given under Art. 356, since the Assembly has already been dissolved and the Speaker is no longer a MLA any more but is only a Speaker, I submit that Art. 179 should be read along with Art. 356 of the Constitution. The very person who was responsible for creating a law and order situation in the State, the very person who created the breakdown of the constitutional machinery of the State—ii will be a farce if he is allowed to continue as Speaker. Therefore under the incidental and consequential provisions under Art. 356 of the Constitution, the proviso to Art. 179 has to be suspended. So, once the proviso to 'article 179 is suspended, the office of the Speaker automatically goes. He cannot possibly be allowed to continue. It is a joke that the very person who murdered democracy in the State, should be allowed to continue under the shelter of the provision which contemplates that the Legislature should have continuity. He has done everything in his power to see that the House was not allowed to function.

I am going to conclude by reading one or two paragraphs from the Page Committee Report on Speakers and from the Conference of Speakers, wherein the role of the Speaker has been properly established. In this case, apart from being nonpartisan.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Please conclude.

SHRIMATI JAYANTHI NATARAJAN: I am just completing. Give me one more minute. He has clearly spoken in favour of the ruling party. He has not only spoken in favour of the ruling party at that time and clearly indicated his partisan, party loyalties.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: Like yours.

SHRIMATI JAYANTHI NATARAJAN: He committed total illegality by


disqualifying all the MLAs who were opposed to him. On top of everything else, he brought in outside elements to physically prevent those MLAs who were voting against him.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: Why does she mention all these things? Is there any evidence to this? Has the Governor reported this? Or, has the Home Secretary said this? Why does she make all these allegations? The hon. Member is expected to give vital points with genuine facts.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): You can point out. The Minister will reply to it.

SHRIMATI JAYANTHI NATARAJAN: Sir, on top of that, we all know that under article 356. . .

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Please conclude now.

SHRIMATI JAYANTHI NATARAJAN: Just one minute, Sir, I will finish. We are all functioning in a constitutional way. The moment something has happened that was against his desire, against what he was trying to establish—a more shocking thing I want to bring to the notice of the House—he said that he was going to take it to the United Nations. Are we going to allow this person to continue as the Speaker of the Tamil Nadu Assembly? He wants to go beyond Parliament. 

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: No justice here. What can he do?

SHRIMATI JAYANTHI NATARAJAN: He has gone on record as saying that he is going to take this issue to the United Nations. I want to ask whether this kind of person we should allow to continue as the Speaker.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: Yes, why not?

SHRIMATI JAYANTHI NATARAJAN: Should we allow him to be the Speaker?

Fin'ally, I just want to quote a word from the Page Committee Report.

SHRI ALADI ARUNA *alias* V. ARU-NACHALAM; We 'nave Do faith in your justice.

SHRIMATI JAYANTHI NATARA-JAN: So, go to the United Nations. Why remain here?

SHRI V. NARAYANASAMY: Don't go to the United States.

SHRIMATI JAYANTHI NATARA-JAN: I think the Speaker represents the House.

I am reading from what J'awaharlal Nehru said;

"He represents the dignity of the House, the freedom of the House, and because the House represents the nation in a particular way the Speaker becomes the symbol of the nation's freedom and liberty. Therefore, it is right that it should be an honoured position, a free position and should always be occupied by men of outstanding ability and impartiality."

Every single aspect contrary to it has been demonstrated by the Speaker of the Tamil Nadu Assembly. The principal duty of the Speaker is to regulate the proceedings and to enable it to deliberate.

SHRI ALADI ARUNA *alias* V. ARU-NACHALAM: Sir, this is character assassination. It is not healthy. Then you are opening the floodgates. This is not a healthy one. (*Interruptions*).

SHRIMATI JAYANTHI NATARA-JAN; I am n<sup>o</sup>t asking about it. Why are you exercising your mind? (*Interruptions*)

SHRI ALADI ARUNA *alias* V. ARU-NACHALAM: Why should I bother about it? You are having a more awkward person. I know. Why should I hesitate? I can refer to a number of cases.

SHRIMATI JAYANTHI NATARA-JAN: You go ahead, I am concluding. It is the first duty of the Speaker to enable the House to function and not to shut it

out. The House is paramount, and the Speaker can claim no inherent right. Just now he said, he can claim no inherent right to override or bypass the House or to arrogate himself the powers and functions which belong to the House. He is not the master of the House. He is only a servant of the House. He cannot try to shut out the Members from voting in a particular way. He should not murder democracy in the State. We should not allow him to continue.

Finally, I also join the hon. Member who spoke before me and request that early elections should be held in the State so that the people can instal an elected Government of their choice.

3.00 P.M.

PROF. C. LAKSHMANNA; The drama in the Tamil Nadu Assembly and what happened there is a sordid picture of the functioning of democracy in this country. I do not stand here to condone what has happened there, but then it is time for us to look as to who has been responsible for all this. If I am able to 'apportion as to who has been responsible for it, it will give an opportunity to those who have been responsible for it to at least behave in future with a certain amount of restraint, with a certain amount of circumspection so that the thing that happened in Tamil Nadu will not happen again.

If I look at it, I find that the first culprit in the entire sordid drama had been the Congress P<sup>ar</sup>ty. The Congress(I) has the prime responsibility and has the ethical need today to set an example. Be it Tamil Nadu, be it Meghalaya, be it Tripura, be it elsewhere, the role played by the Congress (I) has been reprehensible to, say the least. They change the scale of values even while judging one or two similar instances.

In Tamil Nadu the whole talk is about the majority and minority Government. When the Janaki Government was installed, the position was that they had 95 Members.

SHRI M. VINCENT; 97 Members.

PROF. C. LAKSHMANNA: 95 was first reported. Subsequently two were

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added. The Congress(I) had 64 and other parties were also having one or two. On the day the Ministry was dismissed, the position had not altered. On the other hand if there had been any alteration in the situation, it was only with regard to the Congress, which had 64 members and this number had come down to 59, five of them having resigned from the Party.

AN HON. MEMBER; No, it was reduced by four.

PROF. C. LAKSHMANNA: Four or five does not make much difference. Nonetheless the number of the Congress had come down. But still we talk in terms of majority and minority Government. I would like to ask the Congress, while it had been, as claimed by the previous speaker, supporting the Janaki Ramachandran Government, was it ever categorical that they were not supporting that minority as it is being alleged today? *(Interruptions)* By the time the Assembly met that was a different story. We will not come to it, but there was no occasion from the Press reports, from the statements, as quoted by the previous Speaker herself to prove that the Congress(I) party headed by its President, who is the Prime Minister of the country, had ever stated that they are not supporting in the Assembly the minority Government of Janaki Ramachandran. They only talk subsequent to what happened on 28th January. Therefore, if it was 95 or 97 and if that Government is a minority Government. I would like to draw the analogy of Tripura, I would like to draw the analogy of Meghalaya. There too the Governments which are now in existence are also minority Governments.

SHRIMATI JAYANTHI NATARAIAN: There they won a vote of confidence.

PROF. C. LAKSHMANNA: What vote of confidence? They also won on that day. As far as vote of confidence is concerned, even in Tamil Nadu on 28th January. *(Interruptions)*.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI); Please don't interrupt. You are going to speak next.

PROF. C. LAKSHMANNA: It is not for me to accept that.

SHRI V. NARAYANASAMY; Then why do you quote that?

PROF. C. LAKSHMANNA: I am simply stating the fact as it existed. Just as the minority Government of P. A. Sangma has got a vote of confidence with the support of those defectors, who have been made Ministers, similarly there was a vote of confidence. Let us not go into it, because I am only trying to prove that the Congress(I) is having double standards, different showing, different types of values and ethics at different times and so on. That is all. So is the position.

Secondly, they are also talking in terms of trading of the MLAs. What has happened in the Janaki faction, what has happened in the Jayalalitha faction so on and so forth, but what Congress has been doing is that it has been indulging in this type of things all the time, not once, but we can have umpteen number of occasions cited as to when the Congress has been trading in this type of things. ... *(Interruption!)*...

THE VICE-CHAIRMAN (SHRI JAGESH DESAI); You have got only 11 minutes. It will go according to the schedule.

PROF. C. LAKSHMANNA: Yes, trying to be reasonable.

Therefore, trading of the Members has been the highest prerogative of the Congress and the Congress have got the least moral and legal authority ever to talk about, if they talk, it only enhances the pretensions and the double standards of the Congress.

Now, comes the question of the so-called Speaker. I know that we should not speak about the Speaker but none the less even in the case of Speaker the question of double standards of the Congress



comes. The same Speaker, however, benevolent or reprehensible he may be, it is for them to decide, I am not worried about it, I am not going into that question—if he indulges in one type of activity of disqualifying ten Members of the Assembly who incidentally happen to belong to a particular Opposition party then the Congress gloated with happiness and it did not raise a word at that time. But on the other hand, the same Speaker if he takes a precipitate action in disqualifying six other Members who were at the particular time when disqualified were a problem for the Congress and its continued support or non-support to somebody or the other, then, they immediately talk about the Speaker and the removal of the Speaker and citing of article 179 and the residual powers arising out of article 356 and so on and so forth. Therefore, I would ask the Congress Members to coolly consider whether this was the case or not—whether they have not supported the same Speaker, whom they are describing as 'demon' who was God for them so long as it suited their interests and their actions.

Then comes the question of the Governor's report. The Governor's report is a very interesting document. It is an interesting document because it gives the reason as to how the Jafarli faction Ministry was installed and subsequently why it has been dismissed. If you go through some of the points raised by the Governor carefully, it needs to be considered dispassionately. If in a given House, if there is hooliganism it is condemned. If there was hooliganism as it existed on the 28th in the Tamil Nadu Assembly, it should be condemned by all democratic forces in the country. There is no doubt about it. If hooliganism could be created—if the House could be made to be in the way in which it was there on the 28th January—will that be a sufficient ground for, stating that the House has to be dissolved? One more opportunity should have been given for the House to assemble after the hot tempers were cooled down perhaps the next day or the

next day. If the House would have been convened on the next day then these scenes would not have been there. How do we know? But a precipitate action had to be taken by the Governor in recommending dissolution on the basis of what is supposed to have happened. I would only like to recall as to how many times—may not be of the same magnitude—there were instances in other Assemblies also.

Sir, it will be a very bad precedent to arm the Governors with these types of powers. The Governor should be reasonable in his exposition. He should give reasonable opportunity and he should give reasonable explanation as to why he has been taking a particular action. Simply because there were certain incidents in which I do not want to go, who was responsible and who was not responsible, the precipitated action should not have been taken. The Congress may say that the whole thing was done by the Janaki faction. But a newspaper article written in a journal which is very sympathetic to Congress view-point says five Members who subsequently resigned were muffled, jostled, beaten and so on and so forth. Even a journal which is very favourable to Congress says like that. Therefore, if there were ugly incidents in the Tamil Nadu Assembly, it is not merely because of the Janaki faction or Mr. P. H. Pandiyan, who was the Speaker, who was responsible to encourage such things to happen etc. but even the Congress(I) Members could not be absolved of their responsibility in mishandling the situation there. Therefore this is a very important thing to be kept in mind. That means the Congress(I) instead of being exemplary did not behave properly.

Finally, one more point I would like to bring to the notice of the House. The Congress(T) Party which is now talking so much did not have a word to say when the Governor said that he would be satisfied if there is a simple majority on the floor of the House. If the Governor in his wisdom and understanding felt that it was just necessary to have a simple majority to prove the vote of confidence

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for the party in power, for the Government which was functioning, I consider this would be a very dangerous precedent. But Congress(I) for its own ends, for its ulterior purposes did not raise a word against them. That is a very dangerous trend but none-the-less today when it is not suitable for them, they are raising all sorts of questions but not on this particular point. Therefore, from every angle when we see what has happened to Tamil Nadu, it is a slur on the name of Congress(I) party alone. Then the final point is that the Congress(I) party was uprooted in Tamil Nadu to start with and the process had gone all over the South. They are struggling to have a foothold and in their struggle to have a foothold once again they are resorting to all sorts of gimmicks and one of the gimmicks is what is happening in Tamil Nadu on the part of the Congress. Therefore, I would request the Minister to fulfil one promise which has been made in the Governor's report namely that there shall be early elections. I would request the Home Minister to initiate the process to have early elections in Tamil Nadu so that Tamil Nadu people will have an opportunity to tell the world at large, to tell the country at large as to who they want to rule them. They cannot continue to muffle democracy by continuing not to hold elections. Therefore, I want if they continue to muffle the democratic process by not holding elections, they will be the worst sufferers. Therefore, I plead with the Home Minister to have early elections. Thank you.

SHRI V. NARAYANASAMY; Mr. Vice-Chairman, Sir, I rise to support the resolution moved by the hon. Minister for the imposition of President's Rule in Tamil Nadu and dissolving the legislative assembly. Mr. Vice-Chairman, Sir, there is no doubt that the former AIADMK leader and the former Chief Minister of Tamil Nadu, Mr. M. G. Ramachandran was a great leader by himself. There is no doubt about it. But Sir, he died on 24th December 1987. After him, developments have taken place in Tamil Nadu in AIADMK party. In that the party was divided into two factions, one led by

Mrs. Janaki Ramachandran and the other led by Miss Jayaram Jayalalitha, an hon. Member of Parliament in this House. Sir, my submission is that there are a lot of accusations and charges against Congress(I) party from the opposition side stating that the act of Congress(I) party in Tamil Nadu affair is a betrayal and the Congress(I) party failed to support Mrs. Janaki Ramachandran faction. Sir, especially the AIADMK group led by Mrs. Janaki Ramachandran is under the illusion even today. The reason is that our Prime Minister in categorical terms stated to them when there was a split in the AIADMK party that the Congress party wants that both the factions should join together and the Congress party will support only the united AIADMK.

SHRI T. R. BALU (Tamil Nadu): Where was the necessity for your support?

SHRI V. NARAYANASAMY; I will tell You.

SHRI M. VINCENT; When we are really united what is the necessity for Congress to support? Do not think about the unity of AIADMK. (Interruptions) You think about unity of Congress in Tamil Nadu. You are four factions in Tamil Nadu. We are divided. But you are scattered. We are divided into two. But you are scattered into pieces in Tamil Nadu.

SHRI V. NARAYANASAMY; Mr. Vice-Chairman, Sir, the hon. Member is agitated because..

SHRI M. VINCENT; That is my duty. That is my right.

SHRI V. NARAYANASAMY; Sir, there is no reason for his agitation (Interruptions)

SHRI M. VINCENT; Who are they to talk about unity of Anna D.M.K. (Interruptions)

SHRI V. NARAYANASAMY; I would like to say this to the hon. Members

of the AIADMK in particular. They have been telling that there was a message from the Prime Minister's office and on the basis of the message they were under the impression that the Congress party was supporting them. I would like to quote two instances to how what was the stand of the Congress-I party, right from the beginning. I would like to quote the statement issued by the Congress-I party before Janaki Ramachandran met the Prime Minister. It is reported in 'The Times of India' dated 11th January 1988.

' Mr. Rajiv Gandhi wants the warring AIADMK factions in Tamil Nadu to smoke the peace pipe without the Congress having to intervene.' What is further is very important for them. Members from the Janaki faction of the AIADMK;

"Since the Congress leadership tends to look at the crisis within the AIADMK a private affairs to be settled between Mrs. Janaki Ramachandran and Ms. Jayalalitha, it naturally does not lend much credence to the solo bid by Mr. P. Kolandaivelu, AIADMK, MP, to try and involve the Congress into playing a mediatory role."

It was made very clear that it is an internal affairs of the AIADMK party and our Prime Minister categorically stated, consistently stated, that they had to unite together so that they would be able to get the support of the Congress-I party. On the contrary, what has happened, Sir? One group was kept in a five-star hotel. The group having 97 members was kept there.

SHRI V. GOPALSAMY: The other group was kept in a ginning factory.

SHRI V. NARAYANASAMY: The other group of 30 was flying from place to place to escape the clutches of the other group. I would like to charge the AIADMK that money played a major role in winning over the confidence and support of the other group. The history of politics... (Interruptions),.. crores of

rupees ran into the hands of MLAs which is a shame on AIADMK.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM; It is the same case in Meghalaya.

SHRI V. GOPALSAMY: You have made a very valid point.

SHRI V. NARAYANASAMY; You kindly sit down. Sir, I am not yielding.

THE VICE-CHAIRMAN SHRI JAGESH DESAI; He is not yielding.

SHRI V. GOPALSAMY; How did the factions get the money? After the demise of M.G.R. or before that? How did they get the money? He is making a serious accusation that crores of money were spent. Did they get the money before the demise of M.G.R. or after that?

SHRI V. NARAYANASAMY: Mr. Vice-Chairman, Sir, on 13th January 1988, this is reported in 'The Hindu', That is. after the meeting of the Prime Minister by Smt. Janaki Ramachandran. If we go through it, whether she was consistent or inconsistent in her approach and whether she was satisfied with the meeting which she had with the Prime Minister will be known. At the airport after getting into the car Mrs. Janaki Ramachandran signalled to the Chief Secretary to come near and after consulting the Chief Secretary for a few seconds, she said that her talks with the Prime Minister, Shri Rajiv Gandhi, were satisfactory and she did not elaborate. She was not categorical of the support, of the alleged support, which they sought from the Prime Minister, of the Congress-I support to AIADMK. It is very well said that she was doubtful. Another incident is before the session she contacted honourable Buta Singh, the Home Minister, to know the opinion of the Congress Party. Then see the consequences. The Congress-I Party was categorical in its turn that it will support only the united AIADMK. (Interruptions)

Now I refer to the incident that took place on 28th January, 1988. Tamil

[Shri V. Narayanasamy]

Nadu Assembly is one of the noble Assemblies in the world—not only in our country but in the world. Great stalwarts were there in the Assembly. But see how the image of the Tamil Nadu Assembly has been ruined by the Speaker by his acts in the Assembly...

SHRI ALADI ARUNA *alias* V. ARUNACHALAM; With your blessings.

SHRI V. NARAYANASAMY; Whether blessings or curses, you will see..-

SHRI V. GOPALSAMY; Earlier th were blessing him, now they are cursing him.

SHRI V. NARAYANASAMY: In the report of the Governor..

SHRI M. VINCENT; Who prepared that Governor's report? It is a joint venture of Shri Buta Singh and Shri Chidambaram.

SHRI V. NARAYANASAMY; You go and ask the Governor.

In the report of the Governor he made a reference to the memoranda submitted by various political parties against the Speaker and his conduct in the House. At 10 A.M. the Speaker is to conduct the House for the purpose of recording the vote of confidence. The wonderful speaker read one couplet from Thirukku-ral and he said that five MLAs belonging to Congress-I had gone out of the Congress Party and he received a telephonic message. The Speaker, who claims that his powers are skyhigh, says he is not a person who is bound by the Constitution, he is not a person who is bound by the Rules of the House. He says that he received a telephonic message that five MLAs have resigned from the Congress Party and membership of the Assembly. I would like to refer to what the honourable Speaker of the Tamil Nadu Assembly had said and my honourable friends from the AIADMK will note, he has completely forgotten Articles 190 and 191 of the Constitution...

SHRI ALADI ARUNA *alias* V. ARUNACHALAM; Even a telegram is accepted as a Writ Petition by the courts; even ordinary letters are accepted as Writ Petitions. Tell us whether five MLAs resigned or not. You attacked them. You tortured them within the House. People know everything. You were very particular about the formalities. Tell us whether it is a fact or not.

SHRI V. NARAYANASAMY: It is very clear that whenever any member of the Legislative Assembly resigns from his membership, he has to give his resignation letter in his own handwriting and submit it to the Speaker that he is resigning from the membership of the Legislative Assembly. Therefore, the question was whether a telephone message could be considered as resignation from the membership of the Legislature or the Congress (I) Party. The honourable Speaker of Tamil Nadu...

SHRI MUKHTIAR SINGH MALIK (Haryana); Honourable?... (*Interruptions*)..

SHRI V. NARAYANASAMY; Sir, the honourable Speaker of Tamil Nadu found that the message was favourable to the Janaki Ramachandran group and favourable to his party to get the support. He immediately said that he was adjourning the House and he said that the House would meet again at 12 o'clock. At 12 o'clock. Sir, what happened? The Members went inside the House. The Speaker, on an earlier petition given by one of the MLAs, said that he was disqualifying six MLAs. He disqualified those MLAs from the House. Did he follow the procedure for the purpose of disqualifying a Member as provided under the anti-defection law? No, he did not. He flouted the rules and regulations of the House and the Constitutional provisions, especially the anti-defection laws. The Speaker again adjourned the House and said that it would be reconvened at 3 o'clock. Then Sir, the respected Members of the House, finding that he was acting in an undemocratic way, elected one Mr. Sivaraman as the Speaker... (*Interruptions*)... The DMK

Party also joined in that and they also I the new Speaker who was elected and the former Speaker Was removed from the House and the Janaki Rama-chamtran Ministry was dismissed... (In-options)... The DMK people supported it.

SHRI V. GOPALSAMY; We never supported that. You are only confused.. (Interruptions)..

SHRI T. R. BALU; We never supported that.. (interruptions)..

SHRI THANGABAALU (Tamil Nadu): am telling you, you supported it... (Interruptions). The DMK Members were sitting inside the Assembly and they supported it. Sir.. (Interruptions).. I was an eye-witness to that (Interruptions)..

SHRI V. GOPALSAMY: We never supported that... (Interruptions)

SHRI THANGABAALU; I was an eye-witness to that, I am telling you... (Interruptions)..

SHRI V. GOPALSAMY: You were also one of the storm-troopers.. (Interruptions)..

SHRI THANGABAALU; That is your business and not mine... (Interruptions).

SHRI V. NARAYANASAMY; Sir, I would like to submit that the honourable Speaker of the Tamil Nadu Assembly claimed that he acted in the House according to the rules and regulations and also the Constitutional provisions. Kindly see his conduct. At 3 o'clock when he sat in his seat, the other Speaker, Sir, Mr. Sivaraman, wanted to occupy his seat and he was physically pushed away and the MLAs were there to tell him to take the vote of confidence. His hirelings had been dressed in the uniform of the officials of the Tamil Nadu Assembly. They had been sent with weapons and the Congress (I) MLAs particularly were assaulted and were injured... (Interruptions)..

THE VICE-CHAIRMAN (SHRI JAGESH DESAI); No cross-talk will be

recorded at all.. (interruptions) ... No cross-talk should be recorded. Yes, Mr. Narayanasamy, you proceed.

SHRI V. NARAYANASAMY; Sir, the Congress (I) Members were identified and were brutally attacked... (Interruptions)... Sir, the people would have seen on the TV and they would have read in the newspapers also all these things. This is the conduct of the ADMK faction led by Mrs Janaki Ramachandran on 28-1-1988 and the Speaker Legislative Assembly of Tamil Nadu. Now, what is the course open to the Governor under these circumstances? Sir, the constitutional machinery broke down there. I would like to quote one instance here. An honourable Union Minister was sitting in the gallery and he had no protection. He had to telephone the Governor to give him protection to go out of the Assembly precincts. This was the sorry state of affairs which was prevailing at that time in the Tamil Nadu and they are now telling that the Congress (I) Party has betrayed them, I put it very clearly that the impression that they have created in the minds of the people of Tamil Nadu that the Congress party has betrayed them, is untrue. (Interruptions)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI); No cross-talk will go on record.

SHRI V. NARAYANASAMY; I would like to tell you. Mr, Vice-Chairman, Sir, what was the effect of the imposition of President's rule on the minds of the people of Tamil Nadu, and what was the effect on their minds, of the act of the Central Government and the President of India in dissolving the House and promulgating President's rule in Tamil Nadu. All the people from the bottom to the upper class welcome it. There was no untoward incident there. The people found that they had been relieved from the 'goondas'. People found that they would get justice and the welfare measures will be implemented in Tamil Nadu. I tell you of the reaction of the Dravida Munnetra Kazhagam deputy leader in the Assembly, Mr. Nanjil Manoharan who

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said in a statement in Madras that the 'undemocratic' and 'shameful' acts inside the Assembly would put to shame every Tamilian. He said that many Opposition members were running for their life when they were attacked by the police. After the commotion subsided, the DMK MLAs were returning to the chamber to cast their votes. But the doors were closed before four of them could enter the House, he said.

Sir, I quote another leader, the leader of the CPI(M) group in the State Assembly, Mr. R. Ramani, who said that the Speaker, Mr. P. H. Pandian, had no business to change the schedule decided the Business Advisory Committee. He said that the State Information Minister, V. V. Swaminathan, approached the CPI(M) to extend its support but the party declined to do so. They approached the DMK, the CPM and other groups to get their support just to remain in power. This is the attitude of the group led by Mrs. Janaki Ramachandran. They even tried to purchase Congress (I) MLAs. That is my charge.

Then, Mr. Ramani goes on to say that the Speaker's disqualification of 33 MLAs on grounds of defection was authoritarian and smacked of vindictive attitude. The hon. Member from the other side, from the CPI(M) group, says that the Congress has murdered democracy. But this is the statement of the CPI(M) leader from Tamil Nadu. The facts which have been narrated would show who murdered democracy. It is only the Speaker of the Assembly and the faction of the ADMK led by Mrs. Janaki Ramachandran which murdered democracy.

Therefore, Sir, I want three things from the hon. Minister. First of all, the Speaker who has completely flouted the laws and regulations and the Constitution should be removed from his office forthwith. Secondly, I would like to urge upon the hon. Minister to conduct a judicial inquiry into the incidents that took place on 28-1-1988 when more than 30 Congress (I) members had been bru-

tally attacked in the Assembly itself. Thirdly, lot of money power was used by the AIADMK group and they were trying to purchase the M.L.As. The Government should raid all the premises of the Ministers of the AIADMK and should find out the hidden money. Fourthly, I would request the hon. Minister to order early election so that democratic norms may be maintained in Tamil Nadu.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI); Mr. Aladi Aruna. Your time is only six minutes.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM; I have to answer many questions,

THE VICE-CHAIRMAN (SHRI JAGESH DESAI). I will ring the bell in 6 minutes and then you should finish within two minutes.

SHRI V. GOPALSAMY. He represents the affected party. He should be given more time.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM; Mr. Vice-Chairman, Sir, on behalf of All India Anna D.M.K. party, I strongly condemn the imposition of President's rule in Tamil Nadu. (*Interruptions*) Whatever you call it, I little bother about it. We are the real AIADMK.

SHRI G. SWAMINATHAN (Tamil Nadu) : Don't say that you are the real party.  
(*Interruptions*)

SHRI V. GOPALSAMY; We have to ask MGR about it.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI); Please don't interrupt. No interruptions please.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM; Sir, Article 356 is a powerful weapon in the hands of the political party at the Centre which they use against political parties in the States. This is the first time in our history that President's rule has been promulgated in a State on the ground of violence within the precincts of the legislature. We are against

violence. We condemn violence. I have to remind this House that the Congress(I) Party and the Jayalalitha factions are mostly responsible for this violence in precincts of the legislature. Since media is absolutely under the control of the Centre, the telecasts and broadcasts are always one-sided. In that matter they showed the incidents of violence. Before I deal with the incidents of violence, I have to mention about the betrayal and the treacherous character of the Congress Party and how they cheated and stabbed the AIADMK in the back. Our Madam Chief Minister met our hon. Prime Minister and sought cooperation for the Confidence Motion. The hon. Prime Minister discussed various issues with our Chief Minister and assured full cooperation to the Government and the people of Tamil Nadu. A bulletin had been issued from the office of the Prime Minister to this effect. We also met Mr. Buta Singh and Mr. Moopanar.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): This won't go on record. It is not in good taste. It does not look good. All these words will be removed. These words will not form part of the record. (*Interruptions*)

"SHRI SURESH KALMADI (Maharashtra): He is not fair.

SHRI P. CHIDAMBARAM; Sir, these remarks are not only \_\_\_\_

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Those words will be deleted from the record. We have to maintain decorum in the House.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: If you delete them, Sir, I have no objection.

SHRI P. CHIDAMBARAM; He must withdraw it.

\*Not recorded.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): He is withdrawing it.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM; If the Chair feels, I have no objection.

SHRI P. CHIDAMBARAM; He must withdraw it.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): He has said that he is withdrawing those words. The matter ends there.

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI M. M. JACOB); Including the word 'black'.

SHRI P. CHIDAMBARAM; We are proud of our black colour.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM; That is his name. I put it in translation.

SHRI V. GOPALSAMY; Cleopatra was black and beautiful.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM; Sir, we met the senior leaders of the Congress party and asked their cooperation and were assured of their cooperation. Even on that particular day, Sir, Madam Janaki Rama-chandran phoned up Mr. Buta Singh and Mr. Buta Singh assured that they have taken a decision neutrally. But what have we received through phone? (*Interruptions*) You have every right to differ. That is a different issue. Only at 9.45, we came to know that the Congress was prepared to stab in the back. We came to know of it at 9.45 in the morning. Sir, here the hon. Minister questioned about the action, attitude and propensity of the Speaker. Sir, I am to tell the House that just before 10 O' clock, he received a message from the Congress Members that they have resigned their membership from the State Legislature. He informed it to the House. As soon as he informed it, there was chaos, there were abuses hurled against the Speaker. He was not able to manage the House and then he adjourned the

[Shri Aladi Aruna alias V. Arunachalam] House up to 12 o'clock. Then, Sir, at 12 o'clock, the House reassembled. At 12 o'clock what really 'happened' was that he gave his judgment on the basis of a petition given by one hon. Member, Mr. Tamilmani, regarding anti-defection law. Sir, afterwards there was full pandemonium in the House. The Speaker was not able to control the House. Then he adjourned the House till 3 o'clock. What happened at 3 o'clock is more important, Sir. The Congress party and the Jayalalitha faction indulged in a deliberate violence. They did not allow the Speaker K. professed with the business of the House, Sir, the Governor has clearly stated what has been done to the Speaker. Sir, with your permission, I want to say what he said: "At 3 p.m. the Speaker entered the House and took his seat. Immediately thereafter Thiru Sivaraman, Congress MLA, moved in to occupy the same seat—that is the Speaker's seat—and other MLAs moved towards the Speaker's seat and pandemonium broke out. The Speaker was being jostled and pushed from the seat. He fell down from his seat. Chappals were used freely, paper weights were thrown at each other and fistfighting on a large scale broke out. Among the Members, The Speaker was injured." Sir, have you ever heard in our history that Speakers were attacked by the MLAs? Have you ever heard the Speaker's podium being occupied by other people illegally unconstitutional and unlawfully? Who is responsible for these atrocities? Who is responsible for this unconstitutional attitude? Is it not the Congress? Has it been broadcast? Has it been telecast? Nothing of that. Sir, more than that. Sir, the Governor himself has clearly stated in his statement that "the parallel session held by the rival group comprising Congress (I) and Anna DMK Jayalalitha group was unwarranted."

Who is responsible? Now they speak about political ethics. Now they speak about political morality. Now you speak about the dignity and decorum of the House. Under what circumstances? Under what propriety? So, Sir, my point is that they are responsible. I admit it is a black

day. I admit it is a day of shame. But it is because of you, because of your cooperation, because of your blessings, because of you? instigation from the Centre. that is my charge. Now, they say, Speaker must be removed. I need not say much about that. The Constitution is very specific. Article 179 is very specific and it says that the Speaker will continue till another Speaker is elected by the concerned State. So, the question does not arise. So, they are for the suspension of the article. Let them do it. They will have to answer people for their unconstitutional deeds. But, Sir, I am to remind the House now they are questioning the propensity and doubt the actions of the Speaker. But have they ever registered their protest against a Speaker in the past? Have they opposed a Speaker on any single occasion in the past? Sir.... (*Interruptions*).

SHRI V. NARAYANASAMY: Sir, we have done it so many times.

THE VICE-CHAIRMAN (SHRI J. A. GESH DESAI): You allow him to speak. When you get your turn, at that time you speak.

SHRI ALADI ARUNA alias V. ARUNACHALAM: With your cooperation what has happened in Tamil Nadu Assembly? The Speaker took action against one weekly Ananda Viketan. I am thankful to Hon. Minister. Mr. Chidambaram, he rendered good service at the last moment. But who initiated? Chinnai initiated to take action in the Tamil Nadu Assembly. A Congress senior-most Member asked to take action against a weekly he is mostly responsible. Not only that, Sir. Unfortunately 10 MLAs of DMK party were disqualified from the Assembly. Who initiated? The same Congress people. They were responsible, they were behind it. They did not register.

SHRI THANGABAALU: We are not responsible. We opposed it at that time.

SHRI ALADI ARUNA alias V. ARUNACHALAM: Never, never. Where is the record? What is the record? You can oppose it here. What is the record in the assembly that is more important. Then, Sir, I am to remind...



SHRI V. NARAYANASAMY: Have you followed the procedure?

SRR1 ALADI ARUNA *alias* V. ARUNACHALAM: You allowed the dismission, that is why I am saying all these things. Sir, on one occasion for setting aside the judgement of the High Court, Mr. Chintan initiated the discussion in the House, (*interruptions*). So, for all the acuons, I am thankful to the Congress Party for extending their cooperation to the Speaker in the past. Then why do you question now? Under what ground? Under what moral authority? Sir, we have no right to question the Speaker. He has done his duty according to the Rules and Regulations. It is left to him to manage the House, how it is proper. Now they you have accepted the resignation of five Members. Of course, formality has not been followed. There is no need, because of the extraordinary situation. In extraordinary situations, post cards and telegrams are accepted as writ petitions. There are formalities for filing the writ petitions. There we have to fulfil certain formalities. The fact is, whether five Members resigned 'from their membership of the legislature or not, the fact, is that they have resigned, four members, five members entering first, they were tortured; they were attacked by the same Congress people. Because of their torture and attack one Krishnamurti refused to resign. Then withdrew his resignation. The other four Members sought the help because they said otherwise they would be killed. Not only that Sir. The awkward position was that one Member belonging to this House who was sitting in the gallery; threw a chair upon the Speaker; it has been reported.

SHRIMATI JAYANTI NATARAJAN: It is wrong. (*Interruptions*).

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): You correct it when you are going to speak.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: I did not disclose the name. If he is very particular about the name, I will give the name.

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SHRI THANGABALLU: You are telling a wrong thing. (*Interruptions*).

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Please, please.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: I can certainly say it is not Thangabalu; it is not Jayanthi Natarajan, as our Prime Minister got certificates from other areas. . . .

SHRI P. CHIDAMBARAM: Sir, it is for you to consider and rule whether the hon. Member would be right in making a statement which casts aspersions on a sitting Member of the House. Though he did not mention the name, he said that he is a Member of our House. Can he do that? It is for you to decide if he can say that.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: If he warns, I am prepared to name him; I am prepared to face the consequences. It is only in a decent way that I put it.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): He has not given the name of anybody; he only said a Member of the House.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: In a general way I am saying it. And if he is particular about the name, I am prepared to give the name; but I don't want.

Not only that. The same Member went to the Chamber of the Chief Secretary of Tamil Nadu and said; 'You are responsible for all this. He abused the Chief Secretary. Why did he threaten the Chief Secretary? What was the need for him to go to his Chamber and abuse him? If he had any grievance, he could have gone to the Speaker; he could have contacted the Assembly office. Why did he threaten the Chief Secretary? It is because the Chief Secretary is a Harijan, and that is why he threatened him' (*Interruptions*).

SHRI M. M. JACOB: Sir, the rules in the House are clear. Rule 238A of the Rules of Procedure and Conduct of the Business is regarding procedure regarding allegations against members, it says:

"No allegation of a defamatory or incriminatory nature shall be made by a Member against any other Member or a Member of the House unless the Member making the allegation has given previous intimation to the Chairman..."

SHRI V. GOPALSAMY: He is not making any allegations; he has not mentioned the name of the Member.

SHRI P. CHIDAMBARAM; Mr. Aladi Aruna cannot take shelter under *m*, technicality. He is making an allegation which is of a defamatory or incriminatory nature against a sitting Member of the House. If you now take the view that merely by not referring to the name he gets out of the rule, that would be a precedent for everyone to follow in future to make allegations without mentioning any name.

SHRI ALADI ARUNA *alias* V-ARUNACHALAM: I criticised the attitude of the Congress Member in a general way.

PROF. C. LAKSHMANNA: Sir, the rule was quoted. This rule can apply only if the Member mentions a name and levels charges against him.

SHRI M. M. JACOB: The colour, the height, the weight is mentioned without mentioning the name.

SHRI V. GOPALSAMY; He has not named the Member; he only said he is a Member of this House. And he said certainly it is not Jayanthi Natarajan; it is not Thangabalu. Therefore, if that is objected to, it means we will not be permitted to say anything.

SHRI M. M. JACOB: You can say the colour, the weight, the height, without naming the person?

PROF. C. LAKSHMANNA: You cannot stifle a Member from saying anything. So long as he does not name the person or

cast aspersions, he has every right to say and he should be permitted

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: It is said that AIADMK members attacked Congress members. It is again false. If you go through the actual pictures taken by the State Government, they show our members were attacked. You see the front page of FRONTLINE. It is the journal always supporting the Congress. (*Time Bell*). You see the pictures. These are belonging to the MLAs of our party. They have been assaulted they have been attacked. This is the real, factual position, but now they are giving another side of the picture. Why did the Congress party indulge in violence? The point is, nearly 20 Congress MLAs belonging to the Shivaji group were against their decision. There was a division in their own party. That is why they created a pandemonium and ran away from the House. That is the fact. Now they are trying to hide the fact. (*Interruptions*).

Now let me conclude Sir, we sailed with the Congress since the year 1977, with an exception of one year. In all trials and tribunals, in all storms and hailstorms we were with the Congress but at the last moment they have stabbed us. We are not afraid, we are prepared to accept your challenge. Whatever the time, whatever the place, we are prepared to face it. We know your past fidelity. We know how you toppled the DMK Government, how you divided the Janata party, how you encouraged Charan Singh and then toppled Charan Singh. At that time I was in the Sixth Lok Sabha. (*Interruptions*). I know how you toppled Farooq Abdullah's Government. I know, it is your legacy Our Prime Minister in true sense has inherited the qualities of his mother because Mrs. Gandhi proposed one candidate and worked for another candidate in the Presidential election. No, doubt, the Prime Minister is following the same path like his mother. This is the lesson we have got from you. And this lesson is not for Anna DMK party alone, it is a lesson for all political agencies, for all political parties in Tamil Nadu.

With this note of warning, we are prepared for elections and in elections we are f-oiing to prove that if you get 20 seats Aladi Aruna is prepared to resign from this post. With this fact I conclude my speech.

SHRI M. M. JACOB: One moment. Mr, Vice-Chairman, Sir, I believe that you have expunged the words 'sitting Member\*' referred to by the hon. Member.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): He has not mentioned the name of any Member. (*Interruptions*). J will do one thing. I will go through the record. I will see what has been written and if necessary, I will get it expunged.

SHRI V. GOPALSAMY: He has not mentioned the name of any Member.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): i will look into the record.

SHRI NIRMAL CHATTERJEE (West Bengal): Tomorrow they will say that we cannot attack the Congress party because members of the Congress Party are also sitting members of this House. Now we will have to be careful.

SHRI V. GOPALSAMY: Last year the Prime Minister himself criticised a sitting Member of the BJP. The Prime Minister made accusations against a sitting member of the BJP on the floor of this House.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): This chapter is closed, I have already said that I will go through the record.

SHRI G. SWAMINATHAN (Tamil Nadu): Before I spoke. I requested you to allow me

श्री हयातुल्ला खन्सारी (नाम-निर्देशित) : उपसभाध्यक्ष महोदय, प्रेस में नाम देने में क्या होता है कि खन्सारी में नाम न दिया जाय लेकिन इस तरह से लिखा जाय कि पढ़नेवाला समझ ले तो प्रेस पर कैसे किया जा सकता है। और अगर आप पलाउ कर देंगे तो सारा प्रेस में छप जाएगा

to speak earlier because I had to leave but you informed me that by 4.00 O'clock. You will allow me to speak. Now it so happened that Mr. Aladi Aruna

of the AIDMK group has spoken here to emotionally that while concluding his speech Mr. Aladi Aruna informed the House that if the Congress was able to win 20 seats in the next election he was willing to resign his seat Shri Aladi Aruna 4.00 P.M. has got another year to go. I would request the Congress Party to hold the elections as early as possible.

SHRI ALADI ARUNA alias V. ARDNACHALAM: I request you also to resign.

SHRI G. SWAMINATHAN: I have not thrown a challenge. At least on this basis. I request the Congress Party and the Government of India to have early elections in Tamil Nadu.

Sir, much emotional speeches have been made here. I could see, Mr. Narayana-samy from the Congress(I) became so emotional that his throat was congested and he was speaking in two voices. At the same time, I only wish to dwell for a few minutes on what had happened in Tamil Nadu Assembly and what remedial action has to be taken in this matter. What happened and what took place in the Tamil Nadu Assembly has been elaborately discussed by all the Members and for a particular moment, I was feeling whether I was sitting in the Tamil Nadu Assembly or I was sitting in the Rajya Sabha because the same kind of speeches, the same kind of emotions, the same kind of accusations, what has been happening in the Tamil Nadu Assembly. I could find happening here in the Rajya Sabha, except the Chair and the Member talking in English instead of in Tamil.

Sir, when I talked about this matter during the discussion on the President's Address, I was informed by Mr. Aladi Arun < at that time that one could not speak about the Speaker because of Rule 238 of the Rajya Sabha Rules. I am thankful to you now. Now you have allowed the Members to speak about the Speaker. And if you do not speak about the Speaker of the Tamil Nadu Assembly, there is no reason why you should sneer on this matter, because the whole thing was precipitated by the Tamil Nadu Speaker and if at all there is President's rule that has come about in Tamil Nadu it is because of the

[Shri G. Swaminathan]

conduct and the way in which the Speaker behaved in the Tamil Nadu Assembly.

As has been mentioned by a previous speaker, I am not only speaking on Tamil Nadu Assembly as it is, but also on the Governor's report which has become a public document, which has been placed on the Table of the House and anybody can speak on that. In the very first sentence it has been mentioned that there was impropriety on the part of the Speaker to have adjourned the House at 10 a.m. on 28th January 1988. Mr. Aladi Aruna informed us that the Speaker had adjourned the House not because he wanted to, but he got a telephonic information from five Congress(I) M.L.As. and because pandemonium prevailed in the House, he adjourned the House. What transpired there on that day was, the Speaker came there and immediately after saying Thirukkural, as is usual for him to do, and which was the most pertinent one he mentioned on that day, he immediately said Because I had a telephonic conversation, I am adjourning the House. Thereafter pandemonium broke out. There is no necessity why (here should be pandemonium). There should be some frustration for pandemonium to break out. And one could see that of all the people who have played a game there, the parties who have been there—the Congress Party was there AIADMK (Janaki Group) was there, AIADMK (Jayalalitha Group) was there, all other people were there—who was the most frustrated on that particular day? As has been already said by Mr. Aruna, till the last moment, they were expecting support of Congress(I) only at 9.45 a.m. on that day they came to know that the Congress was "stabbing"—according to his own language, I am not using that language—them in the back. So they had a rude shock. They were in the time thinking that their Government will continue but they had a rude shock at 9.45 a.m. when they came to know that the Congress(I) was not going to support them and definitely their Government was going to fall. They had a great emotion and there was a great commotion and in the Assembly they created a commotion because they wanted that this

Confidence Motion should not be taken up in the Assembly because if the Confidence Motion was taken up, with the Congress(I) Party not siding with them and not being neutral they would be defeated. If they were defeated there would be another Government in Tamil Nadu Assembly, whether it was to be Congress(I) with the support of Jayalalitha Group or whatever it might have been. I am not going into that. But there would be another Government. It was again for the Governor to call upon other parties if their Government fell. Naturally the Governor had to ask the next largest party—which was the Congress(I) with 64 members in the Assembly. That is what they wanted to prevent, that is what exactly they wanted to prevent.

SHRI ALADI ARUNA alias V. ARUNACHALAM: That is partly true.

SHRI G. SWAMINATHAN: I am very specific. I do not want to hide anything. There is no point doing that. Every one knew what was going to happen. Sir, if the Government is defeated, then, naturally, the Government has to call the next biggest party in the Tamil Nadu Assembly. The next biggest party in the Tamil Nadu Assembly is the Congress Party, and the Congress Party will be called and asked whether it will be able to form a government. Naturally, the Congress Party will try to form a government. There is nothing wrong in the Governor asking another party.

SHRI ALADI ARUNA alias V. ARUNACHALAM: It is in minority. Let him say with his co-operation it will form. That is the plan. That is the conspiracy.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): What he has to say, he has to decide, not you and me.

SHRI G. SWAMINATHAN: The Governor has to ask the Congress Party whether it will be able to form a government. Then the Congress Party will try to find out from all the other parties, who will support it, who will favour it. All that is after calling them only, it has never happened, it has not happened. So ultimately what has transpired is that they wanted

to prevent that situation in which their party would be ousted from power and another party will be coming to power.

what is the methodology they use, They wanted to do it by seeing to that pandemonium prevailed. All kinds of adjournments were done by the Speaker. They wanted to see that all kinds of elements, not only the legislators but all kinds of outside people come in and prevent the legislators from going to the House and then take a vote of confidence to see that they were a majority government. Again they had the temerity to go to the Governor and say that they had got the confidence vote. What kind of a confidence vote? That was a confidence vote taken after chasing away all the MLAs, after preventing the MLAs from going to the House and 'after creating pandemonium in the House.

So, I only wish to stress, Sir, that if at all anybody was frustrated, it was only the Aladi Aruna group in the Assembly. It is their own behaviour to protect themselves 'and to see.

SHRI M. VINCENT: I deny that, Sir. The Jayalalitha faction MLAs dragged away the mike, I remember, it has appeared in the papers. (*Interruption*). Now, I have those papers with me. You can see the papers, Sir.

SHRI V. GOPALSAMY: It is a very important document.

SHRI ALADI ARUNA alias V. ARUNACHALAM: It is the sixth party to him. (*Interruptions*). All that, he might have forgotten.

SHRI M. VINCENT: Sir, this is the paper.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): No, no, please.

SHRI V. GOPALSAMY: It is a very relevant document, Sir.

SHRI G. SWAMINATHAN: The wonderful thing here is, Our Members from this side, the DMK Members are very happy that we are quarrelling. They want that this discussion, our fighting against each other should continue. That is why they are doing all these things.

SHRI M. VINCENT: There are three Swamis in the Jayalalitha faction-Ramaswamy, Chinnaswamy and Periyaswamy. They walked away with mikes.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Please sit down. Why are you doing like this? What has happened to you today?

SHRI G. SWAMINATHAN: Sir, my time has been swallowed away.

When there is an attack, naturally, have to retaliate. Nobody is a *san yasi* in the Assembly. When you are suddenly being attacked by your own MLAs or by goondas, you have to retaliate. Naturally we are not sitting quiet.

SHRI M. VINCENT: You admit it.

SHRI G. SWAMINATHAN: Naturally, when you attack us, we also attack. Who attacked first? Who had the motive to attack? What is the motive and what is the reason for the attack? Who wanted to see that the proceedings did not take place? I would say, Mrs. Rama-choodran Government and her faction of the AIDMK saw to it that the Assembly<sup>1</sup> did not function. Sir.

On the other things, Sir, I only wish to mention about whether the Speaker had the powers to adjourn. According to Mr. Aladi Aruna, he has got every power to adjourn the House, it has already been mentioned, and I also wish to mention, that the Speaker is not the master of the House. The House is (no master of the Speaker. It has been already confirmed by Kaul and Shastri. It has been enumerated by the Page Committee which was formed in 1971.

I wish to say that this is not the first time that it has happened in India. Such incidents have happened before. Such an incident has happened in Punjab. Such an incident has happened in Kashmir. Such an incident has happened in West Bengal. Many such incidents have happened. Whenever there is a no-confidence motion against the Government or sometimes when there is a no-confidence

[Shri G. Swaminathan] motion against the Speaker, the Speaker tries to save himself or save the Government by adjourning the House. It happened once in West Bengal, once in Kashmir. In Punjab also it seems it happened. A committee of Presiding Officers was formed. They went into the question of adjournment.

I only wish to say regarding the position of the Speaker, the office of the Speaker because it is a general thing. I feel that such things should not happen in the country hereafter. Whether it is Tamil Nadu Gujarat, Punjab or West Bengal, same norms have to be adopted. They are very clearly stated;

"In order to set at rest any doubts that might have arisen as a result of the attitudes adopted in 1967-68 by the Speakers of the West Bengal and Punjab Assemblies, the Page Committee, while commenting on the duties and responsibilities of the Speaker and his relation with the House, made the following observations-

The Speaker is a Part of the House, drawing his powers from the House for the better functioning of the House and in the ultimate analysis, a servant of the House not its master.'

While the Speaker has considerable discretion in regard to adjourning the House, this discretion has to be exercised by him within reasonable limits and in a manner so as not to obstruct the working of the House. As observed by Speaker Reddy, it is the first duty of the Speaker..."

SHRI RAOOP VALIULLAH. Sir, the Tamil Nadu Assembly Speaker's name is Mr. Pandiyan and he is referring to Mr. Pandemonium Mr. Pandemonium. What does it mean?

SHRI G. SWAMINATHAN: Sir. I wish to quote-

"It is the first duty of the Speaker to enable the House to function and not to shut it out. The House is paramount, not the Speaker, who can claim no inherent right to override or bypass the House, or to arrogate to himself powers and function which belong to the House."

Again one small quotation from Kaul and Shakhder:

"The power of the Speaker, is however, limited in the sense that he either adjourns the House at a fixed hour or at such other hour as he may determine after taking the sense of the House

If the sense of the House is that they want to proceed further, the Speaker has no right to adjourn. In the Tamil Nadu Assembly, the Members wanted to proceed further. They wanted to have the Confidence Motion to be taken into consideration but the Speaker prevented the whole thing and shut the Members from the House.

The power of the Speaker is further limited in the sense that either he adjourns the House at a fixed time... "If any variation is required in this, the matter must be decided by the House on a motion made on behalf of the Leader of the House." Suppose It is decided at 10 O'clock and tomorrow if the Speaker wants to adjourn the House and the sense of the House is that the House should continue it could be done only by a motion of the House Members and not by the Speaker alone.

I do not want to dwell much except to quote this

"The rules relating to the adjournment of a State Assembly are generally the same as in Lok Sabha. However, in some States, Speaker\* exercised powers which were held to be beyond the scope of the rules, practice and custom in this behalf and these acts became subjects of acute political controversy."

This is What they said and this is what happened in the Tamil Nadu Assembly.

I also wish to mention that the Speaker had no right to adjourn the Assembly and he had done so on his own self and it is not right on his part to do those things. Only because that had happened, the whole pandemonium broke out and the people were not allowed to speak. This is -what happened.

I wish also to mention here that "there is a specific Tamil Nadu Assembly rule. This rule came specifically after some incident happened in 1974 when a Speaker by name, Mr.

j Mathiazhagan was there. At that time a no-confidence motion was tabled by the AIADMK Party, which came in at that time. When the no-confidence motion was moved, he immediately adjourned the House and went away. Thus he prevented a no-confidence motion to be moved against himself. Ultimately, after the AIADMK party came to power, there was a specific rule drafted in the Tamil Nadu Assembly rules where it has been stated regarding the power of the Speaker that he can adjourn only when there is disorder in the House. That has been very clearly stated so, the Tamil Nadu Assembly Speaker has violated not only the Constitution and propriety but also the rules of the Assembly. So, I would only wish again to reiterate the point raised by the hon. Speaker, who spoke before me, that the Speaker should be removed under Article 356(1) (C) as has been mentioned already. That can be done. I only wish to narrate that it happened before. In the case of West Bengal and Punjab the Speakers have been removed under Article 356(1). (C) and under this provision the President has taken the incidental and consequential provision of the Constitution. Those two Speakers have been removed. If at all any Speaker had to be removed, it is Mr. Pandian who had to be definitely removed. I do not know why this article 356(1) (c) has not been

i suspended by the President. May I know from the hon. Minister whether he is still going to protect the hon. Speaker? Why they are soft towards the Speaker? Even their own party workers staged the hunger strike throughout Tamil Nadu against the conduct of the Speaker.... (*Interruptions*)

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: Every Member is a Member of our party and the Legislature.

SHRI G. SWAMINATHAN: You should try to find out why they have not taken action. I would strongly recommend that we should take action against the Speaker under article 356(1) (C). He should be definitely removed.

There is a problem. Whenever there is any important function the Speaker has to be invited. When the new Governor was appointed I found on the other day on T.V. that one of the principal invitees was Mr. Pandian, the Speaker of the Tamil Nadu Assembly. He was given an honourable place on the dais. Everybody was able to see this gentleman who was responsible for murdering democracy. He was the man invited by the Congress party. He was invited by the Governor because protocol necessitates that the Speaker has to be invited and once he was invited he comes in his usual form and he sits at a very prominent place on the dais. Then between the pronouncements and the action taken by the Congress party, everybody is very doubtful. Why are you protecting that gentleman? Why are you having a soft corner for him? Is there any specific reason? (*Interruptions*). Under the Constitution he can be removed. The Speaker has been removed in West Bengal and Punjab and if he can be removed in these places why Mr. Pandian cannot be removed from the Tamil Nadu Assembly? if at all anybody has to be removed, it is only this gentleman.

[Shri G. Swaminathan]

I only conclude with one or two recommendations. If there is contempt of the House by the Speaker there is no procedure or rules to take action. What I mean by "contempt of the House" is that contempt not only by Members but by the Speaker; if he tries to violate the rules or tries to become the master of the House, there are no rules.

SHRI ALADI ARUNA alias V. ARUNACHALAM: The remedy is available in the House.

SHRI G. SWAMINATHAN: I am saying that nobody can take action when the House is not there. It is only Assembly or Council which can take action and ultimately Members cannot move any privilege motion against the contempt committed by the Speaker. He cannot go scot-free. Even a Judge cannot commit contempt of the Bar. Similarly the Speaker also cannot commit contempt of the House. If there is a contempt of the House by the Speaker of either Houses, it has to be enquired into by the Presiding Officers of the Legislative Bodies of India and action be taken against him. There should be certain procedures evolved by the Constitution.

Secondly, evolve fool-proof procedures including the rules or amendment of the Constitution to see that the Presiding Officers do their duty against the will of the House.

Thirdly, remove the Tamil Nadu Speaker by suspending article 356(1) (C) as was done in West Bengal and Punjab.

Fourthly, hold the elections early in Tamil Nadu. Thank you.

SHRI M. S. GURUPADASWAMY (Karnataka): Mr. Vice-Chairman, Sir, I am reminded of a familiar story which you all know from folklore—the story of seven blindmen describing the elephant. Seven men gave their own versions of the elephant and there were seven versions. Today's debate brings to my mind that

story. Each Member has got his own version of the story and he has got his own angle. (Interruption)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): And you are not adding another story.

SHRI M. S. GURUPADASWAMY: And each Member gives his own angle to the story. One basic fact is not missed by anybody who has preceded me, that is there was confusion, disorder and pandemonium in Tamil Nadu Assembly on 28th of January when it met. Sir, I ask my colleagues in the House whether this was the first time that such a situation has arisen in the Assemblies, in the Legislatures. Was there no confusion, disorder and pandemonium in many Assemblies of today and in the past? There have been disorders, the Assemblies had to be adjourned; even Parliament had to be adjourned by the Presiding Officers because of disorder and confusion. There were ugly scenes created by Members of the various parties. I do not blame any single party here. Was there any occasion or "was there any single instance so far during the last 40 years that President's Rule was imposed on the ground that the proceedings of the Legislature were disturbed badly? I am not aware of single instance of this nature. President's Rule has been imposed in Tamil Nadu because there was breakdown of law and order. (Interruptions)

SHRI MUKHTIAR SINGH MALIK: The police has entered the House and beaten the Members. (Interruptions)

SHRI M. S. GURUPADASWAMY: There is a difference of opinion. I am not getting away from these. There is no time. That is why I want to cut short the debate. I do not want to traverse the same ground of my colleagues who preceded me. My basic point is, was at any time during the previous forty years, the pandemonium created in the House provided the



reason for the introduction of President's Rule? Tamil Nadu provided the solitary instance of this nature.

My next point is should the Governor have made the recommendations on this basis for the imposition of President's Rule? I am not apportioning the blame to this party or that party because in my view, all parties have committed some wrong or the other. All parties were equally responsible for creating this confusion in the House. Therefore, my next point is that President's rule was not imposed on important ground or serious grounds, like total breakdown of the Constitutional machinery or the law and order machinery in this State, the defeat of Janaki Gov-\* eminent, and the like. Here, there is case of defeat of the Government •which was in existence at that time. That had yet to be tested. And other, possibilities, avenues and alternatives were available for the Governor. Therefore, it pains me when I see that the Governor recommended the imposition of the President's rule on •the ground that there was confusion ana pandemonium in the House.

SHRI MUKHTIAR SINGH MALIK: It was only a narration of the events.

SHRJ. M. S. GURUPADASWAMY: Narration of the events which took place in the House. That is all I say. Not outside the House. Are you satisfied? Sir, when Janaki Government assumed power, the Prime Minister sent his greetings to that Government. Shri Narasimha Rao sent his greetings to that Government. Subsequently, Janaki met the Prime Minister. Later on, Jayalalitha met the Prime Minister.

AN HON. MEMBER: That tilted the balance.

SHRI M. S. GURUPADASWAMY: That is also another basic point. The Government, or call it the Congress President Rajiv Gandhi, was wishing well for AIADMK and wanted the

AIADMK to remain united to carry on the legacy of M. G. Ramachandran. That was his wish. I am not objecting to that. Till 7.30 a.m. on 28th morning, the impression was, that the Congress party would remain neutral. Sivaji Ganesan has gone on record that he phoned Mr Buta Singh at 7.30 a.m. and Mr. Buta Singh told him on the phone that the stand of the Congress party was to remain neutral between the two factions. But, within two hours, < Sivaji Ganesan came to know of the sudden change in its approach. What happened in those two hours? Should the Congress party, a mature party, an old party, exhibit that immaturity, childishness, in a situation like this? They are at liberty to take any position. They are a political party. But till the morning of 23th, till 7.30, they took one stand. An illusion was created in the minds of both the factions that the Congress party would remain neutral. Good enough. But why this sudden, automatic change? Why did Mr. Rajiv Gandhi try to pull the carpet under Janaki Ministry? Why? Why did he do that? My friend, Swaminathan was saying Mrs. Janaki Government was afraid that they might lose the vote of confidence. That is why there was pandemonium. There was confusion, there was disorder, in the House. He said that it was created, provoked, by that action. All right: if that is so, as an alternative was available. The Congress Party could have been invited to form a Government. I would have no objection for that in the circumstances. It would have been far more decent. Congress party should have taken up the responsibility of forming a Government and should have proved its strength in the House. The Governor could have waited for this development. The alternative could have been explored. There are precedents for that in the country. Why did the Governor make a somersault? Why did he play a reverse role? There was no logic in this. Why did he do that? Under whose bidding? I want to ask. My

[Shri M. S. Gurupadaswamy]

charge is the Congress Party has to be blamed. They tried to fish in troubled waters. It is amusing to hear Aladi Aruna. Till the other day he was praising the Congress Party. Today he is going against the Congress Party hammer and tongs. It is amusing for us, for me anyway. He had all praise for Congress Party and its leadership till the other day. Now after hearing his epithets I was really shocked and amused, the way he did it. And the blood-brothers quarrelling on the floor of the House is still more amusing. There was a demand that action should be taken against the Speaker. Have we bid goodbye to our senses? In our anger, in our fury, should we say anything which comes to our mind? The Speaker might have done a wrong, committed a grave wrong. I have no brief for the Speaker. He has committed wrongs in the past too to which Congress Party was a party. And it was quoted by Aladi Aruna. I am not apportioning blame. That is not my intention now. He might have committed grave wrongs. After all, he is also a human being. Have you not seen presiding officers going astray? Here also, in Parliament, we have seen. Please remember, Shri Mavlankar was the best Speaker we had after independence. I have not seen such a Speaker again in my life so far and I may not see also in future. Against him I was responsible for moving a no-confidence motion, against such a Speaker, for a small thing! I feel for it. I really feel for it. If the Speaker commits an error, he has got to be brought back to the track. Removal of a Speaker on the ground of certain untenable precedents is a very serious matter. I am not defending the Speaker. I am not defending his action. What happened on that day was sordid, shameful. The parliamentary system itself has been flouted to its roots. We should re-establish good standards, norms, conventions, of parliamentary system. Our legislatures should function properly, impartially, with every political

party observing norms and standards and principles. But to say that the Speaker should be removed to my mind, is shocking. We seem to have really bidden goodbye to our common sense. We are here to apply correctives to strengthen and consolidate and improve the institutions which we have built up over a period of years. The institution of Speaker, Sir, is important; I do not say it is sacred. If you set this bad precedent now by removing the Speaker of the Tamil Nadu Assembly, you can be sure that in future there will be similar demands, more such demands, for the removal of the Speaker. We are destroying the very importance and significance of the institution of Speaker. Therefore, Sir, I beg of my colleagues here not to indulge in this kind of a political game.

Finally, Sir, I am for early election, very early election. The Congress (I) always takes a political view of things, a partisan view of things. Even in the case of Tamil Nadu, it has been taking a very narrow partisan view of things. They would like to win the elections at any cost. At any cost, I said, even by sacrificing the political ethics, political morality. Tamil Nadu is a classic example, a classic case, where unique trends operate. The cult of persona" lity is there; and hero worship is there.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Please conclude now.

SHRI M. S. GURUPADASWAMY: I am just finishing, Sir.

So, Sir, personality cult and hero worship are very very dominant in Tamil Nadu politics. After Mr. E. V. Ramasamy Naicker, the streak was there and then the streak became a trend when the DMK emerged under the leadership of Mr. Annadurai. Then there was a split and this trend became a wave in Tamil Nadu. It is

my wish that this unnatural politics should stop in Tamil Nadu. Tamil Nadu's politics has been very abnormal all these years. I want to see in Tamil Nadu normal politics.

SHRI NIRMAL CHATTERJEE:  
Rational politics.

SHRI M. S. GURUPADASWAMY: Yes, rational politics. I want to see in Tamil Nadu normal politics, rational politics, and no hero worship or heroine worship! Neither hero worship nor heroine worship; we do not want that at all. I think my friends will pardon me for saying this. We have had enough of this for a long time. Let us have decent, normal and principled politics in Tamil Nadu.

SHRI V. NARAYANASAMY: National politics.

SHRI M. S. GURUPADASWAMY: Yes, national politics; national, secular politics. I agree with you. I hope and trust that the various regional groups in Tamil Nadu will dovetail themselves into the national stream, national mainstream.

SHRI V. GOPALSAMY: Mr. Gurupadaswamy, by national politics they mean only Congress (I) politics!

SHRI M. S. GURUPADASWAMY: Not Congress(I) politics but National politics. Not Congress (I) politics.

AN. HON. MEMBER: Not Janata politics also.

SHRI M. S. GURUPADASWAMY: Not Janata politics also. Sir, when I speak, I speak for all.

SHRI V. NARAYANASAMY: I agree.

SHRI M. S. GURUPADASWAMY: With these words, Sir, I wish to say that I hope and trust that the Treasury Benches will draw the lessons from what they have done. Thank you.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Now. Mr. Kailash Pari Mishra.

श्री कैलाश पति मिश्र (बिहार) : उप-सभाध्यक्ष महोदय, कभी-कभी सिनेमाघर में बैठने के बाद फिल्म तो ऐसी सामने आ जाती है कि शादी भी हो जाती है, बच्चा भी पैदा हो जाता है, फिर वह पहाड़ पर चढ़ जाता है, फिर जेल में चला जाता है, फिर हवाई जहाज पर चढ़ जाता है, अनेक प्रकार की भावनाएं उसमें उभारी जाती हैं, लेकिन वह एक ऐसी फिल्म है जो कई प्रकार के दर्द से भरी हुई दिखाई दे रही है। फिल्म में इसलिए कह रहा हूं कि 24 दिसम्बर को श्री एम० जी० रानचन्द्रन इस दुनिया से चल बसे हैं। प्रधान मंत्री स्वयं श्रद्धांजलि अर्पित करने के लिए वहां पहुंचते हैं। फिर जो शवयात्रा दिखाई पड़ती है उससे लगता है कि जनता का उमार इतना जबरदस्त है कि मानो पूरा तमिलनाडु सब प्रकार से उल्लित है, दुखित है। महोदय, 28 जनवरी को विधान सभा के अधिवेशन की घोषणा होती है। मैं देख रहा था कि एक बार बैठक 10 बजे होती है, फिर 12 बजे होती है, फिर 3 बजे होती है और 12 और 3 के बीच में कई दलों को मिलाकर अलग एक बैठक होती है। नए स्पीकर का चुनाव होता है। स्पीकर महोदय बैठते हैं। मुख्य मंत्री के विरोध में अविश्वास प्रस्ताव पारित होता है और सत्तावसान की घोषणा हो जाती है। फिर 3 बजे से जब बैठक शुरू होती है उस समय जो दृश्य खड़ा होता है भारत के 40 वर्षों के लोकतंत्र के इतिहास में इसकी कल्पना भी नहीं की जा सकती। सदन के अन्दर पुलिस को आना पड़े और विधायकगण मार खाएँ। ऐसे असामाजिक तत्व जब विधान सभा में प्रवेश करें तो यह गाड़ी कहां पहुंच रही है समझ में नहीं आता और कहां जाकर रुकेगी यह भी समझ में नहीं आता? मान्यवर भंडारे साहब अभी यहां दिखते नहीं हैं, यहां रहते तो शायद और कुछ जानकारी मिल जाती। आश्चर्य लग रहा है यह घटना किस समय घट रही है, भारत के जवान अपने देश की सीमा के बाहर भारत-श्रीलंका समझौता फलीभूत करने के लिए, लागू कराने के लिए विदेश में जाकर जमे हुए दिखाई दे रहे हैं। सीमा से लगा हुआ अगर कोई राज्य है तो तमिलनाडु है। आश्चर्य यह लग रहा है तमिल मूल के निवासी जब वहां पर मारे जाते थे, वैसे मारे तो सभी जाते हैं सेना के जवान भी मारे गए हैं बहुत बड़ी मात्रा में मारे गए हैं लेकिन जब उनके ऊपर चोट लगती थी तो तमिलनाडु के अन्दर

### [ श्री कौलाय पति : मध्य ]

बोझलाहट, उसके अन्दर एक रोष जगता स्वाभाविक होता था और अब वह रोष उभरता था तो स्वाभाविक कि वह भारत सरकार के विरोध में जाकर वह रोष जागता है। लेकिन एक एक भारत सरकार, केन्द्रीय सरकार, दूसरी तरफ तमिलनाडु की जनता का उभरा हुआ रोष, उस रोष को अगर बीच में कोई रोकता था, शाक आब्जर्वर का काम करता था तो वह तमिलनाडु के मुख्य मंत्री करते थे। समझ में नहीं आता है कि उनके दिवंगत होने के बाद एक लोकप्रिय नेता का ही चला गया यह बात तो समझ में आती है, लेकिन पार्टी नहीं गई थी विधायकों की संस्था में किसी प्रकार की कमी नहीं हुई थी। आज कभी-कभी होता है कि बड़ा नेतृत्व चला गया कहीं-कहीं आपस में नेतृत्व के अभाव में होते हैं, लेकिन मैं सत्ताधारी दल में पड़ता हूँ, मायब पियम्बरम जी यहाँ बैठे हुए हैं मैं पड़ता चाहता हूँ कि क्या केन्द्र की सरकार ने सारी राजनीतिक परिस्थिति विचार करके, संकट की परिस्थिति विचार करके तमिलनाडु की जनता नहीं बंटें, तमिलनाडु की सरकार पर कोई इस समय संकट न हो और वहाँ ने तमिलनाडु के अन्दर जो सरकार कायम रही है वह सरकार और केन्द्र की सरकार, जैसे जो गृह मन्त्र विरोधी दैच पर बैठते थे, लेकिन वहाँ हुए के साथ कहना पड़ता है कि अब तो परिस्थिति बदली, लेकिन इसके पहले जितने भाषण, जितने मतदान के अवसर सब हिज-मा-डर वायस के रूप में प्रकट होना रहा है। क्या आवश्यकता आकर पड़ी कि राष्ट्रपति शासन की घोषणा हो जाय विधानसभा भंग हो जाय और यह सब कुछ कराने के लिए कदम-कदम पर ऐसी घटनाएँ वहाँ पर घट जायें, जो लोकतन्त्र के लिए एक प्रकार का कलंक है, लोकतन्त्र का कच्चा घागा, मत नहीं सब प्रकार में क्षुब्ध होना दिखाई दे रहा है, आप संभल नहीं सकते थे? बचाने के लिए आपने क्या किया? मैं कहूँगा कि ए०आई०ए० डी० एम० के० की पार्टी को बचाने के लिए आपने क्या किया, सरकार को बचाने के लिए आपने क्या किया? केवल जो आप खेल खेल रहे हैं, वही दृष्टि सर्वत्र आप ही लगी रहती है। देश के अन्दर कितने मिण्डरावाले पैदा करना चाहते हैं? आज पंजाब जल रहा है, मैं ज्यादा उसके विषय में नहीं जाना चाहता। पंजाब में आपने मिण्डरावाला पैदा कर दिया,

पश्चिम बंगाल में आपने मुभाक धीरान का पैदा कर दिया, सीमावर्ती राज्यों में जो कुछ हो रहा है, इससे भारत की एकता बढ़ेगी, भारत की शक्ति बढ़ेगी? श्रीलंका के साथ हमको समझौता करने में श्रीलंका के साथ शांति कायम करने में क्या इससे हमको सफलता मिलेगी, इससे हमको ताकत मिलेगी?

आपको यह नहीं भूलना चाहिए था कि भारत के संविधान के निमित्तानों ने यह ध्यान रखकर के संविधान बनाया है कि केन्द्र में किसी एक दल की सरकार हो सकती है, राज्यों में अलग-अलग दलों की सरकार हो सकती है। फिर भी मोहान से, सामान्य से केन्द्र और राज्य दोनों काम कर सकते हैं। आज देश में यह स्थिति बढ़ती चली जा रही है, लेकिन अब कहो यह री-वाइसी सरकार बन गई तो वह कब रहे, कब समाप्त हो, कौन-कौन से युक्त उठाकर उमारी समाप्त करे, केवल इसी घड्यव में आप लगे रहते हैं। आप देश के साथ बहुत बड़ा अपराध कर रहे हैं, देश के साथ बहुत बड़ा अपराध कर रहे हैं, देश की एकता के ऊपर आप प्रहार कर रहे हैं और आप में यह अब यह भी शक्यता दिखाई नहीं दे रही है, आपके मामले भारत की एकता को अक्षुण्ण रखने के लिए, शक्तिशाली बनाने के लिए, देश को आगे लाने के लिए कोई कार्यक्रम है, कोई प्रोग्राम है, जिसके ऊपर भारत की जनता का विश्वास आपके ऊपर हो सके?

तमिलनाडु में जो कुछ भी हुआ है, यह केवल वहाँ की सत्ताधारी पार्टी, वहाँ की सरकार के साथ जुड़ा हुआ सवाल नहीं है, आप भूलिए मत कि भारत की एकता, भारत की राष्ट्रीयता भारत की अखण्डता के साथ जुड़ा हुआ यह सवाल है। आज मुझे कहने में कोई संकोच नहीं है, कि सत्तारूढ़ दल ने, केन्द्र की सरकार ने एक ऐसा खेल खेलने की वहाँ पर कोशिश की है कि कल चलकर के वहाँ भी मिण्डरावाला पैदा होगा, कल चलकर के जैसे आज पंजाब जल रहा है, उसी प्रकार तमिलनाडु भी जलता हुआ दिखाई देगा। बहुत बड़ी भूल आपने की है और ऐसी भूल की है कि इन पर आँखें बन्द नहीं की जा सकती। अब आगे आप कैसे क्या करेंगे, यह मैं नहीं कह सकता, लेकिन इतना कहना चाहता हूँ कि विलम्ब करने की आवश्यकता नहीं, अब आपने एक बार विधान सभा

भंग कर दी और राष्ट्रपति शासन लागू कर दिया है तो जितनी जल्दी हो सके आप तमिलनाडु में मतदान की घोषणा कीजिए ताकि वहाँ मध्यावधि चुनाव हों और लोकप्रिय सरकार आप वहाँ पर कायम हो ।

इन्हीं शब्दों के साथ, उपसभाध्यक्ष महोदय, आपको धन्यवाद देकर मैं समाप्त करता हूँ ।

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Mr. T. R. Balu. Not more than 8 minutes.

SHRI T. R. BALU: Mr. Vice-Chairman, Sir, on behalf of DMK; I rise to oppose the proclamation of President's rule in Tamil Nadu under Article 356 of the Constitution.

First of all I recall the occasion when our leader Mr. Murasoli Maran and stalwarts like Mr. Bhupesh Gupta and Mr. P. Ramamurti moved an amendment to delete Article 356 of the Constitution. At that time, the ADMK did not support that amendment. I am very sorry, the then ADMK simply kept quiet. But now they have paid the price for their act.

Sir, the usage of Article 356 by the Centre to topple the State Governments is not new. Article 356 is almost a Sword of Damocles always hanging on the heads of the States, and the Centre plays with the States like a child plays with toys in a kindergarten. Sir, of course, the Tamil Nadu Speaker, Mr. P. H. Pandiyan, has acted in a beastly manner—I repeat, beastly manner—giving a go-by to all the civilized thinking and behaviour. There is one saying in Tamil. That means, the creature started biting the lamp, then the cow. After tasting blood, it started biting the man. The same thing had occurred in the present situation.

the Deputy Chairman In the Chair]

it was the Speaker, Mr. Pandiyan of Tamil Nadu Assembly who had

gone against the verdict of Madras High Court. Secondly, he has gone to the extent of arresting a leading journalist, Mr. Balasubramanian of 'Ananda Vikatan', and he has ordered to bolt him in jail. Madam, I also quote one incident. Ten DMK MLAs protested against Hindi as an official language. And to protest and demonstrate and to give vent to our feelings, they have burnt the relevant Articles written on a piece of paper. For that, undemocratically; these ten DMK MLAs have been expelled by the same Speaker. Madam Deputy Chairman, while Mr. Pandiyan; the Speaker of the Tamil Nadu Assembly, had all along been resorting to such unlawful activities, the Congress Members of the Tamil Nadu Assembly simply endorsed the decision. In fact, the Deputy Leader of the Congress party proposed resolution against the High Court Order and against Tamil journalist and the Members of the Congress have supported. With the full support of the Congress, these unlawful activities have been carried out by the Speaker, Mr. Pandiyan. At that time they were enjoying the honeymoon with ADMK. They did not expect such unhealthy happenings that had been carried out on the 28th of January.

Madam, I am also reminded of another incident of the Pondicherry Assembly where the Congress rules. There were 5 DMK MLAs and 4 ADMK MLAs. But the Congress has recognised the ADMK which has got only 4 MLAs as the Opposition. And they were not even ready to verify the arithmetic of our membership which is five there. The whole drama prolonged for about one year. Madam, this is the Congress-brand democracy which is prevailing in the States as well as the Centre. This Congress-brand democracy is being administered everywhere and in every State. The Congress President Mr. Rajiv Gandhi, has never opened his mouth. He has never worried about all the ill-happenings in the States and allow-

[Shri T. R. Balu]

ed tricky method to capture the States' power. And now they are making a very great hue and cry. Coming to the President's rule in Tamil Nadu, at the outset, I do not agree with the statement of the Home Minister in which he has stated that the Govern-nor as strictly followed the provisions of the Constitution.

Madam, article 356 (1) of the Indian Constitution clearly lays down that the President may by proclamation assume to himself any of the powers of the Government of the State if he is satisfied on receipt of the report from the Governor or Otherwise that a situation has arisen in which the Government of the State cannot be carried out in accordance with the provisions of the Constitution. Now, what situation has warranted or necessitated imposition of the President's rule in Tamil Nadu? Of course, there was commotion; there was no peace in the Assembly, but it does not mean that it attracts article 356 of the Constitution. It was an incident, it was a single incident within the House, within the Assembly. So it is clear that the people at the Centre, the Congress Party at the Centre; they are trying to find out ways and means to head the State by tricky means, come to power by false means. They are not worried about democratic means, about democratic ways to come to power. The Congress, President, Mr. Rajiv Gandhi has all along kept silent until the 28th morning, until 7.30 a.m. The Tamil Nadu Congress people, the Tamil Nadu Congress Legislature Members have not even understood what was the decision of their leader. They were simply kept in a hall or a room. They were waiting for the instructions from the Centre up to 9.30 or 10. They were not informed whether to support the Janki's Government or not or to be neutral. Mrs. Janaki Ramachandran was kept under false security. Mrs. Janaki Ramachandran thought that Mr. Rajiv Gandhi may support her or at least

be neutral. But all along the history of the Congress Party is only to adopt betrayal. Mrs. Janaki Ramachandran learnt a lesson. Of course, Mr. Ramachandran was conferred with Bharat Ratna only two or three days earlier. But only after three days, Mrs. Janaki Ramachandran who was crowned by having conferred Bharat Ratna on her late husband, her head was cut off by the Congress Party; as stated by our leader, Dr. Karunanidhi. It is the history of the Congress Party. So, at least; after taking into account all these things, the Congress Party at the Centre should realise who they are and what they are, and order for an immediate election so that normalcy and democracy may be restored. Thank you.

SHRI GHULAM RASOOL MATTO (Jammu and Kashmir): Madam Deputy Chairman, I recall with nostalgia that in the year 1984 when our Government headed by Dr. Farooq Abdullah was dismissed, it was the AIADMK alone from out of the Opposition parties who supported the dismissal, but I will not repay them in the same coin. I strongly support the motion put forth by the hon. Home Minister...

SHRI ALADI ARUNA alias V. ARUNACHALAM: Most dishonest.

SHRI GHULAM RASOOL MATTO: \_\_\_ with regard to promulgation of President's Rule. I do so not to repay them in their coin, but simply on the merits of the case...

SHRI N. K. P. SALVE (Maharashtra): Unlike them.

SHRI GHULAM RASOOL MATTO: I have read in depth the report of the Governor dated January 29, 1988. I do not think, with this report in hand any Government for that matter—if even the Government of Mr. Alad Aruna were there—would act in

manner other than the one done by Mr. P. Chidambaram. At 9.45 hrs. on that day merely on a telephonic message, resignation of five Congress-I MLAs was accepted. The report then says that the Speaker was sending his own security offices, sergeants inside the House to forcibly procure the MLAs. The report then says that six

former Ministers, namely..... on the basis of a complaint made by one of the members owing allegiance to the Chief Minister, were removed. The report again says that they held a parallel session and elected another Member as the Speaker. The report further says that a number of Congress—I MLAs and AIADMK MLAs as well as ex-Ministers, entered into the House and took their seats at 3 p.m. Out of 222 members only 110 Members attended and out of them, only 99 voted for that taction. Twenty-two Members were thrown out by the Speaker, I am reading all Oils from the report. Then it says they allege that the Speaker had allowed goondas in security clothing as well as in civil dress inside the Assembly and that he had unleashed brutal police terror within the Assembly against the Members. It further says that they tried to drive away all the Members within the Assembly so that they could not only have the Assembly of their own but also the Assembly Members of their own. Lastly, the report says that two persons are claiming themselves as the Speaker and several MLAs assert that they have not suffered disqualification. No Assembly can function smoothly with these rival claims. Then it says that pandemonium that prevailed in the House at 12.00 hrs. and 15.00 hrs. when chairs wrenched out mikes, paper-weights, chappals etc. flew across and members engaged in fisticuffs leading to injuries to some of them and police intervention, has been one of the most sordid chapter in the annals of the Assembly, it goes on to say further that there is serious threat of breach of peace resulting in acute law and order problems. Finally it says, it would appear from the perly, normally, with every political

deadlock in the State and I am, there-fbre of the opinion that there is a breakdown of the Constitutional machinery.

SHRI V. GOPALSAMY., similar report was prepared against Dr. Farooq Abdullah also- it may be repeated.

SHRI GHULAM RASOOI, MATTO: One of the most extraordinary things that has come to light from this report is the report of Mr. P. H. pan-dyan, directing the Police Commissioner to enter into the Chamber and clear it of all the persons—I do not know how he has used this language in his report—and restore law and order. In the circumstances, it was essential for the Government to do what it did. But now what is to be done about it? As Mr. Gurupadaswamy has very clearly stated all is done that has been done, we should forget about that, we should look ahead and for that purpose I would request that the elections should be held in Tamil Nadu as early as possible. As a man belonging to a regional party I would request different factions, Anna DMK, DMK and others, to close their ranks because only when they would close their ranks they would be able to give a stable Government to Tamil Nadu. Right now we see three equidistant forces coming up in Tamil Nadu.

SHRI V. GOPALSAMY: First of all you come out of the Congress, grip. Sheikh Abdullah will turn in his grave. *(Interruptions).*

SHRI GHULAM RASOOL MATTO: I would submit to them that they should close their ranks and fight elections. Only then they would be able to give stable Government, stable Ministry to the Tamil Nadu State.

With these words support the Proclamation,

SHRI ALADI ARUNA *alias*  
ARUNACHALAM: The hon. Member

[Shri Aladi Aruna alias V. Anauicliaiam'] stalled that the Governor has mentioned that the candidates were not allowed. This is not correct. It is the allegation of Nedunchezian, not an observation of the Governor.

THE DEPUTY CHAIRMAN: Shri Satya Prakash Malaviya. Absent, Shri . Ram Awadhesh Singh.

श्री राम अवधेश सिंह (बिहार) : उपसभापति महोदया, अन्ता डी० एम० के० और डी० एम० के० के माननीय सदस्यों द्वारा जो बहस की जा रही थी उस पर मुझे हंसी आ रही थी। जो मूल सदस्या है उसको पकड़ कर उसके समाधान की ओर उनकी दृष्टि अभी तक नहीं बनी। अभी भी यह समझते हैं कि जो पैडेमोनियम हुआ असेम्बली में, उससे जो वातावरण बना वहीं उनके दिमाग में बना हुआ है (व्यवधान)

उपसभापति : आप ध्यान से सुनिए बहुत महत्वपूर्ण बात कह रहे हैं (व्यवधान)

श्री राम अवधेश सिंह : ये लोग कुछ सिखाये, पढ़ाये लोग हैं। अगर वह काम नहीं करेंगे तो इनका पता कट जायेगा और इसी के लिये ये यहां आये हुये हैं।

महोदया, धारा 356 का जितना इस्तेमाल भारत सरकार और भारत सरकार का यह मंत्रालय करता रहा है उसका एक नमूना है तमिलनाडु की सरकार और उसकी असेम्बली को भंग करना। यह कोई नयी बात नहीं है। यह भारत सरकार और नेहरू खानदान वाली सरकार शुरू से करती आयी है। यह सरकार इसी फ़िराक में रहती है कि कहीं न कहीं आपस में लड़ाई हो। लड़ाई कराकर बीच में रास्ता निकाल कर धारा 356 का इस्तेमाल करो।

इस्पात और खान मंत्रालय में खान विभाग में राज्य मंत्री (श्री रामानन्द यादव) : चौधरी चरण सिंह ने क्या किया जब वह होम मिनिस्टर थे ?

श्री राम अवधेश सिंह : चौधरी चरण सिंह को आपने हरा-हरा दिवाकर प्राइम-मिनिस्टर बना दिया और अपने कंधे पर ले

लिया। ठीक 8 बजे तक आपका तौर-तरीका वही था जो तमिलनाडु में आपने अपनाया। 9 बजे सबेरे तक आपने उनसे यही कहा कि हम आपका समर्थन करेंगे पार्लियामेंट में लेकिन दस बजे कह दिया कि हम समर्थन नहीं करेंगे। यह कोई आपका नया तरीका नहीं है।

श्री रामानन्द यादव : What statement did he make when he was the Home Minister?

श्री राम अवधेश सिंह : आप हिन्दी में बोलिये।

श्री रामानन्द यादव : जब चरण सिंह होम मिनिस्टर थे तो 9 राज्यों की सरकारों को डिस्मिस किया था। यह आपको याद होगा।

श्री राम अवधेश सिंह : इसलिए कि 9 राज्यों ने एक भी आपका आदमी दीपक दिखाने वाला नहीं था। पंजाब से कलकत्ता तक एक दीपक दिखाने वाला भी नहीं था। आपका झण्डा सब राजधानियों में गिर चुका था, आपका तिरंगा झण्डा सब राज्यों में गिर चुका था। इसलिये आपको वहां पर रहने का कोई नैतिक हक नहीं था। वहां पर आपका तिरंगा झण्डा नहीं लहरा रहा था।

श्री हयातुल्ला अन्सारी : आपका मतलब जनसंघ का एक भी आदमी नहीं था क्योंकि दीपक तो जनसंघ का था... (व्यवधान)।

श्री राम अवधेश सिंह : दीपक दिखाने वाला से मेरा मतलब आपका एक भी एम० पी० पंजाब से कलकत्ता तक जोत कर नहीं आया था। इसलिये आपका कोई नैतिक हक नहीं था उन राज्यों में रहने का... (व्यवधान)।

श्री रामानन्द यादव : श्री राम अवधेश सिंह जी, नैतिकता की बात आप मत कीजिये।

श्री राम अवधेश सिंह : आपको अब कुछ अच्छा विभाग, खाने-पीने लायक हो गया है। इसीलिए बोल रहे हैं... (व्यवधान)



श्री रामानन्द यादव : जो तुम कह रहे हो वही तुम्हारा पेशा है... (व्यवधान)।

श्री राम अवधेश सिंह : मैं यह निवेदन कर रहा था कि... (व्यवधान)।

उपसभापति : आप विषय पर बोलिये।

श्री राम अवधेश सिंह : महोदया, तमिलनाडु में जिस ढंग से सरकार खत्म की गई और एसेम्बली खत्म की गई उससे एक महत्व की बात यह निकलती है कि हमारे संविधान में राज्यपाल के इम्पीचमेन्ट का प्रावधान नहीं है। उसका दुरुपयोग दिल्ली की सरकार करती रहती है। अगर इम्पीचमेन्ट का प्रावधान होना तो यह काम नहीं हो सकता था। एक एजेन्ट के रूप में राज्यपाल काम करता है। इस तरह के काम दूसरे राज्यों में भी किये गये हैं। बिहार में सन् 1968 में यही किया गया। कांग्रेस की सरकार ने जोषित दल की सरकार बनवाई और वह 45 दिन चली। उसके बाद उसको गिरवा दिया। यहां दिल्ली में चौधरी चरण सिंह की सरकार बनवाई और फिर धोखा देकर उसको गिरा दिया। यह कोई नई बात नहीं है। अन्ना डी० एम० के० और डी० एम० के० वालों को लेसन लेना चाहिए, लेसन सीखना चाहिए। मैं हाथ जोड़ कर प्रार्थना करना चाहता हूं कि अन्ना डी० एम० के० और डी० एम० के० वालों को सबक सीखना चाहिए। मैं श्री मट्टो साहब की इस राय से सहमत हूं कि सारी चीजों को भुलाकर अन्ना डी० एम० के० और डी० एम० के० के लोग ज्यादा से ज्यादा नजदीक आएँ और इनको कांग्रेस वालों को, यह शिक्षा दें कि इनका एक भी आदमी तमिलनाडु में मध्यावधि चुनावों में जीत कर न आए। अगर आप ऐसा करेंगे तो इनको शिक्षा मिल जाएगी। ऐसा वानावरण आप बनायें। जब एसेम्बली के भंग करने की बात हुई तो यहां पर प्रधान मंत्री ने 2 तारीख को राष्ट्रपति के अभिभाषण पर बोलते हुए जवाब में क्या कहा, यह सब रिकार्ड पर है। इतनी

\*\*Expunged as ordered by the Chair.

\*\* बात कोई नहीं कह सकता है... (व्यवधान)।

उपसभापति : अनपालियामेंटरी शब्द एक्सपंज कर दिया जाय।

श्री राम अवधेश सिंह : महोदया, मैंने कोई अनपालियामेंटरी शब्द तो नहीं कहा।

उपसभापति : आपने अभी जिस शब्द का प्रयोग किया है वह अनपालियामेंटरी है।

श्री राम अवधेश सिंह : अगर ऐसा है तो मैं कहना चाहूंगा कि ऐसा गैर-संवैधानिक और अजनतांत्रिक काम किसी भी देश में नहीं हुआ है... (व्यवधान)।

उपसभापति : साढ़े पांच बजे मिनिस्टर साहब का स्टेटमेंट होता है। उसके पहले मिनिस्टर को इसका रिप्लाय करना है। आपका वक्त खत्म हो गया है, आप अब जल्दी कीजिए।

श्री राम अवधेश सिंह : प्रधान मंत्री जी ने क्या कहा? उन्होंने कहा कि जिस सूबे में ला एण्ड आर्डर खराब हो जाएगा, मैं चाहूंगा कि सदन मुझे अनुमति दे कि उसको भंग कर दिया जाय। क्या ऐसी बात कोई प्रधान मंत्री कहेगा? उन्होंने कहा कि मैं होम मिनिस्टर को डायरेक्ट कर सकूँ कि वे एक्शन लें। तो मैं कहना चाहता हूं कि आप बिहार में एक्शन लीजिए जहाँ पर कांग्रेस का क्लब है, वहाँ पर ला एण्ड आर्डर खराब हो गया है। आप जानते हैं कि 18 तारीख को बिहार में रेप हुआ और 3 तारीख, होली के दिन चार आदमियों को हमारे क्षेत्र में पुलिस ने नकली मुठभेड़ दिखाकर मार दिया। ला एण्ड आर्डर, पटना जो बिहार की राजधानी है, उसका हालत यह है कि चार आदमी नकली मुठभेड़ में मारे गये...

उपसभापति : प्रोक्लेशन पर बोलिये, बिहार पर मत बोलिये।

श्री राम अवधेश सिंह : मैं यह कहना चाहता हूं कि जब प्रधान मंत्री जी सदन में यह बोल सकते हैं कि मैं ला एण्ड आर्डर के बहाने से किसी भी राज्य की सरकार को

[श्री राम अन्नवेश सिंह]

खत्म करने का हक रखता हूँ तो उसके पीछे यही भावना थी। वहाँ, तमिलनाडु में ऐसी स्थिति पैदा कराई गई और जान-बूझकर कराई गई : यदि जानकी राम-न्वद्रेन की सभ्य में यह बात आई थी कि वे हमारी सरकार को चलने देंगे तो यह उनका दिवा स्वप्न था और वह दिवा स्वप्न खत्म हो गया। इसलिये महोदय मैं इस मोशन की खिलाफत करता हूँ और मैं आपने डी० एम० के० और ए० डी० एम० के० के दोनों व्यक्तियों से प्रार्थना कर्हता कि वे एक जुट होकर तमिलनाडु से कांग्रेस का सफाया कर दें ताकि आम के लिये उनको एक सेशन मिल सके कि ऐसा करना, जनतंत्र के साथ खिलवाड़ करना उचित नहीं है। धन्यवाद।

SHRI THANGABAALU; Madam Deputy Chairman, I rise to support the proclamation made by the central Government and the action taken by the Government of India in regard to the state of affairs which has occurred in Tamil Nadu on the 28th of January.

Madam, with all nain and humilily, being a Tamil and, also as I was one of the eye-witnesses to that day's incident which took place in the State Assembly of Timil Nadu . . . (Interruptions)

After the demise of Shri M. G. Ramachandran the former Chief Minister of Tamil Nadu, there was a peculiar situation in the State. The people in the AIADMK were divided. One faction is led by Mrs. Janaki and other faction is led by Miss Jaya-lalitha. In a confused state of affairs both the factions were claiming the leadership of the Government

At that point of time as per the Constitution, the Governor of Tamil Nadu asked the majority group led by Mrs. Janaki Ramaehandran to form a Government, and she was given an opportunity to prove the majority in the floor of the Assemb-

ly. On the 11th she took oath, and she was given three weeks' time to prove the majority.

Our leader Shri Rajiv Gandhi has been very clear, and he advised the—Congressmen in the State also very categorically that Congressmen should not interfere in the internal affairs of the AIADMK politics. We were completely off from the scene of happenings in the AIADMK whether it was the Jayalalitha faction or the Janaki faction. If the Congress had thought otherwise, the Central Government would not have allowed Mrs. Janaki Ramaehandran to form the Government at that time,

SHRI M. VINCENT: That is the problem.

SHRI THANGABAALU; That is your problem.

SHRI M. VINCENT: You will not win even ten seats in Tamil Nadu. I am quite airs of that. (Interruptions)

AN HON. MEMBER; Are you an astrologer?

SHRI THANGABAALU: The Congress Party at no point of time indulged in the inner-party affairs of the AIADMK. That was proved all along. Three weeks' time we gave to them to form a Government under the Constitution.

SHRI ALADI ARUNA alias V. ARUNACHALAM; You gave?

SHRI THANGABAALU: Yes, we gave. We are proud, we gave. We are the ruling party at the Centre. We have the authority to give. We gave.

SHRI ALADI ARUNA alias V. ARUNACHALAM; Now we understand how the Centre is using the Governor as tool (Interruption)\*\*

THE DEPUTY CHAIRMAN: It v not go on record.

Mr. Thangabaaalu, if you can finish within five minutes the Minister can reply and the matter would be over

\*\*Not recorded.

SHRI THANGABAALU: You have given so much time to others.

THE DEPUTY CHAIRMAN: Time very short now. The Minister has to reply. So, please be brief.

SHRI THANGABAALU: On that day it was flue •the conduct of the Speaker, Shri Pandiyan. First at 10 O'clock he ajojri-d the Mouse without any concrete proof with him, just by coming to the House and announcing that five Members of the Congress Party resigned without any report. I would like to say th? letters attached here is very clear. Five Members jointly gave a letter and in that letter they say that they resigned the Congress. It is afterwards. it is -not previously. It was only telephonic talk. Only to gain time, to muster strength for them he did so. It is well proved. Ag3in he abjorned the House at 12 O'Clock just after coming to the House and declaring seven Members of Miss Jayalalitha group disqualified. We are all well aware of the provisions of the Disqualification Act. The Speaker did not have anything in his mind to see that the Constitution provistens were observed properly.

Again the majority in the House a Speaker. They say it Is Constitutionally wrong. Our friend. Mr. Gopalsamy was also telling that they were not there at the time cf the election of the new Speaker. I was a witness at that time, (fatenop-tions)

SHRI V. GOPALSAMY: We did not support that move. You don't understand what I said

SHRI THANGABALU; I under-nd you correctly. Not only the ingress, but also the faction led Ly Miss Jayalalitha, CPI, CPM, DMK party all were there at that time.

SHRI ALADI AHLXA alios V. ARUNACHALAM: No party has a riht to elect a Speaker. This is the provision.

SHRI THANGABAALU: I am telling you about. . .

SHRI ALADI AR alias V. ARUNACHALAM: Yc...i speak about the defection law and other formalities where three day *clear* notice is necessary to remove the Speaker. Then how can he elect a Speaker?

SHRI V. GOPALSAMY: It is the Congress (1) and Jayalalitha taction who conducted a parallel session. It is in the report Bead .d the report.

SHRI V. NARAYANASAMY: CPI, CPM allies were also there.

SHRI THANGABAALU; My friends from the other side spoke about the Congress party betraying the Janaki faction. The Congress party never told them or never blessed them that we will support at any point of time because the Congress party has got its own ideology and its own stand. We will take necessary steps in the interest of our party but not in the interest of any other political party. They should not think that the Congress party gave them assurance. We never gave them our assurance.

Our hon. friend, Mr. Aladi Aruna has said that one of our Congress Members had threatened the Chief Secretary in his Chamber in the Assembly. My humble submission Is that we were also lihera at that time. Our elected representatives were not protected and there was law and order problem. Our Members were beaten by the rowdies of the AIADMK faction led by Janaki. Our elected representatives were inside the Assembly and police went and assaulted them and beaten them.

SHRI M. VINCENT: Madam, I am unable to follow what Mr. Thanga-baalu is speaking.

THE DEPUTY CHAIRMAN; You better keep quiet, then, you will follow.

SHRI THANGABAALU: It was alleged that because the Chief Secretary was a Harijan that is why we

[Shri Thangabalu]

have threatened him. This is not correct. The Congress Government gave the Chief secretary's post to a person belonging to the Harijan community. Now, he is adviser to the Governor. This shows our sympathy towards the Harijan community in the country and we the Congress party are helping the Harijan community and we are uplifting this community.

SHRI ALADI ARUNA alias V. ARUNACHALAM; I know why you are elevating him.

SHRI THANGABAALU: They talk-ed about the Congress legacy. The Congress leadership has said on the 27th evening "in very categorical terms that we will support only the undivided legacy of M.G.R. We gave great honour and respect for the departed leader Shri M. G. R.

SHRI DIPEN GHOSH; How can you say undivided legacy

SHRI THANGABAALU: You ask them. If anybody knows correct English they can know the meaning of "undivided legacy". *(Interruptions)*

THE DEPUTY CHAIRMAN; Please keep quiet for some time. He is concluding.

SHRI NIRMAL CHATTERJEE: In Meghalaya it was the divided legacy

SHRI THANGABAALU.. They also talked about majority and minority. They also said that the Congress wanted to form the Government. I would assert that my leader and my party never wanted to form the Government at any stage..... *(Interruptions)*

SHRI V. GOPALSAMY; you will never form the Government.

SHRI THANGABAALU; We will form the Government. Even if DMK and AIADMK Janaki faction unite together (hey cannot defeat the Con-

gress. I know your sinister move. The Congress will never be defeated in the country and in Tamil Nadu also, without Congress no DMK or AIADMK can form the Government.

SHRI V. GOPALSAMY- Your Congress party is already buried thousand feet deep.

SHRI THANGABAALU; We will form the Government there.

SHRI T. R- BALU: Are you ready to hold the elections in Tamil Nadu?

SHRI ALADI ARUNA alias V. ARUNACHALAM; Are you prepared to have the elections? You will be crushed,

THE DEPUTY CHAIRMAN: Pleased remember "that you are sitting In Rajya Sabha. *(Interruptions)*

SHRI V. GOPALSAMY; If you contest elections, you will lose the deposit money in all the constituencies. *(Interruptions)*

THE DEPUTY CHAIRMAN: please sit down. No comments. Mr. Thanga-baalu, please conclude now.

SHRI THANGABAALU: Madam, Deputy Chairman I would also remind and reiterate in this House, as our friends threw the challenge, I challenging them that without Congress, no party in the state will come into power in future. *(Interruptions)*

SHRI ALADI ARUNA alias V. ARUNACHALAM: Let the Congress contest alone. We will accept this challenge.

SHRI THANGABAALU; Shri M. S. Gurupadaswamy was telling that there should be a national politics, and Tamil Nadu should come to the national mainstream. I certainly welcome his move and also at the instigation from our beloved friend Shri V. Gopalsamy he said that Congress should not come to power, I can tell you Mr. Gurupadaswamy and Mr. Gopalsamy, both Swamys cannot play any role in Tamil Nadu hereafter,

(Interruptions) it is only the Congress (I) which will bring Tamil Nadu to the national mainstream of politics under the dynamic leadership of Shri Aajiv Gandhi. President's Rule is welcomed by one and all and people of Tamil Nadu are relieved from the disastrous sinister rule and we are the only party which wanted quick elections. (Interruptions) We never said anything against late Shri M. G. Ramachandran. I can stand by it. (Interruptions)

SHRIMATI JAYANTHI NATARA-JAN:  
We will give the Speaker Vishwa Ratna.

THE DEPUTY CHAIRMAN: Please  
shish now. I will call the Minister now. I  
am calling the Minister now.

SHRI THANGABAALU; Madam, Deputy  
Chairman, I will take a minute to finish  
my speech. The Prime Minister and the  
Congress (I) party categorically assured the  
people of Tamil Nadu that we will conduct  
elections quickly and on behalf of the  
Congress party, I also appeal to the hon.  
Minister and the Central Government to  
conduct elections quickly through which the  
people of Tamil Nadu must get the popular  
rule.

THE DEPUTY CHAIRMAN: Thank

SHRI THANGABAALU: Madam, I  
conclude by saying that the undemocratic  
speaker Mr. P.H. Pandiyan must be removed  
immediately and our beloved friends from  
opposition benches said that we are creating  
precedents. We are not creating precedents.  
Precedents are already there in Punjab and  
West Bengal. I am telling you one more  
thing Such cases cannot be compared with  
Mr. Pandiyan and that kind of Speaker we  
have. We are proud that our friends are  
having that kind of a Speaker and they said,  
we are supporting the action of Mr.  
Pandiyan. We never supported Mr.  
Pandiyan's actions in the Assembly or outside  
even when DMK MLAs were suspended by  
Mr. Pandiyan and the AIADMK  
Government, we oppose it.

SHRI T. R. BALU: No, you supported.

SHRI ALADI ARUNA *alias* V. ARU-  
NACHALAM: Can I read the proceedings?  
They are here.

SHRI THANGABAALU: I request the hon.  
Minister, through you, Madam that an enquiry  
must be conducted into the commission and  
commissions of the 23-day Janaki  
Government,

With these words, I conclude my speech,  
Madam. Thank you.

SHRI P. CHIDAMBARAM:  
Madam Deputy Chairman, one of the hon.  
Members recalled the tradition of the Tamil  
Nadu Assembly that before the business for  
the day commenced the Speaker would read a  
couplet from Thiruk-kural. I thought I might  
follow that tradition at least for this occasion.  
One couplet goes thus

Arivudayaar aavadharivaar arivilaar  
Aghdhari Kallaadhavar,

I transfers thus; The- wise foresee what is to  
come; the unwise lack in that wisdom. The  
wisest among all, I believe was the late Shri M.  
G. Ramachandran who, in his last will and  
testament, had a premonition that his party  
would split after his passing away. The  
Congress party, since the 24th of December,  
1987 and until the 28th of January, 1988, did  
everything possible to bring the two factions of  
the AIADMK. together so that they might con-  
tinue the Government which was formed by  
Shri M, G, Ramachandran for the remainder of  
its term. In fact, I was surprised by one thing. I  
can understand the passion of the Members  
belonging to the AIADMK. But I cannot  
understand the unquestioning faith and belief  
which certain other Members belonging to  
certain other political parties and hailing from  
other States have in what appears in news-  
papers. But even going by what appears is  
newspapers what did the Congress party do,  
what did the Congress leadership do and say in  
the period of 34 days between Shri M. G.  
Ramachandran's death and the sordid events in  
the Tamil Nadu Legislative Assembly? When  
Smt. Janaki Ramachandran met the Prime  
Minister, she was clearly told that her first duty  
was to unite the two factions of the AIADMK  
party. When Miss Jayalalitha met the Prime  
Minister she was told that she must

[Shri P. Chidambaram] also cooperate so that the two factions could come together. Even earlier, even while the body of Shri M. G. Ramachandran was lying in State and Shri Nedunchezhiyan had assumed office as interim\* Chief Minister, I know, the Prime Minister called him and his Cabinet colleagues and assured them that the Central Government would continue to extend support to the State Government, that the Congress party would continue its friendship with the AIADMK party, but a heavy responsibility had descended upon them to maintain unity, maintain law and order and maintain peace and work for the progress and development of the people of Tamil Nadu. Unfortunately, Madam, the party split. We have no sense of satisfaction or pleasure in that AIADMK is split. In fact, we anticipated, and we said so, that a divided AIADMK would only mean political instability, patchwork compromises, opportunist alliances and mockery of democracy. The first political party in UK—whole country which demanded elections was the Congress-I Party speaking through its General Secretary shortly after 12 Noon on 28-1-88. No other party had demanded elections at that moment. May I read a portion of the statement issued on that day? After referring to the efforts to maintain unity we said,—

"The efforts of the Congress-I have been in vain. In the circumstances the choice before the Congress-I was clear: Either political continuity through a united AIADMK or fresh elections. Any other option seemingly possible would have only meant instability, patchwork compromises, opportunist alliances and mockery of the democratic process. Congress-I has, therefore, taken the only other course which is available to it. Congress-I has decided to use its legislative strength to vote against the continuance of Shrimati Janaki Government. The vote will make it clear that Congress-I demands fresh elections in Tamil Nadu so that the people would have an opportunity to elect a Government of their choice which will assure them stability and progress and which will uphold the unity and integrity of India. Congress-I will continue to press

for this demand both inside and outside at the Legislature,"

Every other party followed suit. But I was surprised to hear an hon. Member, long to the CPI(M) and an hon. Member belonging to the Janata Party. And as a matter of pure coincidence, even while Mr. Gurupadaswamy was speaking I received a letter written by the Vice-President of the Janata Party in Tamil Nadu, Shrimati Lakshmi Krishnamurthy. The letter refers to some other matters, and then it says,—

"It is with a sigh of relief that we received the welcome change in the Tamil Nadu political climate. Without being swept off our feet, let us hope that this will be the beginning of our State's return to sanity."

How many voices is the Janata Party speaking in? I have no doubt that if Mr. Gurupadaswamy's position is the official position, it will reverberate throughout Tamil Nadu and that will be the last nail in the Janata Party's coffin in Tamil Nadu,

The CPI(M) criticised us and I had to see why. Read the Governor's report. What does the Governor's report say? "At 12 Noon after the Speaker adjourned the House for the second time, after disqualifying six members belonging to AIADMK (Jayalalitha Group)...."—the Governor's report says— ".....the Congress-I AIADMK (Jayalalitha Group), CPI, CPI(M), etc. held a parallel session, elected a Speaker and passed two resolutions." Sitting here in Delhi in the Rajya Sabha it is possible to have selective amnesia. But the people of Tamil Nadu know what political positions the parties took on that day, the political positions taken by them the next day, what the State level leaders issued by way of statements. Therefore, while it may be convenient to stand up here and oppose his motion. . .

SHRI DIPEN GHOSH: CPI(M) did not oppose the motion,

SHRI P. CHIDAMBARAM: But he criticised us for what happened at 12 Noon. Your party was as much a party to what happened at 12 Noon ...

SHRI DIPEN GHOSH: Here also we are not opposing your motion.

SHRI P. CHIDAMBARAM: I am not saying that you are opposing the motion. I said some Members are opposing and I said will selective amnesia. Your part was as much a party to what happened at 12 Noon on that day. That is all that I am trying to say ...

SHRI NIRMAL CHATTERJEE: You were present there.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: You were all mostly responsible for the violence, the Congress that is the allegation. In some areas there is agreement and in some there is no agreement ...

SHRI P. CHIDAMBARAM: We will about violence a little later. Mr. Arunai I did not interrupt you. What happened on that day ...

SHRI NIRMAL CHATTERJEE: Press reports said that you were present there.

SHRI P. CHIDAMBARAM: You NOT reading (he report correctly, In para 4 of the report it is said—

"A little later the Opposition members belonging to Congress-I, AIADMK (Jayalalitha Faction), CPI and CPI(M) etc. are reported to have held a parallel session and elected a Congress (I) Member, Mr. Sivaraman, as Speaker after dismissing the present Speaker, Mr. Pandiyan, from his post. They also passed the following two resolutions:

(a) Expression of no confidence in Mrs. Janaki Ramachandran's Government; and

(b) Adjournment of the House *sine die*."

We were together on the 28th. It may suit your convenience not to be together today. But the people of Tamil Nadu know what happened in the Assembly on the 28th January.

Madam, the genesis of the crisis was that a minority Government was inducted

into office in the first week of January. I do not wish to take this opportunity to comment upon what the Governor did. The Governor, by his own statement, said that he acted according to his best judgment, that he acted independently and that he did not seek the advice of the Central Government. I accept the Governor's position. But the Governor relied upon article 189(1) of the Constitution. It is my personal view that the relevant article is 164(2) of the Constitution. But since that chapter came mercifully to an end on the 28th January, 1988, it is not necessary to comment upon what happened at that time. But the problem arose because an avowedly minority Government was inducted into office without ascertaining whether they had even a fair chance of securing a majority of the Members of the State Legislature. What happened in the 23 days during which Shrimati Janaki Ramachandran was in the office of Chief Minister is perhaps the blackest chapter in Tamil Nadu's political history.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: You are wrong. It is not a black chapter. What are you doing in Meghalaya? What happened in Meghalaya has not happened in Tamil Nadu... (Interruptions) ...

THE DEPUTY CHAIRMAN: No interruptions, please. Please sit down.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: What are you doing in Meghalaya? You are buying the MLAs there by offering posts of chairmanship and other things. We know what moral right you have to criticise it as a black chapter ... (Interruptions) ... What are you creating? You are creating a red chapter here? ... (Interruptions) ...

SHRI P. CHIDAMBARAM: Madam, after the honourable Member has completed his interruptions, I will continue.

THE DEPUTY CHAIRMAN: N interruptions, please.

SHRI P. CHIDAMBARAM: Madam, during the 23 days in which they were in power, they were supported by vested interests and powerful lobbies and it v

[Shri P. Chidambaram]

period in which they cynically manipulated office and authority and did grave damage to the administration and to many programmes in Tamil Nadu. The Governor of Tamil Nadu and his Advisers are undoing the damage done during those 23 days and many decisions are being reversed and will be reversed.

SHRI ALADI ARUNA *alias* V. ARU-NACHALAM: He has not stated like that. The Governor has not stated like that. It is totally wrong. I strongly refute it. The Minister is deliberately misleading the House. The Governor has not stated anything like that.

SHRI P. CHIDAMBARAM: I am talking about the present Governor. Madam, the honourable Member is not listening to me properly. I said Madam, the Governor and his Advisers... which means the present Governor said that the Governor and his Advisers...

SHRI ALADI ARUNA *alias* V. ARU-NACHALAM: They are all your charges.

SHRI P. CHIDAMBARAM: ... are undoing the damage which was done during those 23 days'... (*Interruptions*)

DEPUTY CHAIRMAN: Whatever is being said without my permission will not go on record.

SHRI ALADI ARUNA *alias* V. ARU-NACHALAM: Including the Minister reply?

THE DEPUTY CHAIRMAN: I said that whatever is being said without my permission will not go on record.

SHRI V. GOPALSAMY: Madam, ...

THE DEPUTY CHAIRMAN: Nothing will go on record. How many times will you interrupt?

SHRI P. CHIDAMBARAM: Madam, the Congress(I) Party is a political party and is entitled to take a political decision for what it sees as being in the best interests of the people of Tamil Nadu. Other political parties can take a different view. I am certainly not quarrelling with the right of another political party to act

according to its own best judgment. Alliances are made and friends are made. Alliances are broken and friends part. As some one said, even blood-brothers part. These are the ways in which politics unfolds depending on events depending on how people see the events. How did we see the events? We saw the events as they unfolded in the following manner;

We tried our best to preserve unity in the AIADMK. But we found that a rump had more or less usurped all authority and was cynically manipulating office and authority to protect itself and to sustain a minority Government. We found that money flowed freely. We found that they were using every trick in their bag to lure and attempt to win members belonging to other political parties. We found that there was not popular support for that Government. On the contrary, there was popular revulsion that that Government had been inducted into office. We found that there was no chance for that Government to ever secure the support of the majority of the Members of the State Legislature. And once you come to that conclusion, it is the duty and the right of the Congress party to use its legislative strength to vote against the party in power. The CPI voted against the Janaki Ramachandran Government. The CPM voted against the Janaki Ramachandran Government. The DMK, or at least 8 of its Members who were allowed inside the Chamber at 3 P.M., 4 who were shut out—although Mr. Gopalsamy and Mr. T.R. Balu in a very passionate manner, today defend the Speaker's action; 8 of the Members were allowed to come in and...

SHRI V. GOPALSAMY: Mr. Chidambaram, we never defended him. I will be the last person to defend the Speaker's action. I condemn his action. Even today I condemn his action

SHRI P. CHIDAMBARAM: Thank you. - They voted against the Janaki Ramachandran Government. If the CPI vote is a vote on principle, if the CPM vote is a vote on principle, the Congress Party's vote is no less a vote on principle. The Congress Party used its legislative power to vote out the Government. I put this



squarely to them, that the Congress Party was duty bound to use its legislative strength to vote out a minority Government. And we did just that.

Madam, today, the AIADMK Janaki ("action has won some new friends. This is what we anticipated when we spoke about opportunist alliances. I find the love growing between the DMK and AIADMK faction. (*Interruptions*)

SHRI ALADI ARUNA *alias* V. ARU-NACHALAM Tamil Nadu):.\*

SHRI P. CHIDAMBARAM: I find Mr. Ram Awadhesh Singh rushing to your support today. (*Interruptions*) All I can say is that with friends like Mr. Ram Awadhesh Singh and the DMK you do not need any enemies. (*Interruptions*)

SHRI RAM AWADHESH SINGH (Bihar):.\*

SHRI P. CHIDAMBARAM: Madam, since I was present when the conversation took place, I can assure you, Madam, that the Home Minister did not at any time assure Shrimati Janaki Ramachandran of the Congress Party's support. In fact, the Home Minister made a statement to this effect, both in public...

SHRI ALADI ARUNA *alias* V. ARU-NACHALAM:.\*

SHRI P. CHIDAMBARAM: I am not here to oblige Mr. Aladi Aruna. He is resourceful enough to produce whatever evidence in his support. I am speaking about the facts which are within my knowledge, and I am obliged and entitled to state facts which are within my knowledge. The Home Minister did not assure support of the Congress Party to Shrimati Janaki Ramachandran. On the contrary when the Home Minister and Shrimati Janaki Ramachandran spoke on the telephone—this is a matter of public knowledge, because the Home Minister made a statement to that effect; he also referred to it in the other House, although I have not seen the record but I have seen the statement which was issued in the

Press—the Home Minister pointed out to Shrimati Janaki Ramachandran that the Congress (I) was extremely unhappy and distressed about reports that her faction was trying to win the support of a few members of the Congress Party. After that, things took a dramatic turn and we decided to vote against the Government. We are proud of it and we stand firm by this decision and we are sure the people of Tamil Nadu will support that decision.

Madam, I do not wish to comment on the Speaker. He is still the Speaker in office. He is a constitutional authority. I have heard the views of the hon. Members. One can have two views on the constitutional position. There are precedents where, while imposing President's rule, the Government had resorted to Article 356(i) (c) and had suspended the second proviso to Article 179. All that I can say at present is that the Government has taken note of the various views expressed in this House. I cannot say anything more at this stage.

Madam, I wish to say one thing. Mr. Baby criticised me for making a statement that more rice is likely to be allotted to Tamil Nadu. I wish to draw his attention to the fact that I happen to be one of the Members of Parliament elected from Tamil Nadu. The Members of Parliament elected from Tamil Nadu have a duty to the people of Tamil Nadu. So long as there was a popular Government headed by Shri M. G. Ramachandran, these matters fell within the purview of the State Government, the Chief Minister and the Minister-in-charge and they were the people to take up these matters. Once the President's rule is imposed, the Council of Ministers has the direct responsibility to advise the President. I along with other Congress (I) Members had appealed to the Minister of State for Civil Supplies ...

SHRI ALADI ARUNA *alias* V. ARU-NACHALAM: Already there was a request from the Janaki Ramachandran Government to increase the quota to 80,000 tonnes. She met the Prime Minister and requested him. You have not made any new representation. Why do you mislead by

\*Not recorded.

[Shri P. Chidambaram]

saying that you have done that? (*Intcirup-lionx*)

SHRI P CHIDAMBARAM: Sir, you gave him something like 40 minutes. If he could not say what he wanted to say in 40 minutes. I am not responsible. I am trying to compress my reply in 20 minutes. I am replying to Mr. Baby's specific criticism. The Congress (I) Members from Tamil Nadu had met the Minister of State for Civil Supplies. Mr. Aladi Arana is welcome to join us. The Public Distribution System in Tamil Nadu is under severe strain because of three years of drought. We anticipate the problem in the summer months and we do not want the price of rice to rise in the open market. Therefore, we have requested the Minister of State for Civil Supplies to increase the quota of rice. The Minister has expressed his sympathy for the cause. He has said 'hat. This is something which I will do again and again and again and I will raise my voice in support of every demand of the people of Tamil Nadu along with my colleagues of the Congress (I) Party. I am duty-bound to do that. If other Members from Tamil Nadu want to join us, I will welcome them to join us in defending the rights of the people of Tamil Nadu. What is wrong about it?

I will conclude by referring to one thing. A lot of criticism has been made about who is loyal and who is not loyal to Mr. M. G. Ramachandran and who did what in the Assembly, etc. I can only comment on what Mr. Aladi Aruna said. I think he has disowned his leader, Mr. M. G. Ramachandran posthumously like his leader disowned one of the statements made by Shri Aruna when he was alive. Let us be clear on these things. (*Interruptions*) If he wishes to disown his leader posthumously, that is his privilege. So far as we are concerned we consider Mr M. G. Ramachandran a patriot a nationalist and one of the most secular leaders thrown up by this country and by Tamil Nadu. In fact the Prime Minister, when he paid a tribute to Mr. Ramachandran, said that Mr. M. G. Ramachandran is a great nationalist and a great Tamilian. He fought against petty parochialism. He was deeply committed to the unity and integrity

of India. He had a profound compa for all the disadvantaged sections of our society, for the Poor, for the depressed and for the women. We value our friendship with late Shri M. G. Ramachandran. The nation has paid its homage and paid tribute to his secularism and nationalism by conferring the highest title of Bharat Ratna upon him. We believe that today 6.00 P.M. in Tamil Nadu, through fresh

elections, the people of Tamil Nadu will vote into office a stable Government which can work for their progress and development. The Con Party like any other party will enter the arena with a promise that they can provide such a Government, I am sure. Mr. Aladi Aruna believes the same thing and I am sure Mr. Swaminathan believes the same thing. The point is that I have great faith in the wisdom of the people of Tamil Nadu, I have faith in their commonsense, I have faith in their judgment. Whatever opportunistic abianccs are created, whatever cynical manipulations are done, the people of Tamil Nadu know what is best for them, and they will not only support the decision of the Central Government to dissolve the Assembly, to dismiss the Janaki Ranvi-chandinn Government and to call for elections, but when they go to the polls, when they vote, the nation will know that the people of Tamil Nadu have supported the decision of the Central Government.

I ask now. Madam, for the support of this House for this Motion.

THE DEPUTY CHAIRMAN: I slid! now put the Statutory Resolution to vote. The question is:

"That his House approves the Proclamation issued by the President on the 30th January, 1988, under article 356 of the Constitution, in relation to the State of Tamil Nadu."

*the motion was adopted.*

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: Madam, the hon. Minister has totally misled the House by hiding the

Congress withdrawal. That is why we wait out the protest.

SHRI M. VINCENT: The hon. Minister *..(Interruptions)..*, I walk out. You know why? To wash you out from Tamil Nadu politics.

*(At this stage some hon. Members left the Chamber)*

THE DEPUTY CHAIRMAN: Now, Mr. Natwar Singh to make a statement.

#### STATEMENT BY MINISTER

(11), Iran-Iraq was—safety of Indian Nationals in Tehran

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI K. NATWAR SINGH): Madam, Deputy Chairman Members are no doubt aware of reports regarding recent escalation of the tragic war between Iran and Iraq through missile attacks on each other's cities. These have resulted in civilian casualties on both sides.

Fortunately, Indian nationals in both countries have escaped the ferocity of these attacks. As the House is well aware, Government have persistently called for an end to this tragic conflict and urged, restraint on both sides.

We have welcomed the Security Council Resolution, 598 to bring about a peaceful settlement of the conflict and the efforts of the UN Secretary General to bring about its early implementation. Meanwhile, in view of the danger to the families of India based staff of our Embassy in Teheran, arrangements are in hand for their evacuation by a special flight. This facility can also be availed of by some families of the Indian community in Teheran.

It is proposed to arrange the evacuation on 10th March, 1988. The security and welfare of the families of the India based Embassy staff in Baghdad is constantly under review.

SHRI V. NARAYANASAMY (Pondicherry): Madam, Deputy Chairman, the Iran-Iraq war is continuing for more than

seven years only because of the sentiments of the people of both the countries just to show as to who is supreme. Madam actually both the countries are fighting a futile war. There is no purpose behind it. The development in both the countries has been stalled because of this war. I know this personally because I visited Iraq. People are living in that country under tension and fear of attack at any time. Even our Indian Embassy people who living in the remote corner of Baghdad had to escape the missiles which have been sent by Iran against the city of Baghdad. Madam, though both these countries were having steady development earlier they had to stop all the developmental activity since they were concentrating on war. The Hon. Minister has stated in his statement

that fortunately, Indian nationals in both the countries have escaped the ferocity of these attacks. So far the Government of India through our embassies has made arrangements for the welfare of our people who are living there in both the countries.

[The Vice-Chairman (Shri Jyoti Basu) in the Chair].

Sir, we know that the people from this country have gone to both these countries in connection with executing the contracts and works which were undertaken through the schemes of the Government of India and these people apprehend that their lives will be in danger. For some time there was no attack by these countries on each other. But now both the countries are attacking each other and big and important buildings are being damaged. People have lost their lives. Even in the ocean our Indian ships have been completely damaged. Therefore, I would like to know from the hon. Minister whether there was any representation from the Indian citizens who wanted to vacate Iran and Iraq because of the tension mounting in those countries.

Mr. Vice-Chairman, Sir, in Iraq I had the opportunity to meet President Saddam Hussein, I found from my talks with him that Iraq is for settlement. They are even fully respecting the Security Council Resolution No 598 and the small difference which is there between the two countries can be settled by negotiations. They are very much dependent upon our country,