

प्रदेश में हाई कोर्ट की बेंच की स्थापना की मांग पर जल्दी से जल्दी अपना निर्णय दे।

REFERENCE TO THE REPORTED DEAL FOR TIDE OMAN CRUDE OIL AT A HIGHER RATE

DR. BAPU KALDATE (Maharashtra): Mr. Deputy Chairman, Sir, India is buying crude from Oman at \$ 29 a barrel. India is paying \$ 4 a barrel more than the spot price for the half a million tonnes of crude oil it is buying from Oman. At this price the deal is worth about Rs. 120 crores. The spot market price for this crude now is around \$ 25 a barrel, which means the country will be paying around Rs. 16 crores more for the supply from Oman.

"Whenever the Government buys crude, such purchases are approved by an inter-ministerial body called the Empowered Committee. This practice has been in existence for a long time. But in the case of the purchase of the Oman crude, the deal was not put before the Empowered Committee. It appears that the Minister of Energy is not aware of this deal.

Besides, the deal has come through a company called Transworld. This company was blacklisted by the Indian Oil Company because in an earlier case, Bombay High Court bought by this company or through its good offices eventually found its way to South Africa.

I demand from the Government a thorough enquiry into the deal and as the deal is still negotiated, it should be cancelled forthwith.

MR. DEPUTY CHAIRMAN: Now we start discussion under Rule 176. Mr. Advani.

PROF. C LAKSHMANNA (Andhra Pradesh): I am on a point of order, Sir. Before we take up this discus-

sion I would like the House to pass a condolence resolution for those martyrs who have died during the last 5 or 6 days... (*Interruptions*).

MR. DEPUTY CHAIRMAN: No, no. Mr. Advani.

SHRI DIPEN GHOSH (West Bengal): Let us pass a condolence resolution... (*Interruptions*).

MR. DEPUTY CHAIRMAN: No, nothing will go on record. Mr. Advani.

DISCUSSION ON THE RECENT POLITICAL DEVELOPMENTS IN ANDHRA PRADESH

SHRI LAL K. ADVANI (Madhya Pradesh): Mr. Deputy Chairman, Sir, I rise to raise a discussion on the recent developments in Andhra Pradesh leading to a change of Government in that State and the constitutional implications thereof.

Sir, I am happy that this House has been given this occasion to discuss a matter in the light of recent developments in Andhra Pradesh, and which developments, would have far-reaching implications for the constitutional and democratic set-up of our country. I am happy that in the shaping of this motion the Leader himself suggested that the constitutional implications are something that this House must be concerned with and, therefore, they must be brought in. These developments have grave political implications but even more important are the constitutional implications.

Sir, I will first deal with the constitutional implications, and then pass on to the political implications of the happenings in Andhra Pradesh.

When the Constitution was being framed the draft Constitution had analogous provisions both for the President and the Governor. I have gone through the proceedings of the

Shri Lal K. Advani]

Sub-Committees of the Constituent Assembly and the discussions that took place in the Constituent Assembly while the Constitution was being given shape, I was struck by the fact that at the outset the draft provided for an elected Governor to be directly elected by the people of the State. This was the provision in the draft Constitution. So far as the President is concerned, various ideas were mooted and ultimately it was agreed that the President should be elected by an electoral college comprising of Members of both Houses of Parliament and Members of the State Legislatures. When it came to the question of Governor, after considerable debate both in the Sub-Committees as well as in the Constituent Assembly it was felt that this would not be a right course. Ultimately, in the Constituent Assembly it was decided that the Governor should be a nominated one.

Originally just as we have article 54 providing for an elected President, there was a provision for elected Governor also. We have article 56 indicating the term of office for the President, in which it is stated that the President shall hold office for a term of five years but it can come to an end either by resignation or by removal, and that the President can be removed by a process of impeachment. Article 61 goes on to prescribe the procedure, how the President can be removed by impeachment. Identical provisions were there in case of the Governor also. But subsequently, when the Constituent Assembly decided that there was going to be a nominator! Governor, a Governor to be appointed by the President, then the Constituent Assembly felt that there was no need for a provision of impeachment. The impeachment provision was formally dropped. There was one Member of the Constituent Assembly, a very active Member by name Prof. K. T. Shah, who

moved an amendment and pointed out that.....,

श्री गुलाम रसूल कार (नामनिर्देशित) :

क्या आडवाणी साहब इस बात के लिए गवाह हैं, उन्हें याद है कि जम्मू एण्ड कश्मीर कंस्टीट्यूशन में सदरे-रियासत इलेक्टेड हुआ करता था? इन्होंने ही एजिटेशन करा दी, सदरे-रियासत के ओहदे को, जो इलेक्टेड हुआ करता था, उसको खत्म कराने के लिए।

श्री लाल कृष्ण आडवाणी : मैं आभारी हूँ कि आप ने मुझे याद दिलाया कि जहाँ तक सदरे-रियासत था, उसको हटाने का दायित्व मुझ पर था, मुझको क्रेडिट दिया है आपने। मुझे बहुत खुशी है

श्री गुलाम रसूल कार : वह इलेक्टेड था. . . . (व्यवधान)

श्री लाल कृष्ण आडवाणी : लेकिन मैं समझता हूँ मैं नहीं हटा सकता था, यह तो पार्लियामेंट ने और असेम्बली ने, जम्मू एण्ड कश्मीर असेम्बली अगर सदरे-रियासत के पद को हटाते नहीं, तो शायद हम भी नहीं हटा सकते थे। मुझे इस बात की खुशी है कि जम्मू और कश्मीर की असेम्बली ने इस बात की सिफारिश की कि जिस प्रकार से सारे देश में राज्यपाल हैं, गवर्नर हैं, वैसे ही हमारे यहाँ भी सदरे-रियासत नहीं होना चाहिए और वहाँ पर भी नामांकित राज्यपाल होना चाहिए, गवर्नर होना चाहिए। पार्लियामेंट ने उसको इन्डोर्स किया और पार्लियामेंट ने कंस्टीट्यूशन में अमेन्डमेंट किया। इस समय मैं जम्मू और कश्मीर की बात नहीं कर रहा हूँ, थोड़ी देर बाद मैं करूँगा, तब आप भी शायद बोलना चाहें।

Mr. Deputy Chairman, Sir, I was

referring to the cost of Governor in some detail because let us at the outset understand that the principal constitutional issue -which we are debating today is not that of article 356 not that of President's rule which has been abused many times and about which we have protested. In the past the role of Governor has been brought into discussion in this House generally in respect of abuse of article 356. Article 356 has not been invoked in this case. It is article 164 which has been invoked. Article 164 says that the Council of Ministers in a State shall hold office during the pleasure of the Governor. This article is identical to the article that we have in the case of the President where the Council of Ministers headed by Mrs. Gandhi hold office during the pleasure of the President. But there is a subsequent clause which also obtains both for the Centre as well as the States. This says that the Council of Ministers of the Centre shall be responsible to the House of the People, and the Council of Ministers in the State shall be responsible to the Legislative Assembly of the State.

I hold that in case of a Government in office, that is an incumbent Government it is only that provision that can be invoked, namely its responsibility to the Lok Sabha in case of the Central Government and its responsibility to the Legislative Assembly in case of the State Government. Article 164 cannot be called into operation. The Governor has no right, just as the President of India has no right, on the basis of information that may be provided to him by members of the ruling party going to his resignation and telling him that most of us have no longer any confidence in the present Government. The President cannot on the basis of that information dismiss this Government. All that he can do is, he can tell this Government "so many Members have come to me and it appears to me that you have majority

is in doubt. Therefore I ask you to convene a meeting of the Lok Sabha at the earliest". That is the course open to the President.

SHRI HANSRAJ BHARDWAJ (Madhya Pradesh): Mr Advani, you were a Minister in the earlier Government. There was a case where Mr. Charan Singh was installed as Prime Minister without facing any Lok Sabha or any other House for a single day. At that time, was it a properly constituted Government and did any discussion take place on that?

SHRI LAL K. ADVANI: I am very happy that my friend, Mr. Bhardwaj, has raised this question.

SHRI HANSRAJ BHARDWAJ: It is far more important.

SHRI LAL K. ADVANI: Yes, yes, but I can tell you that Mr. Sanjiva Reddy who was the President at that time, did not dismiss the Government.

SHRI J. K. JAIN (Madhya Pradesh): Mr Morarji Desai had submitted his resignation and then he staked his claim. Here the Chief Minister did not submit his resignation. So he was dismissed.

SHRI LAL K. ADVANI: I know that I am coming to that. After all this is not a matter which has arisen now. Similar problems arose in a very brief period between the years 1967 and 1969. I have studied those cases thoroughly. It is a question of the Governor withdrawing his pleasure. The question is not merely of proving your strength on the floor of the Assembly. That is part of it. But the essential aspect is that the Governor cannot substitute his subjective satisfaction for the objective satisfaction of the Assembly. The crucial issue is that. Neither the Governor, nor the President can do this. This is the crucial issue. (Interruptions). I am sure they would like to understand. I am willing to reply to any question.

[Shri Lal K. Advani] This is not a question affecting only Andhra. The other day it was pointed out to Mr. Narasimha Rao, the Union Home Minister, in this House and in the other House that when the Speakers' Conference met in 1968 and discussed this issue threadbare, they came to the conclusion that the majority of an incumbent Government should be tested only on the floor of the House, not in the Raj Bhavans, not by the Governors. This question again was raised in 1970. A Governors' Committee was constituted with Mr. Bhagawan Sahay as the Chairman. Mr. Bhagawan Sahay was, at that time, the Governor of Jammu and Kashmir. That Committee came to the same conclusion. The Governors' Conference endorsed that conclusion. When all this was pointed out to the Union Home Minister the other day, he said, in this House as well as in the other House, that this may have been the decision but this was not binding, and further that this was not followed no one followed it. I can cite to you numerous instances where this has been very scrupulously followed.

When Mr. C. B. Gupta was the Chief Minister in 1969 in Uttar Pradesh and there was a split in the party, his Government was reduced to a minority. This happened in November 1969. At that time a letter went to the Governor from the opposition demanding that he be dismissed. Governor Gopala Reddi replied back in his letter;

"The question whether the Chief Minister has lost the confidence of the Assembly at all times should be tested in the Assembly."

The Assembly was summoned in February 1970 and Mr. C. B. Gupta had continued to be the Chief Minister till then even though he lost his majority. The Governor took a right stand. In fact, in an informal chat with press correspondents the Governor said:

"It is not the business of the Governor to count heads of members."

..., (Interruptions)...

SHRI HANSRAJ BHARDWAJ: This is...

MR. DEPUTY CHAIRMAN: I am sorry, at every stage you can't argue like this. You will have your time later.

SHRI HANSRAJ BHARDWAJ: On the Haryana issue...

MR. DEPUTY CHAIRMAN: Please take your seat.

SHRI HANSRAJ BHARDWAJ: ... Morarjibhai brought the Haryana members for a count... (Interruptions)...

MR. DEPUTY CHAIRMAN: You can take your chance later. At every stage you can't get up and put questions.

SHRI LAL K. ADVANI: I will answer every question—I have no objection. (Interruptions)...

MR. DEPUTY CHAIRMAN: When you have your chance then you show all your knowledge and all that.

SHRI SYED SIBTEY RAZI (Uttar Pradesh): He is trying to mislead the House. So many instances are there when the Government was dismissed. Even in Karnataka... (Interruptions)...

MR. DEPUTY CHAIRMAN: You take your seat. This way if you go on disturbing, I am sorry, we cannot go anywhere. Your name is on the speakers' list... (Interruptions)...

SHRI P. N. SUKUL (Uttar Pradesh): Mr. C.B. Gupta... (Interruptions)...

MR. DEPUTY CHAIRMAN: No, Mr. Sukul... (Interruptions)... Please don't record Mr. Sukul. May I re-

quest Members from this side. . .
<Interruptions>... Take your seat.
You have given the list of speakers.
Your name is there and others names
are not there... (Interruptions) ...
Ask you, Whip to give your name if
you are so eager to speak. But don't
disturb every time... (Interruptions)
You may be knowing innumerable
instances. Then you cite your exam-
ples when you get your chance or
you brief your other friends who are
going to speak on your behalf. But,
don't disturb. This way we can't pro-
ceed. . . (Interruptions)...

SHRI HANSRAJ BHARDWAJ:
You allow them frivolous points of
order,

MR. DEPUTY CHAIRMAN: No, no
(Interruptions)...

श्री रामानंद यादव (बिहार) :
उपसभापति महोदय . . .

श्री उपसभापति : नहीं . . . नहीं। जब
आपका वक्त होगा, आप अपनी बात
कहिएगा। हर वक्त नहीं।

श्री रामानंद यादव : वह तो डीक
है। आप चाहें तो अभी दे सकते हैं . .
(व्यवधान)

SHRI HANSRAJ BHARDWAJ:
So many frivolous points of order you
were listening to and when we are
saying something of sense, you are
discouraging up.

MR. DEPUTY CHAIRMAN: All
right. The_n you go on disturbing
others; don't allow them to speak,

SHRI HANSRAJ BHARDWAJ:
They always disturb us.

MR. DEPUTY CHAIRMAN: When
there is a peaceful and meaningful
debate, please cooperate. If you have
examples when your turn comes you
can cite them. But this way he ^{vill}
take a whole day.

... (व्यवधान) ठीक है, आप दिन
भर इन्हीं का भाषण सुनिए और टोका
टाकी करते रहिए।

SHRI LAL K. ADVANI: Mr.
Deputy Chairman, Sir, I can under-
stand their anguish, their anxiety. Mr.
Bhola Paswan Shastri was the Chief
Minister in Bihar in June 1971. A
major constituent of his Government
withdrew support and so he became
a minority. But the Governor did not
dismiss him even though there was a
demand by the Opposition. The Gov-
ernor allowed the minority Govern-
ment to stay on in office till July 1971.
He said that the Assembly would be
convened in the normal course. He
resigned only when the Assembly was
convened. What to say of those days?
It is a long time past. I am sure the
members of the ruling party must
have read an article which appeared
only Saturday last in the Times or
India—by Mr. L. P. Singh. Shri Singh
has been a senior Governor, a con-
scientious Governor, whose record
everyone would accept has been ex-
cellent whether he was in the Gov-
ernment as an administrator or later
as Governor. Mr. L. P. Singh writes
an article in which he discusses this
issue at length and recalls—I quote
his own words: "On four occasions
(not one) one each in Assam and
Meghalaya. and twice in Nagaland, I
followed that procedure in 1979-80
leading in each case to a change of
Ministry by resignation of the Minis-
try just before the sitting of the As-
sembly in two cases, by resignation
after a no-confidence motion had been
moved in the third case, and being
voted out in the fourth." In no case
did he try to substitute his own sub-
jective satisfaction for the satisfac-
tion of the Assembly. He said, "This
is not my function. My function
comes in only at the outset when an
election is held, and after the election
Governor has to determine which
party has the majority and to invite
the leader of that Party to form a
government. Once that government

[Shri Lal K. Advani] has been formed, thereafter, only if there is a no-confidence motion against him and yet Government refuses to resign, he could dismiss him." The other situation warranting dismissal is also indicated by the Speakers' Conference and the Governors' Conference. Suppose the Chief Minister loses the majority and still refuses to convene a meeting of the Assembly, then the Governor or the President has a right to take action against him. This has been conceded, it is not written in the Constitution, but the Speakers' Conference as well as the Governors' Conference said that in that situation if he refuses to call a meeting an early meeting—action can be taken.

In fact, Mr. Dharamvira dismissed a government because they were riot. Willing to call a meeting of the Assembly within three weeks as he wanted it. They wanted, six weeks. He said, "No; it should be done in three weeks." At that point of time there was a debate even on this, whether what Mr. Dharamvira did was right or wrong! But what Mr. Dharamvira did was simply to insist on a session of the Assembly within a reasonable time. He did not say, "I am satisfied that, you have lost your majority."

Since what has happened in, Andhra is absolutely shocking. It baffles one how a Governor would do it. Therefore, I am not surprised at Mr. L. P. Singh's reaction to the Andhra events. He wrote his article only on the basis of the Kashmir happenings. He did not have Andhra in mind when he wrote this article. After that, this Andhra development took place. A brief letter has appeared in the Times of India day before yesterday, in which Shri Singh says; "I refer to what the Andhra Governor has done. One would have thought that such grossly partisan behaviour and such disregard of basic decency in dealings with the Chief Minister to be impossible only until yesterday." Now this is a comment not by a political person.

And the language that he has used to describe the conduct of the Governor is that it is not only unconstitutional but even the bare decency in dealing with the Chief Minister has been brushed aside. And he adds: "Looking at what two Governors have done during the last few weeks (he is here referring even to the Kashmir Governor) one wonders whether we are witnessing the twilight of our federalism." Now this is by Mr. L. P. Singh. This is not from a political leader out to make political gain. This is not by an Opposition party whose business it is to see that the Government is ousted (*Interruptions*) I would appeal to you to try to view the whole matter in a proper context. Therefore, when Mr. Narasimha Rao said the other day that there were no instances where the Speaker's Conference, view was followed. I was surprised. There are so many instances. L. P. Singh's four instances I have quoted earlier also there were instances. I can go on narrating instances. All that is being repeatedly cited from the other side is about Morarji and Charan Singh not having proved their majority in the House. And they resigned on that account. Suppose they had not resigned, the President would have been entitled to tell them, to convene a meeting of the Lok Sabha. The question of dismissal could come in only if they refused to do so.

SHRI HANSRAJ BHARDWAJ: Can you become Prime Minister without majority? That is the question.

SHRI LAL K. ADVANI: This is precisely the issue. Mr. Deputy Chairman, the country is aghast that a person who does not have the majority becomes the Chief Minister. This is exactly what has happened. (*Interruptions*).

SHRI HANSRAJ BHARDWAJ: Mr. Charan Singh is your leader today. He committed a fraud on you not on us.

*

Andhra Pradesh

श्री लाल कृष्ण आडवाणी : वह तो आप की मेहरबानी थी, हमारी नहीं। हम ऐसी गलती नहीं करेंगे।

SHRIMATI USHA MALHOTRA (Himachal Pradesh): He committed fraud on you, Mr. Advani. (Interruptions)

SHRI LAL K. ADVANI: Four or five days after he was installed as Chief Minister by Mr. Ram Lal in the Raj Bhawan, Mr. Bhaskar Rao has come out with a list of 93 Members who were supporting him. This is the list that has been published yesterday. (Interruptions)

Mr. Deputy Chairman, Sir, this is a newspaper from Hyderabad, and this has mentioned the list of 95. Last night I happened to go to the place where the SH-As from Andhra are staying. (Interruptions) I found that S.J. MLA's of this list were present there. (Interruptions)

श्री जी० के० जैन : मेरा प्वाइंट आफ आर्डर है। माननीय आडवाणी जी ने फरमाया कि जो 95 की लिस्ट भास्करराव ने दी और उस में से 35 सदस्य यहाँ आ गये हैं वे अगर उन 95 में से 35 घटा दिये जायें तो बचे हुए 60 मेम्बर जो हैं वह स्वयं स्वीकार कर रहे हैं कि वह तेलंग देशम पार्टी के हैं। तेलंग देशम की जो प्रेजेंट स्टैंड थी हाउस में वह 194 या 195 की है, जो भी हो अगर वह उस में से 60 घटा दिये जायें तो तेलंग देशम के 135 सदस्य रह जाते हैं 300 मेम्बरों के सदन में तो क्या तेलंग देशम मैजोरिटी में रह जाती है वहाँ, और इस चीज का निर्णय तो गवर्नर कर सकता है कि आडवाणी जी कर सकते हैं।

I P. M.

कुमारी सरोज खापड़ (महाराष्ट्र) : 61 एम० एल० एज० का जो दावा कर रहे हैं उनमें से बहुत से लोग एम० एल०

ए० का बैज लगाकर आये थे। (व्यवधान)

PROF. C. LAKSHMANNA (Andhra Pradesh): The number of Telugu Desam MLAs are 201. Out of

श्री सुशोभ चन्द महन्त (हरियाणा) : श्रीमन्, मेरा प्वाइंट आफ आर्डर है। जब यह वक्त आध्र पर हो रही है, आडवाणी जी बोल रहे हैं तो बीच में यह जो इंटरफियरेंस का कायदा चला रखा है, मेरी गुजारिश है कि वह नहीं होना चाहिए। हर मेम्बर अपना अलहुदा-अलहुदा टाइम बिना उसका नाम लिस्ट में हुए ले रहा है। हम यहाँ पर शान्ति से बैठे हुए हैं। इतना समय हमें भी बोलने के लिए दे चाहे हमारी पार्टी की तरफ से बोला गया हो। हमें भी बोलने का मौका दे। मैं सिर्फ एक बात और कहना चाहता हूँ—

“या खुदा ऐसी खुदाई न दे कि अपने सिवा और कोई दिखाई न दे।”

SHRI K. MOHANAN (Kerala): If you have the guts to contest the Assembly election, and come.

SHRI VITHAL RAO MADHAV-RAO JADHAV (Maharashtra): Mr. N. T. Rama Rao is acting on another stage of political scene by producing bogus M.L.As.

श्री उपसभापति : आडवाणी जी आप कितना समय और लेंगे ?

श्री लाल कृष्ण आडवाणी : इन्होंने समय ले लिया, मैंने तो बहुत कम लिया है।

SHRI LAL K. ADVANI: I complete after 2 o'clock. I have no objection.

श्री उपसभापति : अब सदन की कार्यवाही 2 बजे तक के लिए स्थगित की जाती है।

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

The House reassembled after lunch at one minute past two of the clock, Mr. Deputy Chairman in the Chair.

MR. DEPUTY CHAHIMAN: Shri Advani. Please conclude within, say, ten to fifteen minutes. You have already taken half an hour.

SHRI LAL K. ADVANI: I have not taken.....

MR. DEPUTY CHAIRMAN: There are many speakers. We have to keep the time in mind. Otherwise we cannot finish.

SHRI LAL K. ADVANI: You would appreciate that even at the outset, I said I would not take much time.

Sir, I was referring to the basic issue involved in the whole episode; namely, can the head of State dismiss the head of the Government on the basis of extra-legislative information that he acquires. Whether that information is right or wrong is not the issue. The issue is, he acquires extra-legislative information that the Government has lost its majority. What is the duty of the head of State at that time? Can he, on that basis, dismiss it,

I happened to go through a series of very learned lectures delivered by the former Chief Justice of the Supreme Court, Mr. K. Subba Rao, way back in 1970 when these issues were being debated all over the country. In these, he had raised this specific issue while discussing the question of the powers of Governors. He says that he looked around for examples of this kind in other parts of the world and he discovered that a case of this kind took place in Western Nigeria, where Akinola—that was the name of the Premier of Western Nigeria—was dismissed by the Governor, though the legislature had not expressed "no confidence" in him, on the ground that the Uove*-

nor was satisfied on enquiry that he had no majority. And Mr. Subbhu Rao comments:

"We need not adopt the colonial instance as a convention to govern our republican polity. Rather we shall take note of the fact that since the year 1783, there was no such case of dismissal in Great Britain and, accept as a convention, that the King has no such power."

Sir, in 1970 Mr. Subba Rao had to undertake laborious research to find out even this single example, and that from Western Nigeria. In the year 1984, he would not have had to go out of India at all. In India, itself there have been a series of examples of this nature where the Governor, 'saying that the Chief Minister had lost his majority, dismisses the Government. It happened in Jammu and Kashmir. It has happened in Andhra. Sikkim was slightly different in nature, where the dismissal was not on the basis of majority or minority. It had nothing to do with majority or minority. But there too the Head of State invoked the provision which says that the Council of Ministers holds office at the pleasure of the Governor, to dismiss the Ministry.

I am sure that members of the Government must have gone through the numerous editorials, comments and articles that have appeared on the Andhra episode. They would notice that while all of them have pointed out that the Andhra episode is an aberration, some have also asked what would happen if something similar happens at the Centre, and the President usurps the authority of the Lok Sabha to determine whether a particular Government has lost its majority or continues to have a majority. As I said at the very outset, it is open to any Member of Parliament to approach the President, or a Member of the Assembly to approach the Governor, and say that the Government has lost its majority and those who were supporting the Government, had with-

drawn their support, and that therefore, the number that supports the Chief Minister or the Prime Minister is not what he claims. It is a minority. But after acquiring this information, the duty of the President or the "Governor, as the case may be, is to convene an immediate meeting of the Lok Sabha or an immediate session of the Assembly and have Government prove its majority. Nothing more, nothing less. It is this dismissal that has caused concern to everyone.

Everyone almost unanimously has felt that what the Governor of Andhra Pradesh has done has besmirched the institution of Governorship. He has brought the dignity of this high office down and I was indeed surprised to read the language used by some editorial writers some of whom I know to be very sober, very restrained in expression. Most of us read English newspapers. I have before me a typical example of the Nav Bharat Times whose editor is normally very restrained in his expression. I find that the editorial that he has written on this particular episode bears the caption, 'लानेत है ऐसे राजभवनों पर'

'Shame upon such Raj Bhavan'. And you see the editorial itself, the language and expression give vent to strong indignation. The indictment that he has made is severe. He writes:

"जैसे श्री नगर में जगमोहन इंतजार कर रहे थे कि कब फारूक अब्दुल्ला से बगावत करने वाले दलबदलू राजभवन आए और कब मैं उन्हें शपथ दिलाऊँ। उसी तरह हैदाबाद में रामलाल जो घात लगाये बैठे थे कि कब कोई पार्टी भंजक मीर जाकर राजभवन की घात पर आए मैं कब उसे चारा डालूँ।"

In the whole country there has been a very strong reaction to what Mr. Ramlal has done. This cuts across newspapers some of whom may be pro-government, others anti-Government. They may have their own prejudices and predilec-

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tions. But there is near unanimity that what the Governor of Andhra Pradesh has done is thoroughly indefensible. So far as the Governor's conduct is concerned, as I said, at the very beginning, the Constitution does not give me the right to move a motion of impeachment against the Governor. It is this that made me raise this discussion under Rule 176. If I think that the President has done something wrong, I can initiate a motion of impeachment against the President. If I feel that the Chairman or the Deputy Chairman of this House or the Speaker or the Deputy Speaker of the other House have done something wrong against the Constitution, there is a provision for that in the Constitution. There is a provision against the Judges of the Supreme Court, against the Judges of the High Courts, there is a provision against the Comptroller and Auditor General, against the Chief Election Commissioner. But there is nothing in the Constitution which entitles a Member of Parliament in the Rajya Sabha or in the Lok Sabha to move a motion when the Governor has done something wrong, something unconstitutional. Here I feel that what the Governor has done is totally unconstitutional, totally without precedent and it has no sustenance. I have with me a list of Members of the State Assembly who have presented themselves to the President today, and....

SHRI RAMANAND YADAV: They have come with bogus identity cards...

(Interruptions)

SHRI PARVATHANENI UPENDRA (Andhra Pradesh): You should be ashamed to say that. You are shouting shamelessly. Be ashamed of it. This is how you are running democracy in this country.

SHRI SYED SIBTEY RAZI: You have no sense of shame. You should know how to behave in Parliament.

SHRI PARVATHANENI UPENDRA: Don't teach me. I know how to behave.

(Interruptions)

All of you come and I will show you. I will challenge. I challenge them all. Let the Prime Minister and all others come there. I challenge the Prime Minister... *(Interruptions)*. You remove a majority Government. Shame on you... *(Interruptions)*.

MR. DEPUTY CHAIRMAN: Please take your seat. You will have time to speak.

PROF. C. LAKSHMANNA: Point of order...

MR. DEPUTY CHAIRMAN: No point of order. Mr. Advani.

SHRI LAL K. ADVANI: If the Treasury Benches are so much confident about the support they command, their party command or the Government you are now supporting command in the State Assembly, it is absolutely beyond me why the Governor of that State should have said 'no' to the simple request by the Chief Minister: "You convene the Assembly day after tomorrow, after 48 hours". If Mr. Bhaskara Rao, whose Government you are supporting, was so confident that the majority was with him, there should have been no hesitation whatsoever in his insisting: "All right. Call a meeting of the Assembly day after tomorrow." It is this that is baffling and makes me ask: In this entire affair in which Shri N. T. Rama Rao's Government has been gunned down, was Mr. Ram Lal the gunman or only a gun; and the trigger was somewhere else??

Sir, every one knows how the Congress Party functions today. I would be very happy if I am assured and if I convinced that this was only the error or the folly of an over-zealous Governor. I would be happy. What really worries the whole country is that in a country and in a political

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situation where within the ruling party even the smallest decision cannot be taken without clearance or approval from the top, how dare a Governor like Mr. Ram Lal could go out of the day to approve of something that New Delhi disapproves? These are questions which need to be answered... *(Interruptions)*.

MR. DEPUTY CHAIRMAN: Mr. Sukul, you may make your point when you speak.

SHRI LAL K. ADVANI: On the cultural level, on the linguistic level and on the religious level, we pride ourselves as being a country where there is unity in diversity. There, we not only tolerate diversity, we are proud of it. But I sometimes wonder why on the political plane we can be so intolerant of diversity. After all in the whole country, most of the States are ruled by the Congress Party. The Central Government belongs to the Congress Party. If there are three, or four non-Congress Governments—one in Jammu and Kashmir, one in West Bengal, one in Andhra Pradesh, one in Karnataka and one in Tripura—why are you so intolerant? For the last one and half years this has been a constant issue in debate that this Government is going to be toppled, that Government is going to be toppled... *(Interruptions)*.

AN HON'BLE MEMBER: In Jammu and Kashmir they themselves toppled.

SHRI LAL K. ADVANI: Mr. Deputy Chairman, I would say that in the case of Jammu and Kashmir what was objected to was the procedure in which it was done. It was said that there should have been an opportunity given to Dr. Farooq Abdullah to prove his majority on the floor of the House. Even Dr. Farooq Abdullah did not dispute that he had lost the majority. The issue was very limited. This is the first time when a party, which had commended the overwhelming support of the people, has been toppled and toppled even though the... *(Interruptions)*... legislative

majority also was not lost. As I said, even today, 167 MLAs support Mr. N. T. Rama Rao.

SOME HON'BLE MEMBERS: No, no. *(Interruptions)*.

SHRI LAL K. ADVANI: Sir, I am very glad that Madam Prime Minister herself has come to the House. I would like to be reassured, I would like to be convinced, on one thing. It is this that shakes the confidence of the people; Here is a democracy, here is a parliamentary system of government, here the Constitution-makers contemplated that there would be one party at the Centre in office and there could be other parties in office in the States. But what has happened in Asdhra today has shaken the basic fabric of the nation and one begins to feel that, after all, only because Mr. N. T. Rama Rao was not willing to play the role, say, that the AI-ADMK is playing, it is only because of that that he is penalised. If Mr. Ram Lal has done something wrong, he could be removed by the President because, unlike the State Government of Andhra Pradesh or the Government of any State, the Governnor holds the office only during the pleasure of the President. Nothing else. He can immediately be sacked. But there is a talk these days, "All right. Let us make a scapegoat of Mr. Ram Lal." And Sir, added to that, there is the dangerous talk of dissolving the State Assembly.

SHRI DHARMAVIR (Uttar Pradesh) : Sir, *ort* a point of order. Sir, I would like to draw the attention of our honourable Member, Mr. Advani, to one thing. In 1977. in U.P., we had proved majority in the House and, after ten days. your Government and your Home Minister, dismissed the entire Assembly. Not only that. Nine Assemblies were dissolved. Why don't you point that out also? *(Interruptions)*.

SHRI LAL K. ADVANI: We have discussed this issue *ad nauseam* and the honourable Member would be

aware that at the very outset I had said that article 356, or rather the misuse of aricle 356 is one issue which we could deal with later.

SHRI DHARMAVIR: You also mention these facts. What did you do during your Janata period? You dismissed nine State Governments. You mention that also. *(Interruptions)*.

SHRI LAL K. ADVANI: At the moment, a very dangerous precedent has been set in Andhra Pradesh.

Sir, a dangerous precedent has been set in Andhra Pradesh and unless this is rectified right now, unless the original situation, the strtttis *quo ante*, is restored in Andhra Pradesh, unless the Governor, Mr. Ram Lal, is sacked, and unless Mr. N. T. Rama Rao, who has been elected by the people of Andhra Pradesh with an overwhelming majority, with an overwhelming mandate, is restored back to his office, the foundations of our democratic structure would have been greatly impaired. This is my submission, Sir.

Sir. I except (the Governme: come out with full clarifications. I have not dealt with the smaller points like the many hurdles that the MLAs had to cross only in order to reach Delhi.

SHRI PARVATHANENI UPEN-DRA: Sir, just one minute.

SHRI LAL K. ADVANI: Sir, this morning's "Statesman" says that pressure was being brought upon the President to see that he does not meet all the MLAs, but he meets only a few, only the former Chief Minister and a few MLAs. Ml these things do not behove the ruling party which has a clear majority in Parliament, which has a clear majority in most of the States. "Tt would I if right remedies are .taken for the situation and the whole thing is ^o+ tried to be swept under the carpet. Thank you, Sir.

MR. DEPUTY CHAIRMAN: Now, the honourable Prime Minister.

SHRI PARVATHANENI UPENDRA: One minute, Sir. (*Interruptions*). Just one minute only.

SOME HON'BLE MEMBERS: No, no. (*Interruptions*).

MR. DEPUTY CHAIRMAN: No. Mr. Upendra. Please take your seat.

SHRI PARVATHANENI UPENDRA: Only one minute, Sir. Let me make my submission.

MR. DEPUTY CHAIRMAN: No, no. Please sit down.

SHRI PARVATHANENI UPENDRA: Sir, I belong to a party which has been directly affected. Before the Prime Minister replies, let me tell something for her information, let me tell something which she does not know. (*Interruptions*).

MR. DEPUTY CHAIRMAN: She is not replying to the debate. She is only interceding.

SHRI PARVATHANENI UPENDRA: The Prime Minister does not know many things. Let me tell her something. (*Interruptions*).

MR. DEPUTY CHAIRMAN: No, please. Please sit down.

SHRI PARVATHANENI UPENDRA: This is unfair. (*Interruptions*). This is unfair.

MR. DEPUTY CHAIRMAN: No, please.

SHRI PARVATHANENI UPENDRA: I would request you to give me one minute only. Please give me five minutes, Madam Prime Minister. I will tell you many things which you do not know. (*Interruptions*) Let me tell you what happened. (*Interruptions*) Let me tell you what happened.

MR. DEPUTY CHAIRMAN: Please take your seat.

SHRI PARVATHANENI UPENDRA: Give me just five minutes. Ma-

dam. I will take only five minutes. (*Interruptions*)

MR. DEPUTY CHAIRMAN: Please take your seat. (*Interruptions*).

SHRI PARVATHANENI UPENDRA: You do not know many things are happening there. (*Interruptions*) You do not know many things. (*Interruption*) This is very unfair. The Prime Minister is not aware of so many..., (*Interruptions*)

MR. DEPUTY CHAIRMAN: Mr. Upendra, please take your seat. (*Interruptions*) Nothing should go on record. Mr. Upendra will not go on record. (*Interruptions*) You are not supposed to control the House. Let me control the House. (*Interruptions*) ...

SHRI PARVATHANENI UPENDRA: *
(*Interruptions*)

MR. DEPUTY CHAIRMAN: First you should respect the Chair. (*Interruptions*) Your name is there on the list. You can speak at that stage at length in the time available. The Prime Minister is only intervening. The Home Minister will reply to the debate. (*Interruptions*)

SHRI PARVATHANENI UPENDRA: *

MR. DEPUTY CHAIRMAN: Please take your seat. Don't record him. (*Interruptions*)

SHRI PARVATHANENI UPENDRA: *

MR. DEPUTY CHAIRMAN: I request you to please resume your seat. (*Interruptions*)

SHRI PARVATHANENI UPENDRA: *

SOME HON'BLE MEMBERS: No, no. (*Interruptions*)

SHRI PARVATHANENI UPENDRA: *

♦Not recorded as ordered by the Chair.

AN HON. MEMBER: He has gone mad. (Interruptions)

SHRI PARVATHANENI UPENDRA: *

MR. DEPUTY CHAIRMAN: I request you not to insist, I request you to obey the Chair. Otherwise I will have to... (Interruptions)

SHRI PARVATHANENI UPENDRA: *

(Interruptions)

MR. DEPUTY CHAIRMAN: First you allow the Prime Minister to speak. After that you can seek clarifications. (Interruptions) Please take your seat. Don't record Mr. Upendra. (Interruptions)

SHRI PARVATHANENI UPENDRA: *

MR. DEPUTY CHAIRMAN: I am sorry to say. This is misbehaviour. You are not obeying the Chair. Please take your seat. (Interruptions)

SHRI • PARVATHANENI UPENDRA: *

MR. DEPUTY CHAIRMAN; Don't record.

SHRI PARVATHANENI UPENDRA: *

MR. DEPUTY CHAIRMAN; This will not go on record. (Interruptions)

SHRI PARVATHANENI UPENDRA: *

MR. DEPUTY CHAIRMAN: Please take your seat. (Interruptions)

SHRI PARVATHANENI UPENDRA: *

(Interruptions)

MR. DEPUTY CHAIRMAN: Hon. Prime Minister.

THE PRIME MINISTER (SHRI-MATI INDIRA GANDHI): Sir, I have not come to challenge anybody or to accept any challenges. I have come to make a brief statement because so many misleading stories are being circulated. I am not going into the

*Not recorded as ordered "by the Chair.

merits of the case in Andhra Pradesh. I should have liked to reply to some of Shri Advani's points, though I have not heard the beginning of his speech. My colleague the Home Minister and others will do so later. In view of what has appeared in the Press, what I have heard and what leaders of the opposition parties have been repeating, I thought I should avail myself of the earliest opportunity in this discussion to state some facts regarding developments in Andhra Pradesh. Much heat has been generated by the hon. Members of the opposition. Just now the House was witness to the sort of situation that is sought to be created in Andhra Pradesh itself. You can understand the intimidation and so on that is going on. (Interruptions) In Shri Advani's speech, he perhaps obliquely or not so obliquely wanted to point the finger at us.. Now, I am not unused to this sort of campaign of character assassination which the opposition leaders have now launched. Shri Advani has only to look at the back and present numbers of R.S.S. newspapers to see what what utter slanderous lies, they have been writing about me. Not today but long before I was in Government because of my stand on matters. This is clear to everybody. The onslaught is in the same vein today—since they could not find any other cause—they have tried many ways to achieve opposition unity. Now they think they can make this work. In earlier years also every possible subject and gimmick has been used by different parties at different times to vilify me and to discredit me. This is known in our country and it is also known abroad. International leaders have spoken to me of this.

Now also, opposition arguments are based on certain assumptions and premises which are totally unfounded. I consider it essential to set the record straight. I wish to place the following facts before this hon. House. Firstly at no stage did not Governor of Andhra Pradesh consult me in his decision to dismiss the Rama Rao Ministry.

SHRI V. GOPALSAMY (Tamil Nadu): Utter falsehood.

MR. DEPUTY CHAIRMAN: You may not agree. That is all.

SHRIMATI INDIRA GANDHI: I am going to repeat Sir. At no stage did the Governor of Andhra Pradesh consult me in his decision to dismiss the Rama Rao Ministry or to invite Shri Bhaskar Rao to form the Government. When we were trying to assess the actual situation, we learnt that the Governor had already initiated action to swear in the new Chief Minister, and that our party M.L.As. there had extended their support to him, that is to the new CM. The conclusion which the Governor had arrived at that Shri N. T. Rama Rao had lost the majority in the Legislative Assembly was based entirely on his own judgment and was not in any way influenced by me, my Government or my party at the Centre. (*Interruptions*) If Shri Advani thinks that every single decision is taken here, he is much mistaken and if he is mistaken about one thing, he can obviously be mistaken in many other matters. Even our decisions here in Delhi, unless it is a very important matter which has to come before the concerned committee or may come to me personally, I may say that 90 per cent of decisions are taken by those concerned whether in the Party or in the Government. We do not function like the Marxists or the BJP ... (*Interruptions*).

MR. DEPUTY CHAIRMAN: Order please. Mr. Gopalsamy, please sit down.

SHRIMATI INDIRA GANDHI: Sir, now, that the Governor has taken a decision, the question of majority or otherwise of the new Government has to be decided only on the floor * of the Andhra Pradesh Legislative Assembly.. (*Interruptions*).

SHRI PARVATHANENI UPENDRA: Why did he not do it earlier within 48 hours? You are talking of democratic procedures now.

PROF. C. LAKSHMANNA: These are double standards of democracy. Is this the way democracy has to function? (*Interruptions*).

SHRIMATI INDIRA GANDHI: Sir, I should have been impressed by Shri Advani's views on the importance of the Legislative Assembly meeting but for the fact that he very conveniently forgot to refer to the dismissal of Shri Devaraj Urs' Government by the then Janata Party Government.

SHRI M. S. GURUPADASWAMY (Karnataka): There was an inquiry on Devaraj Urs. Don't mislead the House. (*Interruptions*).

SHRIMATI INDIRA GANDHI: I am sorry Mr. Gurupadawamy _____

SHRI M. S. GURUPADASWAMY: He was dismissed because there was an inquiry of corruption against him.

SHRIMATI INDIRA GANDHI: The judgment did not figure in the decision. At that moment there was no question of the judgment. I have seen (*Interruptions*). It is because somebody had raised this question. I am not justifying it; as I said I am not even replying to the point, made but because a member has specifically mention this fact, I thought that I should refresh his memory. That is all I am trying to do. I should also like to...

AN HON. MEMBER: Two wrongs do not make one right.

SHRIMATI INDIRA GANDHI: No, that is not what I am saying. I am refreshing his memory. (*Interruptions*) I am not here to answer questions. I should also like the House to know that I am told that since 1987 during my tenure there has not been a single day when there has not been an opposition Government somewhere in the country. Now, Sir, ----- (*Interruptions*).

PROF. C. LAKSHMANNA: The people voted the opposition Governments and you dislodged them.

SHRIMATI INDIRA GANDHI: Sir, I am sorry, I have to repeat this because I do not want the records to be wrong. Now that the Governor has taken the decision that the question of majority or otherwise of the new Government has to be decided only on the floor of the Andhra Pradesh Legislative Assembly, I understand that the Chief Minister has already announced his decision to advise the Governor to advance the date of the convening of the Legislative Assembly. (*Interruptions*). I emphatically refute the charge _____ (*Interruptions*). Your shouting is not going to cow me down. You do it every day and you do it today till you are blue in the face.... (*Interruptions*).

MR. DEPUTY CHAIRMAN: Please take your seat; everytime you cannot stand up. Please have some patience.

SHRIMATI INDIRA GANDHI: I emphatically refute the charge that we are toppling governments. Anywhere that.... (*Interruptions*).

MR. DEPUTY CHAIRMAN: Mr. Dipen Ghosh, you allow the Prime Minister to speak.' You have some responsibility towards the leader of the party.... (*Interruptions*). Mr. Mohunta, you have been a senior-Member: don't behave like this.

SHRIMATI INDIRA GANDHI: Anywhere that governments have fallen, it is because of their own internal dissensions which have caused their parties to break up.

SHRI PARVATHANENI UPENDRA: You are expert in breaking parties.

SHRIMATI INDIRA GANDHI: We have nothing to do with that. Did we have anything to do with the break-up of the Janata party?

SHRI PARVATHANENI UPENDRA: You broke your own party

MR. DEPUTY CHAIRMAN: Please

AN HON. MEMBER: That is their culture.

MR. DEPUTY CHAIRMAN: What type of culture you are showing?. You are speaking of culture? Have some sense. You talk of democracy but you yourself behave like this.

SHRI PARVATHANENI UPENDRA: What democracy? It is a shame — (*Interruptions*).

MR. DEPUTY CHAIRMAN: That is obvious from your conduct.

SHRI PARVATHANENI UPENDRA: Let us not talk of democracy. What democracy?

SHRIMATI INDIRA GANDHI: It is the Opposition governments who themselves spread the stories of toppling. You will remember that before the last elections in West Bengal, we heard a great deal that we were going to topple the CPIM government, that we were going to have the President's Rule. But none of that happened. We have never, at any time, wanted to topple a government.

SHRI PARVATHANENI UPENDRA: Something you told me.

SHRIMATI INDIRA GANDHI: I am pained to note that leaders of the Opposition parties now, as before, are trying to put the blame for everything on me, on the Congress Party and on the Central Government. Now that I have stated the facts before the House, I can only hope that the Opposition leaders will desist from misguiding the public and provoking a needless controversy on this issue.

MR. DEPUTY CHAIRMAN: Shri Rahmat Ali.

SHRI DIPEN GHOSH (West Bengal): I am on a point of order. You listen to me first Sir, notice has been

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SHRI DIPEN GHOSH: Where is the rule?

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MR. DEPUTY CHAIRMAN: This is the procedure in this House. I think

[Shri Dipen Ghosh]

given under Rule 176; there are names of Shri Advani and others. We raised this issue. There are names of the Members belonging to different parties. Just now, Prime Minister had also intervened. She belongs to a party. She is leader of that party.

MR. DEPUTY CHAIRMAN: What is the point?

SHRI DIPEN GHOSH: I think that before you call anybody from that side, you should call this side.

MR. DEPUTY CHAIRMAN: I will tell you. I think you have been here long in this House. This is the procedure. In such discussions, it is always the first name that appears, who is called to initiate the discussion. Other names are left out. All others go party-wise. The names are supplied by the parties. This is the procedure followed so far. This is the record.

SHRI DIPEN GHOSH: The Prime Minister has already spoken. She belongs to that party. (Interruptions). Does she not belong to that party?

MR. DEPUTY CHAIRMAN: No, no, that is not the procedure.

THE LEADER OF THE HOUSE (SHRI PRANAB KUMAR MUKHERJEE): I would just like to submit for the information of the hon. Member that the Prime Minister or the Leader of the House, at any point of time on any issue, can intervene. If he does not know the rule, I am sorry to point out that but I can only _____

SHRI DIPEN GHOSH: Let the Leader of the House show me the rule in 'Discussion Under Rule 176'. Where is it mentioned that the party-wise discussion will take place under this rule? Let him quote the rule. When he is saying all that, let him quote the rule.

MR. DEPUTY CHAIRMAN: This is the procedure in this House. I think you must have known it by this time. (Interruptions). This is the rule, you must know it.

श्री संयुक्त रहमत अली (आंध्र प्रदेश) : जनाब डिपुटी चैयरमैन साहब, हमारी हरदिल अजीज प्राइम मिनिस्टर श्रीमती इन्दिरा गांधी ने आन्ध्र प्रदेश के बारे में जो बातें इस हाउस के सामने रखी हैं उन से इस मसले पर और अपोजीशन की घिनौनी चालों पर एक साफ और बाज्रह रोशनी पड़ती है। इस मौके पर मैं यह बात अर्ज करना चाहता हूँ कि हमारे मुल्क हिन्दुस्तान में फिल्म इंडस्ट्री ने काफी तरक्की की है और आप हम सब यह जानते हैं कि हमारे मुल्क में जहाँ बढ़िया और आला किस्म की फिल्में बनती हैं, वहाँ कुछ घटिया किस्म की फिल्में भी बनाई जाती हैं, और जब फिल्म घटिया बनती है तो वह बहुत जल्द मोनिंग शो में लग जाती है और फिर उस के बाद उस को डिब्बों में बन्द कर दिया जाता है। ऐसा लगता है कि एन० टी० रामाराव फिल्मसाजी की ही तरह आंध्र प्रदेश की स्टेज पर आये और हुकूमत की जब बागडोर उन्होंने सम्भाली तो ऐसे घटिया किस्म के कारनामे अंजाम दिये जिसकी वजह से वह फिल्म न सिर्फ मोनिंग शो में लग पाई बल्कि उस को डिब्बों में बन्द कर देना पड़ा। मैं यह बात अर्ज करना चाहता हूँ कि अभी आडवाणी साहब ने अपनी तकरीर के दौरान यह बात कही कि गवर्नर गनमेन हैं (व्यवधान) उन का मतलब शायद यह था कि गन चलाते हुए एन० टी० रामाराव की सरकार को खत्म किया गया है। आम तौर पर पार्लियामेंट के बाहर कांग्रेस पर इस बात का इलजाम

लगाने की कोशिश की जा रही है कि जम्हूरियत का कत्ल किया गया है, लेकिन मैं सियासत के तालिब इल्म की हैसियत से इन बुजुर्गों को यह बात याद दिलाना चाहता हूँ (व्यवधान) आप सुनिये तो सही। मैं यह बात अर्ज कर रहा हूँ कि सियासत में कत्ल नहीं होता, पोलिटिक्स में मर्डर नहीं होता, बल्कि सियासत में मुसाइब होती है, खुदकशी होती है। अगर एन० टी० रामाराव ने अपने अमल की वजह से, अपनी करतूत की वजह से खुदकुशी की हो तो उस का इल्जाम हम पर आया नहीं किया जा सकता। मैं यह बात अर्ज करना चाहता हूँ और जम्हूरियत की दुहाई देने वाले तेलुगूदेशम के अराकान या तेलुगूदेशम पार्टी की तरफदारी करके अपनी सियासत को चमकाने वाले अपोजीशन के लोगों से पूछना चाहता हूँ कि रामकृष्ण स्टूडियो में, जो एन० टी० रामाराव के बच्चों की जायदाद है, क्या तेलुगूदेशम के एम० एल० एज० को बन्द नहीं रखा गया? क्या इस बात से इन्कार किया जा सकता है? आंध्र प्रदेश एक्सप्रेस से जो अराकान (व्यवधान) दिल्ली लाये गये हैं, दिल्ली में तमाशा करने के लिए जो तरीका अख्तियार किया गया है, मैं उन से पूछना चाहता हूँ.....

SHRI DEBA PRASAD ROY (West Bengal): Who are you to stop me? I will show you. Don't try to shout at me. (Interruptions)

श्रीसैयद रहमत अली : जो जम्हूरियत की बातें करते हैं (व्यवधान) जनाब डिप्टी चेयरमैन साहब, मैं यह अर्ज कर रहा था कि जो दस्तूर की बात करते हैं और जम्हूरियत की दुहाई देते हैं और जो तेलुगू देशम की असेम्बली के बरतारपशुदा चीफ मिनिस्टर एन० टी० रामाराव साहब के तरफदार और इस राज्य सभा में उन एकुन उपेन्द्र साहब यह

बात कहते हैं कि तेलुगू देशम की सरकार को, एन० टी० रामाराव की सरकार को कांग्रेस ने और दिल्ली के इशारे पर वहाँ के गवर्नर ने खत्म किया है, लेकिन क्या इस बात को तारीख से मिटाया जा सकता है कि जब एन० टी० रामाराव साहब की तेलुगू देशम पार्टी में डिफेक्शन हुआ और जब एन० टी० रामाराव साहब वहाँ अपनी मेजारिटी खो बैठे तो एक स्पिलिट आया और उस स्पिलिट की वजह से गवर्नर के सामने (व्यवधान) कौन सा और तरीकायेकार बाकी रह गया था। मैं अपोजीशन (व्यवधान) याद दिलाना चाहता हूँ कि इस में वाजे तौर पर बतलाया गया है (व्यवधान) गवर्नर अपनी दानिश में जिस बात को दुरस्त समझता है वह करता है और जब वह फैसला करता है तो गवर्नर के फैसले को किसी अदालत में भी चैलेंज नहीं किया जा सकता है और जो 16 अगस्त को भास्कर राव ने लिस्ट दी है उस में तेलुगू देशम के निकले हुए मेम्बर्स उनके साथ थे और उस के साथ साथ अपोजीशन पार्टीज में, जिस में बिला शुभो कांग्रेस पार्टी भी शामिल है उन के साथ थे और उन के अलावा दूसरी अपोजीशन पार्टीज के अराकमन भी उन के साथ थे और उन सब ने भास्कर राव का साथ दिया। मैं पूछना चाहता हूँ कि जब मेजारिटी के अराकान गवर्नर के पास जा कर परेड करते हैं और जब गवर्नर मुतमईन हो जाता है कि भास्कर राव को मेजारिटी हासिल है तो गवर्नर के पास सिवाय इस के और कोई चारा नहीं था वह भास्कर राव को हुकूमत बनाने की दावत दे और गवर्नर ने इस इखलाकी तौर पर वाजे और रिवाज और कंवेंशन के मुताबिक एन० टी० रामाराव साहब से दरखवास्त की कि वह इस्तीफा दे दें। मेजारिटी लूज करने के बाद, अवसरियत से भरहू

श्री संयद रहमत अली

होने के बाद जब एन० टी० रामाराव साहब ने इस्तीफा देने से इन्कार किया तो उन को डिस्मिस किया गया, बरतर्फ किया गया। मैं उन तफसीलात में नहीं जाऊंगा कि जो गन्दा माहौल राजभवन में एन० टी० रामाराव साहब ने पैदा किया और उन के हिमायतियों ने वहाँ फैला रखा था और जिस तरह की बदसलूकी उन लोगों ने गवर्नर के साथ की थी। मैं हाउस का ज्यादा वक्त लेना नहीं चाहता, लेकिन मैं तेलुगू देसम के पार्लियामेंटेरियन्स से और उपेन्द्र साहब से पूछना चाहता हूँ कि जो आज आप जमहूरियत की बातें करते हैं, मुझे आप बतायें कि आंध्र प्रदेश को जिला पंचिदों जो अबाम से मुंतखिब जिला परिषदे थीं, उन को तोड़ने का फैसला किस ने किया। उसके बाद वहाँ पंचायत राज सिस्टम को किसने बर्बाद किया। क्या आप बता सकते हैं कि जब श्री एन० टी० रामाराव वहाँ आये चोफ मिनिस्टर बन कर तब से वहाँ कितने दंगे, फतवादात और तबाही और बर्बादी वहाँ पैदा हुई है आंध्र प्रदेश जो एक मजबूत और एक अच्छी रियासत की हैसियत रखता था उस को उन्होंने चौपट कर के रख दिया (व्यवधान) मैं इस मौके पर यह भी अर्ज करना चाहता हूँ कि अगर मोरारजी भाई जब वे अखतरियत से सहकम हो गये थे तो उस समय के सदरे जमहूरिया श्री संजोवदा रेड्डो ने कौनसा तरीकेकार अखित्तार किया था। उन्होंने पहले अपोजीशन के लीडर श्री वाई० बी० चट्टाणसे कहा कि वे अपनी सरकार बनायें और जब उन्होंने उस के लिये इन्कार किया तो फिर चरण सिंह साहब की सरकार बनी। और ठीक वही तरीका आंध्र प्रदेश में भी अखित्तार किया गया है। मैं उस मौके पर यह भी अर्ज करना चाहता हूँ कि हुकूमत खाली

नारों पर, जज्बाती नारों पर, डंकीसलों पर नहीं चल सकती। जज्बाती नारे लगाना, तेलुगू बोलने वालों को इज्जत खतरे में है यह कहना, और यह कहना कि हम दो रुपये किलों का चावल सप्लाय करेंगे, यह कहना कि हम मिड-डे मील गांव गांव के स्कूलों में फनायेंगे, आखिर क्या नतीजा हुआ है? तियाय लोगों को बरगलाने के और क्या तरीका आपने अखित्तार किया? मैं पूछना चाहता हूँ कि तेलुगू देशम के जो लोग दिल्लो आए हैं, इनको जो मुजाहिदा राष्ट्रपति के सामने हो रहा है, वे प्राइम मिनिस्टर से मिलने के लिए तैयार हैं, मैं उनसे पूछना चाहता हूँ कि आपको रेल जो आंध्र प्रदेश से, तिकन्दराबाद से चली तो दिल्लो तक पहुंचने में कौन सी रंगरेलियां रेल के डिब्बे में नहीं रवाई गई। इसका आप जवाब दें। क्लोन ऐडमिनिस्ट्रेशन की बात करने वाले, अपनी नारो शराफत का दावा करने वाले इन तेलुगू देशम के दोस्तों से मैं पूछना चाहता हूँ कि तेलुगू देशम के जो एम० एल० ए० दिल्लो आए हैं क्यों वे आंध्र प्रदेश गेस्ट हाउस में नहीं ठहरे हैं। आंध्र प्रदेश गेस्ट हाउस जिसमें सैकड़ों मेहमानों को रखा जा सकता है वहाँ पर उनको क्यों नहीं रखा जा सकता है? क्या इस बात से इन्कार किया जा सकता है कि दिल्लो के 5 स्टार होटल में उन्हें रखा गया है। और यहाँ नहीं, इनके साथ साथ जो एम० एल० ए० आए हैं उनमें पार्टी वर्कर्स के नाम पर किन लोगों को आप अपने साथ लाए हैं? क्या आप इस बात से इन्कार कर सकते हैं कि गुण्डे अनासिर को आप अपने साथ लाए हैं? मैं पुरो जिम्मेदारों के साथ यह बात अर्ज करना चाहता हूँ कि एन० टी० रामाराव साहब ने, उनको हुकूमत ने, आंध्र प्रदेश की सरकारों पर तेलुगू देशम से डिके-

शन पर पाबंदी लगाने और उसको रूकावट पैदा करने के लिए खनखनाते सिक्कों और शराबकबाव का इस्तेमाल कर के उन्हें अपनी आजादी से मरुशफ रखते हुए उन्हें नवरत्न किथा हैं। उन्हें घर से बाहर जाने को इजाजत नहीं है। यही नहीं किन्ते-दुख और अफसोस की बात है यह जम्हूरियत में जहाँ अपनी पसन्द को पार्टी, अपनी पसन्द का लीडर चुनने का अधिकार होता है, क्या इस बात से इंकार किया जा सकता है कि एन० टी० रामाराव ने ऐसे शरफ अरकाने एम्बेलियों के घरों को आप नहीं लगाई? क्या इस बात से इंकार किया जा सकता है कि एम० एल० एज० को किडनी नहीं किया गया है? तो आप जम्हूरियत को दुड़ाई देने का क्या अधिकार रखते हैं? (समय की घंटी)

जनार्थ चेयरमैन साहब, एक बात और मैं अजं कर्हं। क्या हिन्दुस्तान में या आंध्र प्रदेश में कोई ऐसा फरेबो इंसान इक्तदार को कुर्सी पर बैठ सकता है जो रात में साड़ी पहने और दिन में कान में बालियां डालता हो?
.... (व्यवधान)

PROF. C. LAKSHMANNA: Mr. Deputy Chairman, Sir, point of order. What is this? He is talking about sarees and all those things.

श्री संयद रहमत अली : जहाँ तक कि कांग्रेस का ताल्लुक है, हमारी लीडर श्रीमती इंदिरा गांधी का यह तरीका है। मैं यह बात याद दिलाना चाहता हूँ कि जब हमारे मुल्क में चौथे आम चुनाव हुए 1967 में तो आंध्रे से ज्यादा हिन्दुस्तान की रियासतों में गैर-कांग्रेस हुकूमतें बनीं, कांग्रेस इक्तदार से बेदखल हुई। उस मौके पर श्रीमती इंदिरा गांधी ने यह बात कही थी कि कांग्रेस का पतन इक्तदार को कुर्सी पर आना नहीं है

बल्कि हम मुल्क में जम्हूरियत को परवान चढ़ाने के लिए एक सदनद अपोजीशन का रोल अदा करेंगे। कांग्रेस इस वृत्तियादो उनुवों पर कायम रहेगी।
(समय की घंटी)

मैं सिर्फ थोड़ा सा वक्त और लेना चाहूंगा। मैं यह बात बतलाना चाहता हूँ कि एन० टी० रामाराव के दौर में जो तबाही और बरबादी हुई, 30 हजार मुनाजिमी को रिटायर किया गया, 20-30 हजार खानदानों की आर्हें एन० टी० रामाराव साहब को ले डूबी हैं। उनकी डिक्टेटरशिप का रैवैया ऐसा है। क्या इस बात से इंकार कर सकते हैं कि उनके दामादों के हुकूमतों की हुकूमत आज आंध्र प्रदेश में चल रही है? जम्हूरियत की बात करने वालों को यह भी बता देना चाहता हूँ जब वह इलाज के लिये अमेरिका में गये, हमारी गुडविशेंज उनके साथ हैं वह जल्दी ठीक हों, लेकिन जाते वक्त अपनी जगह पर किसी को नोमिनेट नहीं करके गये जिसकी वजह से दंगे, हुये, फसाद हुए, लोग मरे, हिन्दू और मुसलमानों के घर जले, उनकी जिदन्नी तबाह हुई, लेकिन वह इस बात को ददोश करने के लिये तैयार नहीं हैं कि उनके सामने कोई दूसरा। अल्टरनेटिव लीडर उभर कर आए। मुझे दुख होता है कि अपोजिशन के संजीदगी का जहन रखने वाले कुछ दोस्त यह कहते हैं कि वह देश में एक अल्टरनेटिव लीडर की हैसियत से उभर रहे हैं। भाई, जानते हुए अपनी जिम्मेदारियों को महसूस करो।

मैं आखिर में यह अजं करना चाहता हूँ कि दुनिया की सबसे बड़ी जम्हूरियत में रहने वाले, बसने वाले जो वशिदे शहरी हैं वहां इस बात को कोशिश का

जा रही है कि देश की सिमायत में स्वावट पैदा की जाए। पंजाब, हो, आंध्र प्रदेश हो, असम हो या देश का कोई और इलाका हो, जाहूशित को वचाये रखने की जिम्मेदारी हम में से हर शख्स पर आती है। खासतौर पर मैं अपोजिशन पाटियों से इस बात की दख्खारत करता चाहता हूं कि वह अपनी इकदार कुर्सी तक पहुंचने के लिये अगर इस किस्म के हंगामे पैदा करेंगे तो आने वाला मुर्ख आपको कभी आप नहीं करेगा।

श्री वीरेन्द्र वर्मा (उत्तर प्रदेश) :
यह सब पर लागू है। दोनों पर लागू है।

†[شری سید رحمہ علی

(آندھرا پردیش) : جناب ذیلی
چیئر مین صاحب - ہماری ہر دلعزیز
برائے مسٹر شریستی اندرا گاندھی نے
آندھرا پردیش کے بارے میں جو
باتیں اس ہاؤس کے سامنے رکھی
ہیں ان سے اس مسئلہ پر اور اپوزیشن
کی گہرائی چالوں پر ایک صاف اور
واضح روشنی پڑتی ہے - اس مرحلہ
پر میں یہ بات عرض کرنا چاہتا
ہوں کہ ہمارے ملک ہندوستان میں
فلم انڈسٹری نے کافی ترقی کی ہے اور
آپ ہم سب جانتے ہیں کہ ہمارے
ملک میں جہاں بڑھیا اور اعلیٰ قسم کی
فلموں بنتی ہیں وہاں کچھ کھتیا
قسم کی فلمیں بھی بنائی جاتی
ہیں اور جب فلم کھتیا بنتی ہے تو
وہ بہت جلد مارننگ شو میں لگ

§[]Transliteration in Arabic script.

جانی ہے اور پھر اسکے بعد اسکو قہے
 حیدر بلد کو دیا جاتا ہے - ایسا
 لکھا ہے کہ ابن - ثی - راہا راؤ فلم
 سازی ہی کی طرح آندھرا پردیش
 کی اسٹیج پر آئے اور حکومت کی
 جب باگ تھوڑا انھوں نے سلجھائی تو
 اسیے کھٹیا قسم کے کارنامے انجام دیئے
 جس کی وجہ سے وہ فلم نہ صرف
 مارننگ شو میں لگ پائی بلکہ اس
 کو قہے میں بلد کو دیا ہوا -

میں یہ بات عرض کر دینا چاہتا ہوں کہ ابھی اقوانی صاحب نے اپنی تقریر کے دوران یہ بات کہی کہ گورنر گن میں ہیں..... (مداخلت)..... ان کا مطالب شاید یہ تھا کہ گن چلتے ہوئے این - ٹی - رامسا راؤ کی سزا کو ختم کیا گیا ہے - عام طور پر پارلیمنٹ کے باہر کانگریس پر اس بات کا الزام لگانے کی کوشش کی جا رہی ہے کہ جمہوریت کا قتل کیا گیا ہے - لیکن میں سیاست کے طالب علم کی حیثیت سے ان بزرگوں کو یہ بات یاد دلانا چاہتا ہوں..... (مداخلت)..... آپ سنیے تو صحیح - میں یہ بات عرض کر رہا ہوں کہ سیاست میں قتل نہیں ہوتا - بلکہ سیاست میں سوسائیز ہوتا ہے - خود کمی ہوتی ہے - اگر این - ٹی - رامسا راؤ نے اچے عمل کی وجہ سے الٹی کر توت کی وجہ سے خود کشی کی ہو تو اسکا الزام ہم پر عائد

نہیں کیا جا سکتا۔ میں یہ بات عرض کرنا چاہتا ہوں اور جمہوریت کی دھائی دینے والے تیلگو دیشم کے ارکان یا تیلگو دیشم پارٹی کی طرفداروں کے اپنی مہم کو چمکانے والے ایوزیشن کے لوگوں سے پوچھنا چاہتا ہوں کہ رام کرشن استودیو میں جو این۔ تی۔ رام راؤ کی جائیداد ہے۔ کیا تیلگو دیشم کے ایم۔ ایل۔ ایو کو یاد نہیں رکھا گیا۔ کیا اس بات سے انکار کیا جا سکتا ہے۔ آندھرا پردیش ایگزیکٹو میں سے جو ارکان... (مداخلت)۔۔۔۔۔ دلی لائے گئے ہیں دلی میں تماشہ کرنے گئے تھے جو طریقہ اختیار کیا گیا ہے میں اس سے پوچھنا چاہتا ہوں۔۔۔۔۔]

SHRI DEBA PRASAD RAY (West Bengal): Who are you to stop me? I will show you. Don't try to shout at me. (Interruptions)

†[شری سید رحمت علی : جو

جمہوریت کی باتیں کرتے ہیں... (مداخلت)۔۔۔۔۔ جاماب ڈپٹی چیئرمین صاحب میں یہ عرض کر رہا تھا کہ جو دستور کی بات کرتے ہیں اور جمہوریت کی دھائی دیتے ہیں اور جو تیلگو دیشم کی اسجائی کے برطرف شدہ چیف منسٹر این۔ تی۔ رام راؤ صاحب کے طرفدار اور اس راجیہ سبھا میں انکے

ارکان ایڈادر صاحب یہ کہتے ہیں کہ تیلگو دیشم کی سرکار کو این۔ تی۔ رام راؤ کی سرکار کو کانگریس نے اور دلی کے اشارہ پر وہاں کے گورنر نے ختم کیا ہے۔ لیکن کیا اس بات کو تاریخ سے مٹایا جا سکتا ہے کہ جب این۔ تی۔ رام راؤ صاحب کو تیلگو دیشم کی پارٹی میں تفریق ہو گیا اور جب این۔ تی۔ رام راؤ وہاں اپنی موجودگی کو بڑھاتے تو ایک اسدانت آیا اور اس اسدانت کی وجہ سے گورنر نے... (مداخلت)۔۔۔۔۔ کونسا اور طریقہ کار بناتی رہ گیا تھا۔ میں ایوزیشن... (مداخلت)۔۔۔۔۔ یہاں دلائل چاہتا ہوں کہ اس میں واقع طور پر بنایا گیا ہے... (مداخلت)۔۔۔۔۔ گورنر اپنی دانت میں جس بات کو درست سمجھتا ہے وہ کرتا ہے اور جب وہ کوئی فیصلہ کرتا ہے تو گورنر کے فیصلے کو کسی سدانت میں بھی چیلنج نہیں کیا جا سکتا ہے اور جو ۱۶ اگست کو بیلاسکر راؤ نے لست دی ہے اس میں تیلگو دیشم کے لئے ہوئے صدر انکے ساتھ تھے اور اسکے ساتھ ساتھ ایوزیشن پارٹی میں جس میں بلا شہ کانگریس پارٹی بھی شامل ہے انکے ساتھ تھے اور انکے علاوہ دوسرے ایوزیشن پارٹی کے ارکان بھی انکے ساتھ تھے اور ان سب نے بیلاسکر راؤ کا ساتھ دیا۔ میں پوچھنا چاہتا ہوں کہ جب موجودگی کے ارکان

[شری سید رحمت علی]

گورنر کے پاس جانکر پریکرت کرتے ہیں اور جب گورنر مطمئن ہو جاتا ہے کہ بھاسکر راؤ کو میجسٹریٹری حاصل ہے تو گورنر کے پاس سوائے اسکے اور کوئی چارہ نہیں تھا کہ وہ بھاسکر راؤ کو حکومت بنانے کی دعوت دے اور گورنر نے اخلاقی طور پر واضح - رواج - اور کنونشن کے مطابق این - ٹی - رام راؤ سے درخواست کی کہ وہ استعفیٰ دیدیں - میجسٹریٹری لوز کرنے کے بعد - اکثریت سے معذور ہونے کے بعد جب این - ٹی - رام راؤ نے استعفیٰ دینے سے انکار کیا تو ان کو قحطس کیا گیا - ہر طرف کہا گیا - میں ان تفصیلات میں نہیں جاؤنگا کہ جو گندا ماحول راج بھون میں این - ٹی - رام راؤ نے پیدا کیا اور انکے حمایتیوں نے وہاں پھیلا رکھا تھا اور جس طرح کی بد سلوکی انہوں نے گورنر کے ساتھ کی تھی - میں ہاؤس کا زیادہ وقت لینا نہیں چاہتا - لیکن میں تھلکو دیشم کے پارلیمنٹریوں سے اور اوپیندر صاحب سے پوچھنا چاہتا ہوں کہ جو آج آپ جمہوریت کی باتیں کرتے ہیں مجھے آپ بتلائیں کہ اندھرا پردیش کی ضلع پریسڈنٹس، جو عوام سے منتخب ضلع پریسڈنٹس تھے ان کو توڑنے کا فیصلہ کس نے کیا - اسکے بعد وہاں پنچایت راج سسٹم کو کس نے برباد کیا - کیا آپ بتا سکتے ہیں کہ جب شری این - ٹی - رام راؤ وہاں

آئے چھٹ منسٹر بن کر تب سے وہاں کتنے دنکے - فسادات اور تباہی اور بربادی وہاں پیدا ہوئے ہیں - اندھرا پردیش جو ایک مضبوط اور ایک اچھی ریاست کی حیثیت رکھتا تھا اسکو انہوں نے چوپیت کر کے رکھ دیا (مداخلت) میں اس موقع پر یہ بھی عرض کرنا چاہتا ہوں کہ اگر مرادچی بھائی جب وہ اکثریت سے معذور ہو گئے تھے تو اس وقت کے صدر جمہوریہ شری سنجیوا ریڈی نے کونسا طریقہ کار اختیار کیا تھا - انہوں نے پہلے اپوزیشن کے لیڈر شری وائی - بی - چوہان سے کہا کہ وہ اپنی سرکار بنائیں اور جب انہوں نے اسکے لئے انکار کیا تو پھر چند سالک صاحب کی سرکار بنی - اور تھلک وہی طریقہ اندھرا پردیش میں بھی اختیار کیا گیا ہے -

میں اس موقع پر یہ بھی عرض کرنا چاہتا ہوں کہ حکومت خالی نعروں پر - جذباتی نعروں پر - قہقروں پر نہیں چل سکتی - جذباتی نعرے لگنا - نیکو بولنے والوں کی عزت خطہ میں ہے یہ کہنا اور یہ کہنا کہ ہم دو روپہہ کلو کا چاروں سپہا کرینگے - یہ کہنا کہ ہم سدا - دے سہل گاؤں گاؤں کے اسکولوں میں پھلائیں گے - آخر کیا نتیجہ ہوا ہے - سوائے لوگوں کو ورغلانے کے اور کیا طریقہ آپ نے اختیار کیا - میں

پوچھتا ہوں کہ تیلگو دیشم کے جو لوگ دلی آئے ہوں ان کا جو مظاہرہ واشتہیتی بھون کے سامنے ہو رہا ہے۔ وہ پرائم منسٹر سے ملنے کیلئے تیار ہیں۔ میں ان سے پوچھنا چاہتا ہوں کہ آپ کی ریل جو آندھرا پردیش سکندر آباد سے چلی تو دلی تک پہنچنے میں کونسی رنگ دھواں ریل کے ... میں ... دھواں کٹھن۔ اس کا آپ جواب دیں۔ کلہن ایڈمنسٹریشن کی بات کرنے والے۔ ایلی ساری شرافت کا دعویٰ کرنے والے۔ ان تیلگو دیشم کے دوستوں سے میں پوچھنا چاہتا ہوں کہ تیلگو دیشم کے جو ایم۔ ایل۔ ایز جو دلی آئے ہیں انہیں وہ آندھرا پردیش کیسٹ ہاؤس میں نہیں رہیں گے۔ آندھرا پردیش کیسٹ ہاؤس جس میں سیلکڑوں مہمانوں کو رکھا جا سکتا ہے وہاں پر ان کو کیوں نہیں رکھا جا سکتا ہے۔ کیا اس بات سے انکار کیا جا سکتا ہے کہ دلی کے ۵ اسٹار ہوٹل میں انہیں رکھا گیا ہے اور یہی نہیں انکے ساتھ جو ایم۔ ایل۔ ایز آئے ہیں ان میں پارٹی ورکرز کے نام پر کن لوگوں کو آپ کے ساتھ لائے ہیں۔ کیا آپ اس بات سے انکار کر سکتے ہیں کہ غنڈہ عناصر کو آپ اپنے ساتھ لائے ہیں۔ میں پوری ذمہ داری کے ساتھ یہ بات عرض کرنا چاہتا ہوں کہ ایم۔ ایل۔ ایز۔ ڈاما راؤ صاحب

نے۔ انکی حکومت نے۔ آندھرا پردیش کی سر زمین پر تیلگو دیشم سے قذیکشن پر پابندی لگانے اور اسکی روکاوٹ پیدا کرنے کے لئے کھلکھلاتے سکون اور شراب کباب کا استعمال کر کے انہیں ایلی آزادی سے محروم رکھتے ہوئے انہیں نظر بند کیا ہے۔ انہیں گھر سے باہر جانے کی اجازت نہیں ہے۔ یہی نہیں کتنے د اور افسوس کی بات ہے۔ اس جمہوریت میں جہاں ایلی پسند کی پارٹی۔ ایلی پسند کا لہڈر چلنے کا اختیار ہوتا ہے۔ کیا اس بات سے انکار کیا جا سکتا ہے کہ ایم۔ ایل۔ ایز۔ ڈاما راؤ نے اسے شریف ارکان اسمبلی کے گھروں کو آگ نہیں لگائی۔ کیا اس بات سے انکار کیا جا سکتا ہے کہ ایم۔ ایل۔ ایز کو کتنی نہیں کہا گیا ہے۔ تو آپ جمہوریت کی دھماکی دینے کا کیا حق رکھتے ہیں۔ (وقت کی گھنٹی)....

چلیاب چیئرمین صاحب ایک بات اور میں عرض کروں۔ کیا مذہبستان میں یا آندھرا پردیش میں کوئی ایسا نرادی انسان اقتدار کی کرسی پر بیٹھ سکتا ہے جو رات میں سازی پہنے اور دن میں کان میں بالیاں ڈالتا ہو۔ (مداخلت)...

PROF. C. LAKSHMANNA: Mr. Deputy Chairman, Sir, Point of order. What is this? He is talking about sarees and all those things.

†[شری سید رحمت علی :

جہان تک کہ کانگریس کا تعلق ہے ہماری لیڈر شریمنتی اندرا گاندھی کا یہ طریقہ ہے - میں یہ بات یاد دلانا چاہتا ہوں کہ جب ہمارے ملک میں چوتھے عام چناؤ ہوئے ۱۹۶۷ میں تو آدھے سے زیادہ ہندوستان کی ریاستوں میں فوہر کانگریس حکومتیں بنیں - کانگریس اقتدار سے بے دخل ہوئی - اس موقع پر شریمنتی اندرا گاندھی نے یہ کہی تھی کہ کانگریس کا مقصد اقتدار کی کرسی پر آنا نہیں ہے بلکہ ہم ملک میں جمہوریت کو پروان چڑھانے کیلئے ایک صحت مند اپوزیشن پارٹی کا رول ادا کریں گے - کانگریس اس بلحاظی اصولوں پر قائم رہے گی - میں صرف (وقت کی گنتی)

میں صرف تیرہ ماہات اور لیڈر چاہوں گا - میں یہ بات بتلانا چاہتا ہوں کہ این - ٹی - راسا راؤ کے دور میں جو تباہی اور بربادی ہوئی ۳۰ ہزار ملازموں کو ریٹائر کیا گیا - ۳۰ ہزار خاندانوں کی آہیں این - ٹی - راسا راؤ صاحب کو لے گئی ہیں - ان کی ڈکٹیٹر شپ کا رویہ ایسا ہے - کہا اس بات سے انکار کر سکتے ہیں کہ ان کے دامادوں کے حکمرانوں کی حکومت آج آندھرا پردیش میں چل رہی ہے - جمہوریت کی بات کرنے والوں کو یہ بھی بتانا

چاہتا ہوں کہ جب وہ علاج کے لئے امریکہ میں گئے - ہماری گفٹ و شیز ان کے ساتھ ہیں وہ جلدی ٹھیک ہوں - لیکن جاتے وقت اپنی جگہ پر کسی کو نوٹیفکٹ کر کے نہیں گئے جس کی وجہ سے دنگے ہوئے - فساد ہوئے - لوگ مرے - ہندو اور مسلمانوں کے گھر جلے - ان کی زندگی تباہ ہوئی - لیکن وہ اس بات کو برداشت کرنے کے لئے تیار نہیں ہیں کہ ان کے سامنے کوئی دوسرا الٹرنیٹو لیڈر ابھر کر آئے - مجھے دکھ ہوتا ہے کہ اپوزیشن کے سلیڈز ذہن رکھنے والے کچھ دوست یہ کہتے ہیں کہ وہ دیس میں ایک الٹرنیٹو لیڈر کی حیثیت سے ابھر رہے ہیں - بھائی چاگتے ہوئے اپنی ذمہ داریوں کو محسوس کرو -

میں آخر میں یہ عرض کرنا چاہتا ہوں کہ دنیا کی سب سے بڑی جمہوریت میں رہنے والے - بسنے والے جو باشندے - شہری ہیں وہاں اس بات کی کوشش کی جا رہی ہے کہ دیس کی سیاست میں روکاوت پیدا کی جائے - پنجاب ہو - آندھرا پردیش ہو - آسام ہو یا دیس کا کوئی اور علاقہ ہو - جمہوریت کو بچانے رکھنے کی ذمہ داری ہم میں سے ہر شخص پر آتی ہے خاص طور پر میں اپوزیشن پارٹیوں سے اس بات کی درخواست کرنا چاہتا ہوں کہ وہ اپنی اقتدار کی کرسی تک پہنچنے

کے لئے اگر اس قسم کے ہتکامیے پہنچا
 کریں گے تو آنے والا مورخ آپ کو
 کبھی معاف نہیں کرے گا۔

SHRI DIPEN GHOSH: Mr. Deputy Chairman, Sir, I would have been happy if the Madam Prime Minister would have remained in the House to listen to the Opposition party leaders. (*Interruptions*) I know that she had died to defend an indefensible act—and I pity her that she had to defend an indefensible act. She is busy in toppling the governments, particularly the State government which are not in conformity with the policies and activities of the Government at the Centre. So she could not remain present in the House to listen to the Opposition parties. But, Sir, even a gullible will not believe what the Madam Prime Minister had sought to project here, as if that political drop-out of Himachal Pradesh who happened to be the Governor of Andhra Pradesh could do anything without being certain of the fact that his act would be approved of by the Centre. Sir, we know and you know Sir—what happened in the body politic of our country since 1959. The Madam Prime Minister tried to defend that since Prime Minister tried to defend that since 1967 her Government was for stabilizing non-Congress governments. But Sir when she was not yet the Prime Minister, she used to live with the then Prime Minister as Congress President...

SHRIMATI USHA MALHOTRA: Point of order.

SHRI DIPEN GHOSH: ...She murdered democracy in Kerala in 1959. (*Interruptions*) I know. I will reply.

SHRIMATI USHA MALHOTRA: When the Hon'ble Prime Minister is not here to reply to this insinuation should he not abstain from saying such things? Deputy Chairman, Sir. I will not allow this to happen. He cannot go on blaming the Prime Minister. (*Interruptions*) I want

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your ruling on this. (*Interruptions*).
 Sir, I want your ruling.

MR. DEPUTY CHAIRMAN: All right. Take your seats.

SHRIMATI USHA MALHOTRA: I will take my seat. But what has gone on record should not be there.

MR. DEPUTY CHAIRMAN: I will see the record and see if anything unparliamentary has gone on record.

SHRI DIPEN GHOSH: My colleague Mr. L. K. Advani stated: Who was the gunman? *Yes, I am 3 P.M. quoting Shakespeare only in order to remind you.

SHRIMATI USHA MALHOTRA: We will not allow this.

SHRI SYED SIBTEY RAZI: I stand on a point of order. What my learned friend has stated, I think, is not parliamentary. It is all insinuation, he is trying to pass. I think unparliamentary language should not be used in the House. I request him that the dignity of the House should be maintained. Otherwise, in this way it will not be possible to run the House.

SHRI DIPEN GHOSH: Sir, is the word *unparliamentary?

SHRI T. BASHEER (Kerala): If he think that he can say anything in this House, we cannot tolerate.

SHRI MADAN BHATIA (Nominated) : Sir, on a point of order.

MR. DEPUTY CHAIRMAN: Yes.

"Not recorded.

SHRI DIPEN GHOSH: What is the point of order in it?

MR. DEPUTY CHAIRMAN: Let me hear him first. How can I say now?

SHRIMATI KANAK MUKHERJEE (West Bengal): It is not unparliamentary, Sir.

SHRI KALYAN ROY (West Bengal):*

MR. DEPUTY CHAIRMAN: It is absurd. Do not record. (*Interruptions*) Mr. Ghosh. I am sorry. Please expunge all the references to.*

SHRI DIPEN GHOSH: Please show me the rule. How can you? You cannot. Under what rule? I have quoted Shakespeare. (*Interruptions*)

SHRI KALYAN ROY: If he refers to Tagore, what is wrong in it?

MR. DEPUTY CHAIRMAN: Please take your seat.

SHRI KALYAN ROY: He is quoting from certain literature. You are completely going out of your jurisdiction. It is ridiculous. I can understand their ignorance: I cannot understand your ignorance.

MR. DEPUTY CHAIRMAN: Mr. Kalyan Roy, everybody is ignorant except you. (*Interruptions*)

SHRI KALYAN ROY: You are telling to remove Shakespeare from the House. Can we remove Tagore from the House?

SHRI DIPEN GHOSH: I will show the proceedings of this House. Just listen to me.

MR. DEPUTY CHAIRMAN: Mr. Bhatia is on a point of order. He will speak. You please sit down.

*Not Recorded.

देखिए, एक मंच पर बुलाया है, उनको कुछ तो बोलने दीजिए। इस तरह से सारा टाइम दरवाद हो जायेगा।

SHRI MADAN BHATIA: Mr. Deputy Chairman, Sir, I would like to make one submission in all humility that when the honourable Mr. Advani started his speech in the beginning he set the tone, namely, that at this juncture we are seeking to interpret the Constitution of India. It is this interpretation of the Constitution of India which is going to govern the destiny of the political affairs in this country. I feel extremely sorry, Sir, that at this juncture when we are filled... (*Interruptions*)

SHRI K. MOHANAN: Sir, we will not allow. Is it the point of order?

MR. DEPUTY CHAIRMAN: Point of order?

SHRI MADAN BHATIA: I respectfully submit, sir,.....

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

SHRI MADAN BHATIA: I wish to put this particular point. Are these abuses to which this debate is being reduced to fall within the context of this particular subject? It says constitutional implications of the happenings (*Interruptions*). They are defaung the whole debate. They are being untrue to the oath of the Constitution that they have taken.

SHRI JASWANT SINGH (Rajasthan) : I want to make a short question which has appeared before us just now. This short question is about what is parliamentary and unparliamentary. I do not think

there is anybody in this House who even, for a moment, suggests that which is unparliamentary, ought to go on record. I would also submit, at the same time, you as our Deputy Chairman are not only the custodian of the proceedings of the House but you are also the custodian of the dignity and honour of this House. So, as custodian your powers are our accumulated powers.

The powers of the Chair are not independent of the House. The powers of the Chair are accumulated powers of all of us who sit here and we repose those powers in the chair in the confidence that the chair will conduct the proceedings in accordance with the best judgment that the chair can apply on any particular point. Sir, on the question of parliamentary or unparliamentary. I would like to submit what is relevant about expunction.[^] The Chair is within its right to expunge that which is unparliamentary.⁴ But should the expunction be such as to take away a whole chunk from a debate, should the expunction be such as to be motivated merely because the inferences are uncomfortable, then Sir, I do submit to you that the right to exercise the power to expunge from the proceedings is a right which is yours because we have (*interruptions*)

SHRIMATI USHA MALHOTRA: He has exercised.

MR. DEPUTY CHAIRMAN: Mr. Jaswant Singh, please conclude.

SHRI JASWANT SINGH: Therefore, Sir, references to literature whether they are to Tagore or to Shakespeare, we have earlier instances ... (*Interruptions*) I would appeal to you .. (*Interruptions*).

MR. DEPUTY CHAIRMAN: I appreciate your point. But you would also appreciate that a Member cannot make innuendos on the Hon'ble Prime Minister every time (*Interruptions*). He should desist from making any such references. They talk nothing else except.... (*Interruptions*).

SHRI JASWANT SINGH: Sir, I appeal to you. The fact is that the Prime Minister found it necessary and found it At to intervene in the debate even though it was on a small matter of clarification and after her intervention if the Members, in the context of what is taking place—because there are high issues of constitutional and political importance...

MR. DEPUTY CHAIRMAN: Who has stopped him from making submissions on those high issues? He is making unnecessary remarks. (*Interruptions*).

SHRI DIPEN GHOSH: Sir, Just listen to me, first of all. This is unfair to me, If you make remarks about my submissions, about my speech. then you should, listen to me first.

MR. DEPUTY CHAIRMAN: Yes, I am listening to you.

SHRI JASWANT SINGH: Sir, I will conclude in a minute.

SHRI KALYAN ROY: If you say* that will be all right (*Interruptions*).

SHRI JASWANT SINGH: The Prime Minister is the head of the Government and if in the process of discussion and debate, the Prime Minister comes in for being pilloried—the Prime Minister in her statement pilloried us, the Opposition; she said a lot of things....

MR. DEPUTY CHAIRMAN: That is all right. Please take your seat.

SHRI JASWANT SINGH: I appeal to you. Mr. Deputy Chairman, that whatever you have expunged — (*Interruptions*).

SHRI DIPEN GHOSH: Nothing has been expunged.

SHRI JASWANT SINGH: You got up in the heat of the moment and said that you will expunge everything.

MR. DEPUTY CHAIRMAN: I did not say "everything" (*Interruptions*) Let us proceed with the debate.

SHRI P. M. KHAN (Karnataka): Sir, on a point of order.

MR. DEPUTY CHAIRMAN: Let us proceed with the debate.'

SHRI DIPEN GHOSH: Sir, I have faith in parliamentary democracy. I have faith in you. I have faith in you to conduct....

SHRI F. M. KHAN: Sir, Mr. Jaswant Singh made a reference that the hon. Prime Minister referred to them. She referred to the Opposition parties. She did not refer to any names.

MR. DEPUTY CHAIRMAN: Whatever the Prime Minister said is on the record. They can see it. There is no need to have a debate on that. (Interruptions).

SHRI DIPEN GHOSH: I have just...

MR. DEPUTY CHAIRMAN: Please proceed. Don't waste time.

SHRI DIPEN GHOSH: I am not wasting time.

MR. DEPUTY CHAIRMAN: Please proceed.

SHRI DIPEN GHOSH: I had simply quoted Shakespeare.

MR. DEPUTY CHAIRMAN: Leave that point.

SHRI DIPEN GHOSH: I will not leave it. I shall not leave it.

SHRI KALYAN ROY: Sir, you have banned all good literature from the House.

SHRI DIPEN GHOSH: Sir, I will quote from the proceedings of this House. You will recall, in 1963 when the West Bengal United Front Government was dismissed at the behest of the Centre by the Governor, • Mr. Dharamvira, in the debate on a substantive motion in this House which lasted for two days late Mr. Bhupesh Gupta spoke for (wo hours and he referred to Lady Macbeth with the blood-stained dagger. So I will quote that and say that* (Intemptions) Democracy is being murdered in the States, one by one—Jammu and Kashmir, Sikkim. Pondicherry, Haryana and Andhra Pradesh—before the Lok Sabha polls. Now, I will refer... (Interruptions).

SHRIMATI USHA MALHOTRA: Sir, you please expunge those words.

SHRI DIPEN GHOSH: Sir, I now restrict myself to other points. Mr. Advani, my colleague, has dwelt on the constitutional aspects of this issue.

SHRIMATI USHA MALHOTRA: Sir, on a point of order. (Interruptions).

SHRI MADAN BHATIA: Sir, you have already expunged those remarks.

SHRI DIPEN GHOSH: No. there is »» expunction.

SHRI MADAN BHATIA: Whatever he has said subsequently must also be expunged.

SHRI DIPEN GHOSH: The most question is whether

श्री मीर्जा इशदिबेग ऐयूबबेग (गुजरात):
उपसभापति महोदय, अभी उन्होंने जो कहा, मैं सदन को कार्यवाही को फिर से टटोलवाने को दात कहना चाहता हूँ कि सदन को कार्यवाही को देख लीजिये, उन्होंने स्पष्ट शब्दों में कहा है* ...
(व्यवधान) अभी आपने यह कहा है
(व्यवधान)

SHRI DIPEN GHOSH: Not of Safdar jung Road.* (Interruptions)

MR. DEPUTY CHAIRMAN: I will look into the record and see if there is anything to be expunged (Interruptions).

अब क्या बात है बोलिए।

श्री लक्ष्मी नारायण (दिल्ली): भेरा पाइंट आफ आर्डर यह है कि यह डिस्कशन इस बात के लिए चल रहा है कि आन्ध्र प्रदेश में डेमोक्रेसी का खून हो गया है ... (व्यवधान) आपने किया ... (व्यवधान) मैं यह निवेदन कर रहा हूँ कि मेरी जानकारी के अनुसार आंध्र प्रदेश से केवल 69 एम० एल० एन० आये हैं ...
(व्यवधान) सून तो लीजिए।

SHRI DIPEN GHOSH: Now, in reply to the Prime Minister's statement

♦Expunged as ordered by the Chair.

I quote what I said, even a gullible will not believe what the Prime Minister has sought to project here, that she did not know anything nor did the Congress-I High Command in New Delhi know anything. I quote from the editorial of The Statesman of August 19.—

"Nor can anyone in Delhi argue that is the climate that has been created under Mrs. Gandhi's benign aegis any State Governor dares to take a single step without being certain of the Prime Minister's approval."

This is the fact of life in today's India (Interruption) There is no point of order. The Prime Minister has made a statement and we have the right to reply to her statement. (Interruptions) What I want to say is that this political drop-out of Himachal Pradesh could not do anything...

श्री सत्यपाल मलिक (उत्तर प्रदेश) :
मेरा व्यवस्था का प्रश्न है। श्रीमान, गवर्नर इस हाउस में मौजूद नहीं हैं। मैं इस मामले की मेरिट में नहीं जाना चाहता हूँ कि क्या सही है क्या गलत है। गवर्नर को संवैधानिक ताकतें हैं। ऐसी स्थितियों में गवर्नर जो भी निर्णय करता है या राष्ट्रपति जो भी निर्णय करते हैं या ऐसी स्थितियों में यहां तक कि क्वीन विक्टोरिया ने भी कभी खास, पार्टिक्यूलर आदमी को प्राइम मिनिस्टर बनने के लिए बुलाया तो उसके ऊपर भी यह होता था कि यह गलत हो गया। तो उसका निर्णय सही या गलत हो सकता है। लेकिन चूंकि वे यहां नहीं हैं तो उनका नाम निकालना, उनके बारे में कहना . . . (व्यवधान) यह गलत परम्परा . . . (व्यवधान)

SHRI DIPEN GHOSH: No, I have not taken anybody's name. I have simply said the political drop-out of

Himachal Pradesh. I have not taken anybody's name.

श्री हरबारा सिंह (पंजाब) : : मेरा प्वाइंट ऑफ ऑर्डर है। यहां तो बहस हो रही है वह बहस तो जरूर है। इसलिए मैं कहता हूँ, माफ कीजिएगा, कि 95 जो एम० एल० एज० वहां गवर्नर के पास खड़े हैं वल्कि 95 नहीं, 95 प्लस कांग्रेस के 57 . . . ।

You can check up from your own sources there.

श्री लक्ष्मी नारायण : 69 एम० एल० ए० आये हैं, सो वह बोस है . . . (व्यवधान)

श्री रजक बली उल्लाह (गुजरात) :
यह सरमायादारों के साथ है . . . (व्यवधान)

SHRI DIPEN GHOSH: This is not your DTC bus depot. What I want to make clear to you is my reply to the Prime Minister's statement is that the political drop-out of Himachal Pradesh could not dare doing anything without being certain of New Delhi's approval. In support of this I have quoted from the newspaper.

I am not going by numbers as others have done it. Already a talk is going on in the whole of Andhra Pradesh that the Governor of Andhra Pradesh cannot count up to 100 himself. I am not going into it. My point is, whether the subjective gubernatorial judgement can be a substitute for the objective legislative opinion in a democracy. This question has to be debated and discussed here. (Interruptions). If they continue barracking me, I will continue to speak. I have enough lung power. I have not come here on the mercy of anybody from that side. I am not

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going to be cowed down by their shouts. I know all about them.

Sir, my point is whether Governors can appoint and dismiss Chief Ministers at their will? Should Raj Bhawans replace Vidhan Sabhas? If this is what the ruling party at the Centre and, madam Prime Minister want, then they should abandon their idea about participative governance and State autonomy.

श्री लक्ष्मी नारायण: यह बात करते हैं
डिपेन को को ? कल इनके पांच सौ
आदमी मौजूद थे . . . (व्यवधान) . .
कौन जिम्मेदार है, हवाई-ब्रिड्ज के रास्ते
रोक दिये, यह कहां की व्यवस्था है ?
शांति तोड़ें, उसको कौन रोके ?

मैं तो चुप हो जाऊंगा, लेकिन यह
डिपेन की बात करते हैं, शर्म आती
है । इनके मुंह से डिपेन का शब्द
शोभा नहीं देता ।

SHRI DIPEN GHOSH: If majority is not decided On the floor of the House in accordance with the decision of the Presiding Officers' Conference as quoted by my colleague, Shri L. K. Advani, and if the majority instead is decided in dubious ways at Raj Bhawans through parades, then I should say that Parliamentary Democracy has no meaning. If gubernatorial flunkies supported by manipulators are enabled to override the objective legislature test, Parliamentary Democracy will lose its meaning. Now, Sir, I want to say one thing very categorically and I would like to appeal to the other side also to think over it and it is this that a person who could not be kept as the Chief Minister of a State. (Interruptions).. is appointed as the Governor of another State to dismiss the Chief Minister there.. (Interruptions). Mr. Anand Sharma knows it _____ (Interruptions).

MR. DEPUTY CHAIRMAN: Order, please.

SHRI DIPEN GHOSH: Sir, will you allow them to barrack me like this? Do they think that they will be allowed to speak? Do they think like that? (Interruptions).

MR. DEPUTY CHAIRMAN: AU of you, please sit down. (Interruptions). All of you are unnecessarily wasting the time. Therefore, please let him speak. (Interruptions). All of you take your seats. At least, you should learn the manners that when I stand, you should sit down and everybody should sit down. May I make a request to you? Everytime if you are going to disturb a Member, than there will be no end to it also.

SHRI HARISINH BHAGUBAVA MAHIDA (Gujarat): What were they doing. Sir?

MR. DEPUTY CHAIRMAN: Please co-operate. Let the debate go on. Let Mr. Ghosh speak. You put up your speakers and meet their points. Otherwise, this debate will go on endlessly. I am sorry to say this. I would request you all to co-operate with me. Let all the speakers speak one by one. Yes, Mr. Ghosh.

SHRI DEBA PRASAD ROY: How can he talk about the Governor? (Interruptions).

श्री उपसभापति : मि० राय, यह सदन
के मेम्बर हैं, जो बोलना चाहेंगे, बोलेंगे ।
प्लीज स्टॉप इट । . . . (व्यवधान)

SHRI ANAND SHARMA (Himachal Pradesh): Sir, Mr. Ghosh in his speech said that Mr. Anand Sharma knows it. I would like to know what the reference is.

SHRI DIPEN GHOSH: I have not been allowed to complete that sentence.

SHRI ANAND SHARMA: He said that Mr. Anand Sharma knows it. He

has rightly said it. (Interruptions). Just now we have received a telex message...

MR. DEPUTY CHAIRMAN: Mr. Sharma, please take your seat. You have not been allowed to speak. Let nothing of what Mr. Sharma says be recorded.

SHRI ANAND SHARMA: *

MR. DEPUTY CHAIRMAN: I would like to make a request to the Members from my right side: Will you allow the debate to go on or will you allow the debate to go on endlessly? Unnecessarily the time of the House is wasted and no point is made.

SHRI LAXMI NARAIN: Let them speak sensible things. (Interruptions)

हम बिल्कुल इंटरफियर नहीं करेंगे ।
(व्यवधान)

श्री उपसभापति : सदन में सेंस और
नाम सेंस में बातें करते हैं ।
(व्यवधान)

SHRI DIPEN GHOSH: Let him say that I am speaking nonsense. (Interruptions).

If anybody can show that I am speaking nonsense, then I will sit down (Interruptions).

Sir, I would like to raise a fundamental question and it is about the quality of the person to be appointed as a Governor.

SHRIMATI USHA MALHOTRA: How can he enter into that subject now? (Interruptions).

SHRI DIPEN GHOSH: Sir, I am only saying that a person who was considered unfit to continue as the Chief Minister of a State (Interruptions) ... is given the authority to appoint and dismiss Chief Ministers! What an irony?

*Not recorded as ordered by the Chair.

MR. DEPUTY CHAIRMAN: Please go to your next point.

SHRI DIPEN GHOSH: A person who could not be kept as the Chief Minister of a State is given the authority to appoint and dismiss Chief Ministers: What an irony in our system. This is what I wanted to say and in that context only I said that Mr. Anand Sharma knows it. (Interruptions).

Sir, one thing I want to make clear here. (Interruptions). I want to make one thing very clear that everytime the Prime Minister, Mrs. Gandhi, wants a scapegoat for her follies and for her misdeeds _____

SOME HON. MEMBERS: No, no. (Interruptions).

SHRI DIPEN GHOSH: ... or for follies of her Government, and here also we know that Mr. Ram Lal will be made scapegoat. As Mr. B. D. Pande was made a scapegoat in Punjab, as Mr. Blunder was made a scapegoat in Punjab, as so many other persons were made scapegoats by the Prime Minister for the misdeeds of her Government (Interruptions) Now, Sir, I want to say in very clear terms -----

SHRI JAGESH DESAI (Maharashtra): Will you allow me to raise a point of order?

SHRI DIPEN GHOSH: Mrs. Gandhi as Prime Minister just now, while intervening in the debate, stated that she stood for democracy, since 1967, Sir...

AN HON. MEMBER: That was not the statement.

SHRI DIPEN GHOSH: And she said that she never broke any party, she never broke any Government... (Interruptions) I am not going to say how would she break her own party, I am not going to suggest how she broke Government after Government in one State after another

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State----- (Interruptions) I want to make it very clear, Sir, that Mrs. Gandhi will tolerate democracy only so long as it offers no opposition to her supremacy... (Interruptions) I am concluding.

SHRI JAGESH DESAI: Will you listen to my point of order? (Interruptions)

SHRI DIPEN GHOSH: The nation has experienced it, the nation has experienced it in 1975, that her Government, and... (Interruptions) After having got strictures from the Allahabad High Court, in order to remain in power, in order to continue in Government, how... (Interruptions). How she put curbs on Parliament, put curbs on Members of Parliament, put curbs on the Judiciary, put curbs on all democratic norms----- (Interruptions)-----in order to establish her authoritarian rule. (Interruptions) Now, Sir, I want to conclude. If, however, what the Prime Minister has said is to be taken at the face value, will her Government dismiss Ramlal, Dismiss Bhaskara Rao Ministry and instal NTR Ministry? My second question: If Mrs. Gandhi's statement is to be taken on the face value, is her Government prepared—because the President acts under the advice of the Council of Ministers, will the Council of Ministers at the Centre headed by Mrs. Indira Gandhi advise the President, Rashtrapati Zail Singh, to direct the Governor of Andhra Pradesh to convene the Legislative Assembly of Andhra Pradesh, within the next three days? Both Mr. Rama Rao and Mr. Bhaskara Rao should be asked to prove their majority on the floor of the House because she has said that her Government had no hand in the toppling game. Let her Government advise the President to ask the Governor of Andhra Pradesh to convene the Legislative Assembly of Andhra Pradesh and to get the majority tested on the floor of the Legislative Assembly.

Sir, the Andhra Pradesh issue also underlines another important element. It is very dangerous that deliberately and calculatedly the high and august office of Governor is being debased. (Interruptions) I may tell, Sir, that it is being debased everywhere. We know what happened in Andhra Pradesh. We are discussing it just now. Only the other day, in West Bengal... (Interruptions).

MR. DEPUTY CHAIRMAN: West Bengal is not being discussed. Leave it at that.

SHRI DIPEN GHOSH: He is asking me. This debasement of the high office of Governor was underlined by the exist of Mr. A. P. Sharma.* So, Sir, this is the way and manner in which the Central Government is debasing the august office of Governor. So, we demand that the Governor of Andhra Pradesh should be dismissed, Shri Bhaskara Rao's Ministry has to be dismissed, Shri N. T. Rama Rao's Ministry has to be reinstated, the post of Governor has to be abolished and Article 356 of the Constitution has to be repealed. This is my party's demand.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI P. VENKATASUBBAIAH): I would like to submit to the hon. House that the discussion is very much limited. The question of changing the Constitution need not be raised here. I would only sympathise with the CPM Party who has chosen him to speak because he has transgressed all sense of decency.

श्री जे० के० जैन : उपसभापति जी, इस सदन के अन्दर विरोधी दलों का जो रोल है वह बिल्कुल इस प्रकार का होता जा रहा है जिस प्रकार से प्रोफेशनल मोर्नर्स जब कहीं पर कोई हत्या या

♦Expunged as ordered by the Chair.

Andhra Pradesh

आत्महत्या हो जाती है तो वह वहां पर पहुंच जाते हैं। महोदय, चाहे काश्मीर का मामला हो, ये लोग ताक लगा कर बैठे रहते हैं, जैसे गिद्ध बैठते हैं कि कोई लाश आकर पड़े और ये गिद्ध रूपी विरोधी दल उस लाश के ऊपर बैठ कर मांस को तोच-तोच कर खाये।

उपसभापति महोदय, भारतीय जनता पार्टी के हमारे सदस्यगण जम्मू काश्मीर में फारूख अब्दुल्ला की सरकार का जब पतन हुआ तो हमारे ये मोर्चे वहां पहुंच गये और महीने भर के अन्दर ही (व्यवधान) उपाध्यक्ष महोदय, जम्मू काश्मीर में यह गिद्धों का दल मुर्दों की लाश के ऊपर जा कर बैठा और किस-किस प्रकार के उन्होंने वहां पर आलाप किये। महीने भर के अन्दर यह दल देखता रहा कि कहां जायें यह गिद्धगण फिर आन्ध्र प्रदेश पहुंच गये। मुझे कोई अचंभा नहीं हुआ उनके व्यवहार पर। यह हमेशा यही करते आये हैं। उन्होंने हमेशा फूट डाली है और उन्होंने हमेशा झगड़ा करवाया है, साम्प्रदायिक दंगे करवाये हैं, लोगों का खून चूसा है। यह भारतीय जनता पार्टी के दरिद्रे राष्ट्रीय स्वयंसेवक संघ के गिद्ध रूपी कार्यकर्त्ता देश के अन्दर अफरातफरी का वातावरण बनाने के आदी हो गये हैं।

मैं आज 2.40 पर यू० एन० आई० की आयी हुई न्यूज की फोटो कापी पढ़ कर यहां मुनाना चाहता हूं। वह इस प्रकार है :—

"Hyderabad, Dateline August 21: Andhra Pradesh Chief Minister, Shri N. Bhaskara Rao today met the Governor, Shri Ram Lal, along with the Telugu Desam, M.L.As. loyal to him."

AN HON. MEMBER: Begus people.

SHRI J. K. JAIN: Now, these are the people. These are the people who talk of democracy, who talk of

protection of the press and now he says that the UNI is bogus. Now see the face of these people.

Sir, I again repeat.

"Mr. N. Bhaskara Rao today met the Governor, Mr. Ram Lal, along with the Telugu Desam M.L.As. loyal to him. An official spokesman said that 95 MLAs were with Mr. Bhaskara Rao when he met the Governor on summons from him. Later, the Chief Minister told the newsmen that the MLAs were the same people who were produced before the Governor on August 15." U.N.I. 14.40. This is the latest.

उपसभापति महोदय, यदि हमारे विरोधी दल के भाइयों को जरा भी प्रजातंत्र के अन्दर विश्वास है, वे जरा भी प्रजातंत्र की प्रेक्टिस करते हैं तो उनको चाहिये कि जर्म से अपने माथे को झुका कर उसके अन्दर डूब जायें।

श्री वीरेन्द्र वर्मा : असेम्बली बतायेगी कि झुकना पड़ेगा या नहीं। यह न्यूज यहां बताने की नहीं है।

श्री जे० के० जैन : असेम्बली बतायेगी, नहीं तो हम बाहर मिल लेंगे। आप यही आशा रख कर हमारी पार्टी को छोड़ कर चले गये थे कि शायद चरणसिंह साहब प्रधान मंत्री बने रहेंगे, लेकिन चौबेजी बनने गये थे छन्ने, लेकिन रह गये दुबे ही। तेलुगू देशम के अंदरूनी झगड़े यह हैं और आज मुझे अफसोस है कि सारे राष्ट्र का यह सदन, जिस सदन के अन्दर देश के भाग्य को बनाया जाता है आज एक निकम्मी पार्टी के लिए उसके काले कारनामों के लिए इस सदन का वेशकीमती समय व्यर्थ किया गया।

[श्री जे० के० जैन]

अने वाला इतिहास और समय हमको माफ नहीं करेगा कि किस तरह से ये लोग जो विषय इस सदन के अन्दर उठाने नहीं चाहिये उन पर सदन का समय बरबाद करते आये हैं।

उपसभापति महोदय, तेलुगु देशम पार्टी के अन्दर सुलगनी हुई वह चिन्मारी जो पिछले 18 महीने के शासन के दौरान भड़की, उसने एक ज्वालामुखी का रूप ले लिया। अभी श्री आडवाणी जी ने अपने वक्तव्य में यह स्वयं स्वीकार किया कि 95 एम० एल० ए० वे हैं जिनमें से 30 कामन है। 30 कामन कौन से जो भास्कर राव की लिस्ट में भी थे और एन० टी० रामाराव की लिस्ट में भी थे। उपसभापति महोदय, 95 में से 30 को घटा दीजिये तो 65 एम० एल० ए० तेलुगुदेशम के बच जाते हैं। यह श्री आडवाणी जी ने स्वयं स्वीकार किया है . . . (व्यवधान)

श्री लाल कृष्ण आडवाणी : 40 बँटे हुये थे . . . (व्यवधान)

श्री जे० के० जैन : आपने कहा है भाई साहब, आप इतनी जल्दी अपने वचन से क्यों मुकरने लग गए। सदन की कार्यवाही अभी चल रही है, इतनी जल्दी मुन्क गये . . . (व्यवधान)

श्री वीरेन्द्र वर्मा : सदन में अगर 39 हों तो . . . (व्यवधान)

श्री जे० के० जैन : मान लेता हूँ। 39 में एक और मान लेता हूँ। वीरेन्द्र वर्मा जी की बात से एक एम० एल० ए० और ऊपर मान लेता हूँ। 95 में से 40 को टा दीजिए। घटाना जोड़ना तो पहली बात में सिखलाते हैं। 55 बचते हैं।

एन० टी० रामाराव की पार्टी की स्ट्रेंथ 295 के सदन में जिसमें से एक सदस्य की मृत्यु हो गई थी, इस प्रकार 294 की कुल स्ट्रेंथ में से 199 तेलुगुदेशम के हैं। 199 में से 55 घटा डालिए। कोई भी पहली क्लास का बच्चा 95 से 55 घटाकर बता देगा कि कितने बचे . . . (व्यवधान)

SHRI B. SATYANARAYANA REDDY (Andhra Pradesh): 162 members were present today.

SHRI V. GOPALSAMY: You were already manhandled by them. Please don't speak.

श्री जे० के० जैन : उपसभापति महोदय, 55 घटाने के बाद 144 बचते हैं 294 के सदन में। तेलुगु देशम पार्टी की सरकार थी, भारतीय जनता पार्टी की नहीं थी। इनके लिए तो हमेशा ही अंगूर खट्टे रहेंगे। ये कभी शासन नहीं कर पायेंगे। अध्यक्ष महोदय, बिलकुल साफ जाहिर है कि तेलुगुदेशम पार्टी की सरकार में वटिकल स्प्लिट हुई। गवर्नर क्या करता उस समय? 15 अगस्त को साढ़े नौ बजे का समय गवर्नर ने दिया। रात के साढ़े 9 बजे का समय श्री उपेन्द्र को दिया कि लाइये इतने एम० एल० ए०। यह तथ्य की बात है। साढ़े 9 बजे के बाद करीब एक घंटे बाद साढ़े 10 बजे श्री उपेन्द्र वहाँ पहुँचते हैं और कहते हैं कि अभी मैं कुल 35 एम० एल० ए० ला पाया हूँ। श्री रामलाल कहते हैं कि ठीक है भाई 16 तारीख को आ जाओ। बोलिए कौन से समय आ सकते हैं? श्री उपेन्द्र ने कहा कि हम साढ़े 12 बजे आयेंगे। अपने दल के एम० एल० ए० को लेकर आमँगे। अध्यक्ष महोदय साढ़े 12 बजे वहाँ वे नहीं आये। अपनी पार्टी की मीटिंग करते रहे।

Andhra Pradesh

एम० एल० एज० को बटोरने में लगे रहे। लेकिन जो इनकी सरकार का काला चिट्ठा था वह दिल्ली आकर एक्सपोज हो चुका है। क्योंकि यह यदि उनके पास मैजोरिटी होती तो ये साढ़े नौ क्या, साढ़े दस क्या रात पर राजभवन के बाहर बैठे रहते और साढ़े बारह बजे वहां पहुंच जाते। लेकिन दुर्भाग्य की बात है कि विरोधी दल किसी प्रकार से राजनीति का नाजायज फायदा उठा कर देश के अन्दर एक ऐसा वातावरण खड़ा करना चाहते हैं, लोगों के दिमाग पर इस प्रकार का जाल फैलाना चाहते हैं (व्यवधान) शर्म आनी चाहिये इन लोगों को इस तरह को यहां झूठी बातें कह कर, यहां गलतबयानी करके केन्द्र सरकार के ऊपर (व्यवधान)

श्री बी० सत्यानारायण रेड्डी : बाजार में जाकर भाषण करो। यहां इनका कोई मतलब नहीं है। (व्यवधान)

श्री जे० के० जैन : प्राइम मिनिस्टर के ऊपर यह आरोप लगाते हैं। रेड्डी साहब को मैं क्या कहूँ, इनकी कितनी लायलिटी तेलुगुदेशम के नेता के साथ है सभी जानते हैं। जब इनका कार्यकाल समाप्त होने लगा तो इन्होंने तेलुगुदेशम के तत्कालीन नेता के पैरों में जाकर सिर टेक दिया। नहीं तो यह यहां नहीं बैठे होते। यह यहां कंडीशनल बैठे हुये हैं। क्योंकि इन्होंने जनता पार्टी की पीठ में छुरा भोंका है। यह जनता पार्टी के सदस्य के रूप में यहां बैठा करते थे . . . (व्यवधान)

श्री उपसभापति : आप जरा समाप्त करिये। आप दूसरी बातों पर मत जाइए। विषय पर आइये।

श्री जे० के० जैन : मेरा आपसे निवेदन है कि मुझको बोलने दिया जाये।

श्री उपसभापति : आप दूसरी बातों में जा रहे हैं? मैं क्या करूँ।

श्री जे० के० जैन : आप इनको रोकिए। ये मुझे इंटरप्ट कर रहे हैं। मुझे कम से कम 15 मिनट का समय और चाहिये। मैंने तो शुरू में कहा था, आपने इस सदन का समय एक पार्टी के काले कारनामों को डिस्कस करने के लिए बर्बाद किया। जब आप ने समय बर्बाद ही किया है तो आपको दुःख नहीं होना चाहिये। आपने एलाउ किया है।

श्री उपसभापति : मैंने एलाउ नहीं किया है।

श्री जे० के० जैन : आपने नहीं तो किसने एलाउ किया?

श्री उपसभापति : आप अपने शब्दों को ध्यान में रखिये। मैंने एलाउ नहीं किया है।

श्री जे० के० जैन : किसने एलाउ किया किसी भी पार्टी के अंदरूनी मामले पर यहां डिस्कशन नहीं होना चाहिये।

श्री उपसभापति : सब डिस्कस होगा। आपस में बात मत कीजिए तभी अच्छा लगेगा। . . . (व्यवधान)

श्री जे० के० जैन : सभी जानते हैं कि विरोधी दल के भाइयों में 90 परसेंट मेम्बर ऐसे हैं जिनका इंटलेक्ट कम है, लेकिन भारतीय जनता पार्टी के अन्दर एक दो लोग ऐसे हैं जिनके अन्दर शरारती इंटलेक्ट मौजूद है। मैं आपको बताना चाहता हूँ कैसे। भारतीय जनता पार्टी के नेताओं ने तेलुगुदेशम के श्री

[श्री जे० के० जैन]

एम० टी० रामाराव को मुझाव दिया कि रामाराव, दिल्ली चलो। क्यों चलो? राष्ट्रपति के सामने परेड करेंगे।

श्री लक्ष्मी नारायण : कुतुब मीनार देखने।

श्री जे० के० जैन : विधान में यह प्रो वाइड है कि आइडेंटिफिकेशन परेड किसी राज्य के एम० एल० एज० की राष्ट्रपति के भूमता नहीं हो सकती। उन्होंने एक ऐसा साजिश की और उस साजिश के अन्तर्गत इन्होंने उन एम० एल० एज० को यहाँ पर बुलाया। (व्यवधान)

श्री बी० सत्य नारायण रेड्डी : विधान गवर्नर को मनमानी करने की इजाजत नहीं देता। . . . (व्यवधान)

श्री जे० के० जैन : इसकी सपोर्ट के लिये मैं अपने देश के भूतपूर्व राष्ट्रपति का बयान यहाँ पढ़ाना चाहता हूँ जिन्होंने कहा :- "विधायक परेड से लाभ नहीं" संजीवैया रेड्डी। भूतपूर्व राष्ट्रपति श्री संजीवैया रेड्डी ने आज यहाँ कहा कि तेलुगु देशम के श्री रामाराव द्वारा राष्ट्रपति के सामने आने विधायकों की संख्या दिखाने से कोई फायदा नहीं होगा। यदि राज्यपाल द्वारा कोई असंवैधानिक कदम उठाया गया है तो राष्ट्रपति उस पर केवल आपत्ति ही कर सकते हैं। गिनती नहीं कर सकते। इन्होंने विधान के इस प्रावधान का मजाक उड़ाया। एम० एल० ए० के नाम पर इन्होंने किसी को वीर बावर्ची बना कर राष्ट्रपति भवन में घुसा दिया। यह किस प्रकार का नाटक हुआ है? एक नाटक-कार, फिल्म बनाने वाला, कभी बावर्ची बनने वाला कभी चपरासी बनने वाला, कभी इन्द्र देवता का रूपा धारण करने वाला, वह एन० टी० रामाराव आज देश की राजधानी में खुले आम

सड़को के ऊपर नाटक कर रहा है . . . (व्यवधान)। यह तो इक्वायरो ही बतायेगी, आपको शायद जानकारी भी होगी कि सी० बी० आई० की इन्क्वायरी इंस्टीट्यूट कर दी गई कि किस प्रकार से तेलुगु देशम के नेताओं ने बोगस आदिमियों के नाम के अग्रे एम० एल० ए० लिख दिया . . . (व्यवधान)।

श्री बी० सत्य नारायण रेड्डी : यह असत्य है . . . (व्यवधान)

PROF. C. LAKSHMANNA: Whatever the hon. Member or anybody else says, truth is truth. It cannot be altered. (Interruptions)

श्री जे० के० जैन : उपसभापति महोदय, यह सौभाग्य की बात है कि श्री रेड्डी यहाँ पर रिकार्ड में अपने बयान को लिखवा रहे हैं कि बोगस एम० एल० ए० नहीं हैं। जब एसेम्बली फिर से मिलेगी तो श्री रेड्डी अपने मुंह से यह कहते नजर आयेंगे कि अहा, हमें तो पता ही नहीं था इनका व्यवहार . . . (व्यवधान)

श्री बी० सत्यनारायण रेड्डी : तमाम एम० एल० ए० हमारे साथ हैं . . . (व्यवधान)

श्री जे० के० जैन : मैंने अभी आपसे निवेदन किया था कि इस प्रकार के लांछन इन लोगों ने भारत सरकार पर लगाये हैं और विधान का जो मजाक उड़ाया है उसका उत्तर देने के लिए मुझे समय दिय जाय।

श्री उपसभापति : बहुत सदस्य बोलने वाले हैं।

श्री जे० के० जैन : मेरे दल की ओर से जो समय आपने दिया है, मैं मांग करता हूँ कि मुझे उसमें अधिक से अधिक समय दिया जाय।

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श्री उपसभापति : आपको अधिक से अधिक समय दिया है । अब आप समाप्त कीजिए ।

श्री जे० के० जैन : श्रीमान्, मैं उन बातों में नहीं जाना चाहता हूँ । जनता पार्टी के शासन में श्री देवराज अर्स के साथ क्या हुआ ? उत्तर प्रदेश में श्री राम नरेश यादव ने श्री बनारसी दास के साथ क्या किया ? उनके दल की गन्दगी को हमने छोड़ दिया । हमने कभी सदन का समय वेस्ट नहीं किया । इनकी गन्दगी बातों को इस सदन के अन्दर लाने का प्रयास नहीं किया । बिहार में कर्पूरी ठाकुर ने क्या किया, यह किसी से छिपा नहीं है । इनके काले कारनामे देश की दीवारों पर लिखे हुए हैं । जनता पार्टी की सरकार गिरी तो श्री चरण सिंह प्रधान मंत्री बने और वह प्रधान मंत्री जी शायद इस देश में ही नहीं बल्कि सारे विश्व के इतिहास में एक ही मिसाल रहेगा . . . (व्यवधान)

SHRI DIPEN GHOSH: Your party supported him at that time. Mrs. Gandhi supported him.

श्री जे० के० जैन : वह प्रधान मंत्री बनने के बाद किसी पार्लियामेंट में प्रधान मंत्री के रूप में पेश नहीं हुआ । आज वहाँ चरण सिंह इन लोगों का फिर से अगुआ बन बैठा है । समाचार पत्र उठा कर देखिए, इनका बयान पढ़िये । चरणसिंह के नेतृत्व में ये फिर तेलुगु देशम का विलाप कर रहे हैं । नौ राज्यों की विधान सभाओं को समाप्त करने वाली यह जनता पार्टी और बी० जे० पी० के लोग आज प्रजातन्त्र के नाम पर मगरमच्छ के आसू बहा रहे हैं । तुम्हारे इन काले कारनामों की चिट्ठियों से पुस्तकें भर गई हैं । दोनों सदनों की प्रोसेडिंग्स के अन्दर एक-एक शब्द में लिखा हुआ है कि जिस प्रकार से हार्थी के दांत दिखाने के और तथा खाने के और होते हैं उसी प्रकार

से तुमने अपने मुँह के ऊपर मूखोटा चढ़ा रखा है . . .

श्री उपसभापति : देखिये, आपको 20 मिनट हो गये । अब आप समाप्त करिये ।

श्री जे० के० जैन : उपसभापति महोदय

संसदीय कार्य विभाग में राज्य मंत्री (श्री कल्प नाथ राय) : उपसभापति महोदय, उनको बोलने दीजिए ।

श्री उपसभापति : वहाँ तक बोलने दीजिए । टाइम नहीं है . . . (व्यवधान)
Mr. D. P. Roy...Mr. D. P. Roy...
Mr. D. P. Roy, will you hear me?
Mr. Roy, go to your seat, please.

SHRI DEBA PRASAD ROY: Members are... (Interruptions)...

MR. DEPUTY CHAIRMAN: I know, tempers are running very high.

SHRI J. K. JAIN: The Parliamentary Affairs Minister has already made a request to you.

श्री उपसभापति : मिनिस्टर साहब ने कहा ठीक है कि लेकिन आपको पार्टी की तरफ से तीन मेम्बर और बोलने वाले हैं सबका टाइम चाहिये । टाइम के दिना आप कैसे कुछ बोलेंगे ?

श्री जे० के० जैन : मेरा आपसे निवेदन है कि जितने सदस्य आपांर्जेशन के बोलें उतने ही सदस्यों को हमारी पार्टी की तरफ से बोलने दीजिये . . . (व्यवधान)

I request you to please allow me. You have already wasted so much time on the debate on a political party here. It is not anyway on the Governor's role ____ (Interruptions).

MR. DEPUTY CHAIRMAN: Mr. Gurupadaswamy now... (Interruptions) Sorry, there is no time.

SHRI J. K. JAIN: I would request you.

SHRI DEBA PRASAD ROY: Why don't you allow him?

MR. DEPUTY CHAIRMAN: Please take your seat. Mr. Jain, I am sorry, I have three more names from your party. May I announce their names

SHRI J. K. JAIN: Arid how many from other side

MR. DEPUTY CHAIRMAN: Mr. P.N. Sukul, Mr. Chandrasekhar Reddy and Mr. P. K. Bansal. If every Members wants to speak for one hour or half an hour, how will I find time

SHRI J. K. JAIN: Please tell us how much time they get.

श्री उपसभापति : देखिये, आप लोगों ने जो बीच में टोकाटाकी की, उससे समय लगा, मैं क्या करूँ . . . (व्यवधान) जितना चाहें आप बोलें, मुझे क्या आपत्ति हो सकती है ? . . . (व्यवधान) . . .

श्री कल्प नाथ राय : आप इनको बोलने दीजिए ।

श्री उपसभापति : आपने ज्यादा नाम दे दिये हैं और चाहते हैं एक घंटे बोलने दिया जाय (व्यवधान) . . .

SHRI J. K. JAIN: At least seven minutes without any interruption.

MR. DEPUTY CHAIRMAN: You take two minutes.

SHRI J. K. JAIN: No, Sir.

MR. DEPUTY CHAIRMAN: Then sit down.. (Interruptions) . . . Two minutes more.

SHRI J. K. JAIN: In two minutes I can't finish.

MR. DEPUTY CHAIRMAN: Then sit down.

SHRI J. K. JAIN: I must make my submission here, please. I request you, Sir.

श्री उपसभापति : आप 20 मिनट में कुछ नहीं कह सके तब माफ कीजिये आप कुछ नहीं कह सकेंगे ।

श्री जे० के० जैन : आप इस सदन में .
(व्यवधान) . . . मुझे बोलने दीजिये . .
(व्यवधान) . . .

श्री उपसभापति : आप दो मिनट में कहकर अपनी बात खत्म करें ।

श्री जे० के० जैन : उपसभापति महोदय, मैं यह कहने जा रहा था कि तेलुगु देशम का जो अन्दरूनी मामला था, किस प्रकार से इस पार्टी के अन्दर स्प्लिट हुआ, इसके क्या कारण थे। उपसभापति महोदय, झूठे वायदे किये एन० टी० रामाराव ने, सरकारी कर्म-चारियों की हड़ताल किस प्रकार से हुई, जिला परिषदों को, जहाँ कि कांग्रेस की मैजोरिटी थी, वहाँ श्री एन० टी० रामाराव ने डिफेक्शन कराकर, इन जिला परिषदों के ऊपर कहीं जबर्दस्ती गुण्डे भिजवाये कहीं आम अग्युनिशन भिजवाया और जिला परिषद् के लोगों को धमकाया । उपसभापति महोदय, यही इसका कारण है कि उनकी पार्टी आज दो टुकड़ों में विभाजित हुई है । अमेरिकी आकाशों द्वारा निर्देशित श्री एन० टी० रामाराव ने वहाँ से निर्देश दिया कि कोई भी मंत्री झंडे की सलामी नहीं लेगा, डिस्ट्रिक्ट आफिसर झंडे की सलामी लेंगे । उपसभापति महोदय, मैं विरोधी दल के लोगों से जानना चाहता हूँ कि वे राजनीति के अन्दर क्या गुलामी करने के लिये आये हैं । राजनीति के अन्दर जो भी व्यक्ति पदार्पण करता है वह मान-सम्मान के लिये करता है और यही कारण था कि यह चिगारी ज्वाला-भट्टी बन गई । श्री एन० टी० रामाराव सारे प्रदेश का प्रशासन चीफ सेक्रेटरी को सम्भाल कर चले गये कायदा यह होता है कि अपनी ही केबीट

के किसी व्यक्ति को कहा जाता है कि मेरी गैर हाजिरी में तुम कैबिनेट की मीटिंग बुलाओगे, तुम इम्पॉर्टेंट डिसेीजंस लगे। नहीं, चीफ सेक्रेटरी के हाथ के नीचे.... (व्यवधान)

PROF. C. LAKSHMANNA: This is an allegation. This is very unfortunate, Sir. You please do not allow such things.

श्री जे० के० जैन : चीफ सेक्रेटरी के हाथ के नीचे मंत्रियों को डाल कर वे चले गये, एम० एल० एज० को डाल कर चले गये । यह कारण था । क्या आप जानते नहीं कि एन० टी० रामारव ... (व्यवधान) राजनीति में फ्यूडल पोलिटिक्स में विश्वास रखते हैं । यह गरीब देश आंध्र प्रदेश की गरीब जनता करोड़ों व्यक्ति उस गन्दी राजनीति के शिकार नहीं होना चाहते थे और उन्होंने आवाज दी अपने इलाके के प्रतिनिधियों की आत्मा को उन्होंने झकझोरा और यह मांग की ऐसे फ्यूडल व्यक्ति को हम इस प्रदेश का शासन नहीं करने देना चाहते: यही कारण था कि इस पार्टी के अन्दर यह स्प्लिट हुआ । उपसभापति महोदय, फिल्मी अभिनेता से हम क्या अपेक्षा कर सकते हैं ? (व्यवधान) (समय की घंटी) उपसभापति महोदय, आपके आदेश पर मैं दो मिनट में समाप्त कर दूंगा हलांकि मुझे इतना कुछ बोलना है ।

श्री उपसभापति : आधा घंटा हो गया जैन साहब उस में अपने क्या कहा, अब टाइम नहीं है ।

श्री जे० के० जैन : फिल्मी अभिनेता से हम क्या तक्को रख सकते हैं और शायद मेरे विरोधी दल के भाइयों को भी ज्यादा तक्को नहीं थी । समाचार-पत्रों में इन्होंने पढ़ा, कुछ विरोधी दल के भाइयों ने मुझे आकर दिखाया कि श्री एन० टी० आर० ने अपना अन्तिम

संस्कार आज से साल भर पहले क्या, आप हैरान हो जाएंगे (व्यवधान)

No, Sir, let me have my say. It is a fact. . I challenge.

श्रीमन्, ज्योतिषियों के ऊपर चलने वाले एन० टी० रामारव को किसी ने कहा कि तुम इस जन्म में प्रधान मंत्री नहीं बन सकते हो (व्यवधान)

PROF. C. LAKSHMANNA: It is indecent and arbitrary...

श्री जे० के० जैन : उपसभापति महोदय, एन० टी० आर० ने क्या किया (व्यवधान)

AN HON. MEMBER: He is not using proper language.

SHRI JASWANT SINGH: Sir, I am on a point of order. You quite rightly observed earlier about parliamentary and unparliamentary. I submit you do exercise your powers to decide as to what is parliamentary and what is unparliamentary.

श्री जे० के० जैन : राजनीतिक अन्तिम संस्कार की बात मैंने कही । इसलिए आप इनको कहिये बैठ जाएं । समय बर्बाद नहीं करें । (व्यवधान)

MR. DEPUTY CHAIRMAN: Let me hear him.

SHRI JASWANT SINGH: Sir, I can understand the bafflement of the ruling party, and its frustration. (Interruptions) It is only because...

MR. DEPUTY CHAIRMAN: What is your point of order, Be specific.

श्री जसवंत सिंह : जो कुछ इन्होंने कहा व्यक्तिगत रूप में कहा ; हमारी पार्टी के बारे में कहा, हमने आपत्ति नहीं उठाई । जो कोई विषय

[श्री जसवंत सिंह]

आपत्तिजनक है और उसका जो विषय है उससे इतना परे हैं (व्यवधान)

श्री जे० के० जैन : यह कहता क्या चाहते हैं, इनसे कहलवाइये । (व्यवधान)

श्री जसवंत सिंह : उपसभापति : महोदय, इस सदन के अन्दर (व्यवधान)

श्री उपसभापति : बैठिये । आप क्या बात कर रहे हैं (व्यवधान)
Every time everybody is standing up.
(Interruptions) Come out. What is the

अगर आप कंट्रोल करें तो शायद खत्म हो जाएगा (व्यवधान) इनकी बात खत्म नहीं हुई आप खड़े हो गये ... (व्यवधान)
point?

SHRI JASWANT SINGH: My point, Sir, is arising out of bafflement, incomprehension of what is involved, out of frustration, they have nothing else to say but abuses. I restrain myself because it is pointless to react.

SHRI J. K. JAIN: He was giving sermons, Mr. Ghosh, when he was talking of irrelevant things. What was he talking?

SHRI JASWANT SINGH: There was reference made to *antim sanskar*. Please exercise your mind.

श्री उपसभापति : मेरे ख्याल से अंतिम संस्कार की बात छोड़िये ।

Leave that.

श्री जे० के० जैन : आपको इस बात की यहां रूलिंग देनी होगी ।

SHRI SUSHIL CHAND MOHUNTA: You said that only two minutes more would be allowed to him. Apart from that, I am seeing for the last ten minutes that you are trying your level best to control the hon. Member so that he should take only the time allowed to him. But continuously your ruling is being flouted.

श्री उपसभापति : जन साहब मैं आपसे बता देता हूं कि आपके मेम्बर वाद में छूट जायेंगे फिर मैं नहीं बुलाऊंगा । आप खूब बोलिए... (व्यवधान) आप बैठिये । जैन साहब अपनी पार्टी के टाइम में बोल रहे हैं । वे अपनी पार्टी के सेक्रेटरी हैं उनकी पार्टी का टाइम बचेगा तो उन मेम्बर्स को बुलाऊंगा. नहीं तो नहीं बुलाऊंगा । I will not stop. You go on

श्री जे० के० जैन : : अभी श्री जसवंत सिंह जी के पाइंट आफ आर्डर को उठाकर आपने यह कहा आपने रूलिंग दी...

श्री उपसभापति : आगे बढ़िये, रूलिंग तो मैंने दे दी है... (व्यवधान)

श्री जे० के० जैन : मैं आज आपसे रूलिंग चाहता हूं कि इस सदन के अन्दर कभी "जनता की हत्या" वगैरह शब्द इस्तेमाल नहीं होंगे, इस सदन के अन्दर कभी "मुसाइड" शब्द इस्तेमाल नहीं होगा इस सदन के अन्दर कभी "मर्डर" बड़े इस्तेमाल नहीं होगा । मैंने कहा, राजनीतिक अंतिम संस्कार जिस व्यक्ति ने किया, आप कराइये उसकी जांच कि क्या उस व्यक्ति ने इस प्रकार का महायज्ञ करके और दूसरे जन्म में प्रवेश किया ? क्यों ? क्योंकि किसी ज्योतिषी ने उनसे कहा कि आप इस जन्म में प्रधान मंत्री नहीं बन सकते हैं आपको दूसरा जन्म लेना पड़ेगा ...

श्री उपसभापति : समझ गया । आप बैठिये । हो गया आपका... (व्यवधान)

श्री जे० के० जैन : मैं खत्म कर रहा हूं.... (व्यवधान)

MR. DEPUTY CHAIRMAN: Mr. Jain will not go on record.

श्री जे० के० जैन : *

*Not recorded.

SHR: M. S. GURUPADASWAMY: Mr. Deputy Chairman, Sir, while dealing with Andhra political scenario, let all of us, from this side of the House or from the other side of the House, have a correct perspective and let us have a correct focus. Let us understand the basic issues involved.

Sir, what are the basic issues? The basic issues are, according to me, two. There may be many other unimportant issues. But mainly they are two: One is, whether the Governor has got a right to dismiss the N. T. Rama Rao's Government when he still enjoyed the support of the majority in the Assembly. Sir, the

fThe Vice-Chairman (Shrimati Margaret Alva) in the Chair]

second issue is whether the Union Government and particularly the Prime Minister has anything to do with destabilising of Mr. N. T. Rama Rao's Government. This point has already been mentioned by my hon. friends. These are two basic issues before us. Let us understand the sequence of events which took place since last week briefly. Sir. On the 14th August, Mr. Bhaskara Rao who was the Minister in Mr. N. T. Rama Rao's Cabinet, was dismissed. On the 15th morning, that was the independence day, the Cabinet of Mr. N. T. Rama Rao met at about 7.30 a.m. After a good deal of discussion then Cabinet passed a resolution at about 8.30 a.m. requesting the Governor to convene an emergency session of the State Assembly so that he may seek a vote of confidence in the House. Let us know whether there is any wrong committed by Mr. Rama Rao in making this demand. He also mentioned while writing a letter to the Governor that he would like the Assembly to be called on the 18th i.e., on Saturday. He did not want to lose any time to prove his majority. The point before us is whether the State Legislature has got the power to decide that the Government

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of the day enjoys the majority or not or somebody else should have this power. That is the basic issue. We are having a parliamentary system of Government. The most important tenet of a parliamentary democracy is that the elected House should have control over the Ministry and that Ministry is collectively responsible to the Assembly. That is the norm accepted by all democracies. No other form, no other chamber, and no other individual has got the power to remove the Government. Only the legislature has got the power to decide the fate of the Ministry. Here the Chief Minister Mr. Rama Rao makes a request to the Governor to summon the House so that he may be given an opportunity to test his majority, and the Governor, instead of acting on the advice of the Chief Minister refuses. He has no such discretion. Instead of conceding the demand he takes into cognizance of the claim of a dissident Mr. Bhaskara Rao that he enjoys the majority. Let us concede that he enjoys the majority. If he enjoys the majority, the natural course, the only course, the legitimate course is that the Governor should convene the Assembly, Shri Bhaskara Rao then might move a no-confidence motion against Mr. N. T. Rama Rao and throw him out. But he did not want that way. He submits a bogus list of MLAs—supported by our overzealous, overenthusiastic and eager friends of the Congress party—and requested the Governor that he should be asked to form the Government, and Mr. N. T. Rama Rao should be dismissed. In the meantime, Mr. N. T. Rama Rao and 153 MLAs went to the Raj Bhavan and requested the Governor and told him that they were prepared to parade their members, the MLAs who support Mr. N. T. Rama Rao. In all, there were 158.

AN HON. MEMBER: No, only 120.

SHRI M. S. GURUPADASWAMY: I do not dispute anything at all. I

[Shri M. S. Gurupadaswamy] do not go into that number at all. But why do I say 158? My friends should understand this. I say 158 because 158 people who went with Mr. Rama Rao were arrested by the police. This is on record. (Interruptions) My friend, Mr. Babul Reddy was present there. He corrects me saying that there were 163 MLAs out of whom 158 were arrested. Their names are on police record. They were taken to the police station and their names have been entered there. The names of 158 people are entered in the police record. It can be verified. Then, my friend, Mr. Upendra, goes to the Governor and requests him that the list may be verified. And he says, if the Governor has got any doubt about any MLA being under coercion, or intimidation resorted on behalf of Mr. N. T. Rama Rao, "You call the Legislature Secretary and before him let there be an identification parade". Like the beauty parade we are having parades now in the political field also. We have reduced politics to a beauty parade. Anyway, Shri Upendra says he is prepared to parade them before the Governor and he can satisfy himself in any manner he likes. The Governor does not yield; he does not concede. On the contrary, he is so anxious to make Mr. Bhaskara Rao the Chief Minister. He wants to have the swearing-in ceremony and install a minority Government.

AN HON. MEMBER: What about Karnataka?

SHRI M. S. GURUPADASWAMY: I will come to Karnataka. You topple Karnataka Government and then I will talk about Karnataka. And you can't topple it also. By the time you topple Karnataka Government you would have been toppled at the Centre itself. Mrs. Gandhi will go away. (Interruptions) Let us take it as a joke. Why are you quarrelling with me, I take it as humour. I don't take it seriously. Shri Rama Rao was not given the

opportunity to parade or identify these MLAs before the Governor. On the contrary, Bhaskara Rao was appointed as the Chief Minister and the swearing-in ceremony took place in Raj Bhavan. And before that, Rama Rao and 158 MLAs were arrested. Let us not forget that Rama Rao happened to be the Chief Minister still. I think it is the first time in any country of the world or at least it is the first time in the history of this country that a Chief Minister was arrested by the Governor...

SHRI T. CHANDRASEKHAR REDDY (Andhra Pradesh): He was not arrested.

SHRI M. S. GURUPADASWAMY: All right, I respect Mr. Reddy; he was taken to the police station. To satisfy you I say NTR was asked to sit in the van and he was taken to the police station. He was then the Chief Minister of Andhra Pradesh. (Interruptions) I know you are very emotionally exercised. (Interruptions)

THE VICE-CHAIRMAN (SHRI MATI MARGARET ALVA): He has the facts with him. Don't interrupt him. He is getting confused.

SHRI M. S. GURUPADASWAMY: I am not getting confused.

He was taken in the van to the police station when he was the Chief Minister. Was this not unheard of and unprecedented? Never did such a thing happen before anywhere. And the Governor of Andhra Pradesh has set a new precedent in arresting his own Chief Minister. Only in a military coup could such a thing happen. We have seen Presidents, Prime Ministers, Ministers, being arrested but only by a military coup. And I don't think this was a military coup. But he has been arrested. Then, the Governor gives one month's time for the Legislature to meet. Under what logic does he deny the immediate summoning of the session within forty-eight hours? Rama Rao wanted only two days to

prove his strength. But Rama Rao was not given that opportunity to prove his strength whereas Bhaskara Rao was given one full month. Why? Is it for purchasing the MLAs? Is it for intimidating them? *(Interruptions)* I am only raising the question. You can answer it later. You have got a lot of opportunity to reply. Is it for putting undue pressure on the MLAs to come over to the other side, But they really did all that. Police officials were sent to the meeting place where Rama Rao was present on the ground that some MLAs have been kidnapped, have been kept under pressure. But all the MLAs say they are not there under pressure; they are there under their own volition. Afterwards eighteen MLAs were taken to the police station when they were about to go to Delhi, on the ground that these MLAs have been forced to go to Delhi by NTR's men. These 18 MLAs make a statement in the police station—they are going on their own, they are with NTR. Bhaskar Rao's Government put obstacle. They used all intimidatory tactics. I do not want to "go into the question of purchasing MLAs because you know it much better; I have no knowledge. *(Interruptions)* I welcome the interruption coming from my fair lady. I am very happy. Occasionally interruptions by fair ladies should be welcomed by all of us. Madam, all the obstacles, all the difficulties, all the pressures, are brought on MLAs, to prevent them from going to Delhi. Trains were ! tinning late. Shameful. The fast express train running between Hyderabad and Delhi was stopped at every station. The MLAs had to face lot of harassment on their way. They had no water. Nobody cared for their food. Lot of inconvenience was caused to them.

SHRI M. S. RAMACHANDRAN (Tamil Nadu): People were removing the fish-plates and, therefore, the trains had to run cautiously to avoid accidents.

SHRI M. S. GURUPADASWAMY: Mrs. Gandhi has removed the fish-plates of the entire democracy.

The MLAs came to Delhi facing all the difficulties. Mr. Advani has given their number. I have got the list of their names. Mr. Upendra said now to the Prime Minister that he is prepared to take to her or all MLAs who have come here for verification. But she is not prepared to meet them.

AN HON'BLE MEMBER: Because it is a show.

SHRI M. S. GURUPADASWAMY: What is Mrs. Gandhi doing? Is it not show? It is a drama. Mrs. Gandhi has no answer for that. She is not prepared to see the MLAs and verify the claims whether they are really MLAs or bogus MLAs. All of you can verify that.

SHRI M. S. RAMACHANDRAN: You want the strength to be tested on the floor of the Assembly.

AN HON'BLE MEMBER: It is not her business to verify.

SHRI M. S. GURUPADASWAMY: It is not the Prime Minister's business. Her business is to engineer sabotage, to destabilise Government and to topple non-Congress Governments. Her business is to engineer coup d'etat against non-Congress Governments. That is her business.

THE VICE-CHAIRMAN (SHRI-MATI MARGARET ALVA): Your time is up. Do not be interrupted.

SHRI M. S. GURUPADASWAMY: I must get all my time. They have been interrupting me. You ask your members to be silent.

THE VICE-CHAIRMAN (SHRI-MATI MARGARET ALVA): When I sit here, I have no 'my people' on either side.

SHRI M. S. GURUPADASWAMY: I do not want to be partisan. If my

[Shri M. S. Gurupadswamy] friends charge me that I am partisan in my approach, may I remind them that almost all the papers in India, 90 per cent of the press, almost all the major papers have condemned the action of the Governor? I will read from two or three respectable papers, and tell you what they have written about this episode. I think everybody agrees that The Hindu is a very respectable paper. The Hindu in its editorial on the 17th says:

"There cannot be the slightest doubt that the dramatically engineered dismissal of the Telugu Desam Government in Andhra Pradesh has dealt a severe blow to democratic practices and institutions."

It says further:

"If the political situation becomes even murkier, it is the Centre and those who have gone along with it in this political destabilisation game Which will bear the responsibility."

The Times of India in its editorial on the 18th has observed that:

"The Governor has violated every Constitutional and political norms." It goes on to say:

"As far as we can recall, no Governor since Independence has ever behaved in so disgraceful a manner."

It further says:

"Developments in Andhra Pradesh have settled the issue that a Chief Minister's majority or the lack of it must be tested on the floor of the House. Mr. Ram Lal's conduct has left no room for doubt that we can no longer depend on the Governors to discharge this responsibility."

It finally says:

"We endorse the unanimous Opposition demand for the Andhra Governor's dismissal."

Then, Madam, "The Statesman", has said in its editorial on the 19th August.....

SHRI KAMALENDU BHATTACHARJEE (Assam): What do you say?

SHRI M. S. GURUPADASWAMY: Please hear me. I know it is very inconvenient to you. The editorial in "The Statesman" of the 19th August says as follows:

"Mr. Rama Rao's Ministry did not collapse and would still have been in office but for the Governor's disgraceful machinations. Nor can anyone in Delhi deny, with the climax that has been created under Mrs. Gandhi's benignity, that no State Governor dares to take a single step without being certain of the Prime Minister's approval."

SHRI SYED SIBTEY RAZI: Madam Vice-Chairman, I am on a point of order. It is the convention of the House that certain clippings from the newspapers could be referred to and could be quoted. But if the Member writes down something from the editorials of newspapers and then reads them out here according to his own convenience, I think it is objectionable and it is not the convention of the House. The original clippings could be referred to here. But keeping a copy of such clippings, written in hand or typed, is not permitted and this should not be allowed because there is this apprehension that some motivated word could be used by the Member and, therefore, only the original should be allowed to be quoted here. This is my point of order.

SHRI M. S. GURUPADASWAMY: Madam, my friend, Mr. Advani, referred to the Constitutional position. May I invite the attention of the House to article 164? Article 164 deals with two things: Collective responsibility of the Government and its accountability to the legislature and of Governor's power of discretion. Both are there in the same article. As I

said earlier, the Governor's discretion cannot override the power of the Legislature. That is not the intention of the Constitution-makers. If that is so, Mrs. Gandhi could be dismissed by Rashtrapati tomorrow in spite of the fact that she enjoys the majority here. She enjoys the majority in Parliament and yet, on the same ground, Mrs. Gandhi can be removed. My friends opposite quoted the example of the Janata Government. They referred to Mr. Charan Singh. What happened at that time? Mr. Morarji Desai tendered his resignation. (Interruptions).

SHRI T. THANGABALU (Tamil Nadu): They lost the majority. (Interruptions).

THE VICE-CHAIRMAN (SHRIMATI MARGARET ALVA): Mr. Gurupadaswamy, do not answer these interruptions. It is going to be more than half-an-hour. You finish soon.

SHRI M. S. GURUPADASWAMY: I am finishing. Fifteen minutes they have taken by interrupting me.

SHRI LAL K. ADVANI: Irrelevant interruptions.

SHRI M. S. GURUPADASWAMY: They have taken my time. How am I responsible?

Now, what happened during the Janata period? Let us understand that. (Interruptions). Mr. Morarji Desai tendered his resignation...

SHRI T. THANGABALU: They lost the majority. (Interruptions).

SHRI JAGESH DESAI: He lost his majority. (Interruptions).

SHRI M. S. GURUPADASWAMY: ... and Mr. Charan Singh was asked to form the Government by the then Rashtrapati. Mr. Charan Singh did not enjoy the majority in the House. It is not true that Mr. Morarji Desai was dismissed by Rashtrapati. And Mr. Charan Singh was supported by

Cong. (I) at that time. Of course, Mrs. Gandhi pulled the carpet under his feet and he had to go. That is a different story. But at that time Mr. Morarji Desai tendered his resignation. He was not dismissed as Mr. Rdma Rao has been removed. (Interruptions). Now,...

SHRIMATI USHA MALHOTRA: It is not correct that NTFI was removed. He was requested to resign. He should not have hesitated. (Interruptions). They were in the minority. A request was made to him to resign, because the Governor was convinced that he had lost the majority. That is why a notice was given to... (Interruptions)

SHRI M. S. GURUPADASWAMY: At that time there case was hied in the Delhi High Court. The Delhi High Court in its judgment observed very pointedly that the majority or the minority of the Government has got to be tested or proved on the floor of the House. I have a whole series of documents here with me. But because I have no time I will just refer to the book. I would like my friends on the Opposite to read that book. It is not my book. Madam, it is by Dr. J. R. Siwach of the Kurukshetra University. It is entitled "Politics of President's Rule in India". There he has given a list, from the very beginning up to the present time, and states that wherever there were non-Congress Governments, the Centre has always toppled them. That was... (Interruptions). It is on record. You should go through the book because I have no time... (Interruptions) I am just concluding, Madam. I do not blame Ramlal. My friend, Mr. Advani, blamed him. I do not blame him. After all, he is a small fry as my friend said. He is a stooge. He is an instrument. He is used by Mrs. Gandhi.

SHRIMATI USHA MALHOTRA: Absolutely baseless.

SHRI M. S. GURUPADASWAMY: I blame Mrs. Gandhi. But for Mrs. Gandhi, this development would not have happened at all. (*Interruptions*). The conspiracy was hatched in South Block here. It is Mrs. Gandhi who was responsible. (*Interruptions*) I charge Mrs. Gandhi. She has destroyed democracy in this country. I charge her that She has tried to bring in dictatorship in this country. I charge her of destroying all democratic norms and parliamentary system of government. I charge her... (*Interruptions*) Therefore, Madam, it is not the Governor I blame. He will be dismissed, I know. He has got to be dismissed. (*Interruptions*) He is a disgrace... (*Interruptions*) I say that let NTR be... (*Interruptions*).

SHRIMATI USHA MALHOTRA: On the one hand, he says he is a stooge. On the other hand, he says that he should be dismissed. He does not know what he is saying.

SHRI M. S. GURUPADASWAMY: I say that Mr. N. T. Rama Rao has got to be made the Chief Minister again because he enjoys the majority even today. Mr. N. T. Rama Rao has got to be dismissed and even tried in a court of law for his criminal action. In the end, may I say: 1st Mrs. Gandhi think over it not to repeat such misdeeds in future. (*Interruptions*)

SHRI P. N. SUKUL: Madam Vice-Chairman, I am thankful to you for giving me this opportunity to participate in this rather interesting debate. It is no doubt interesting because despite the entire hue and cry raised by our friends from the opposition, it is ultimately going to prove to be a meaningless debate. My friend, Mr. Advani, was good enough to point out in his speech at the very outset that under the Constitution we have no right to examine the conduct of the Governor. And the entire issue relates to that only. Mr. Gurupadaswamy just now referred to Arti-

cle 164 and he entirely and most conveniently forgot about Article 103(2). It was an emergent situation. Don't forget that it was not a Coalition Government. It was a one-party Government and that one-party majority Government turned into a minority Government because Mr. N. T. Rama Rao himself agreed that at least 63 persons were with Mr. Bhaskar Rao, if not 95 or 99.

SHRI PARVATHANENI UPENDRA: That is wrong.

SHRI P. N. SUKUL: I would never disturb anyone in his speech. I was hearing very patiently. What I was saying is that it was a one-party Government having a total strength of 199 members. Even if 65 persons go out of that party, then that party is reduced to a minority party. Even according to that calculation, it was reduced to a minority. As Mr. Gurupadaswamy said, the basic issue is whether the party of Mr. N. T. Rama Rao was in majority or not at the time of dismissal. Now, I would like to ask: who is going to prove it and who is going to come to a conclusion? Under the Constitution, it is only the Governor who is competent, when there is a controversy and when the House is not in session, and who can exercise his discretion and come to a conclusion about the majority. That is exactly what the Governor has done in this particular case. When Mr. Bhaskar Rao went to him on the 15th with a list of 91 members, what did the Governor do? He again called him the next day. Mr. Upendra also went to him at about 10.00 P.M. on the 15th along with a few party members and the Governor asked him to come again at 12.30 the next day. Mr. Bhaskar Rao was called at 11.30 and Mr. Upendra was called at 12.30. Mr. Bhaskar Rao went to him at 11.30 and Mr. Upendra never went at 12.30 or even afterwards. What was left to the Governor? How could he decide it? When he saw the list of Mr. Bhaskar Rao and when he saw the

support of 57 Congress legislators, « Independents and 5 Muslim Majlis people, he was satisfied that there was a *prima facie* case for Mr. Bhaskar Rao being sworn in as the Chief Minister. That is exactly what the Governor did. After losing the confidence of his own partymen and after losing the Government, why was this crisis precipitated? It was not done because of the Congress Party. This crisis was precipitated because of the inherent contradictions in the Telugu Desam party, N. T. Rama Rao was time and again being called an autocrat, a dictator within the party and that is exactly the reason why his Government fell, why his party was divided, why that vertical split took place. And when, his party was reduced to a minority and when he could not just muster up the requisite number of MLAs and take them to the Governor, what happened, ultimately when the new Chief Minister was going to be sworn in. At that time Mr. N. T. Rama Rao went there along with his people in order to disturb the proceedings. In fact, he wanted to stop the Governor from administering the oath. Does this behave a man who enjoys majority? Had he enjoyed the majority support in the House, he would not have behaved in such an irresponsible manner and he would have seen to it that when the House met, he could have proved his majority in the House. After all, the House was meeting within a few days. The heavens were not going to fall. But he could not contain himself. Mr. Gurupadaswamy was just now talking of intimidatory actions. The devil quoting the scriptures, I must say. The entire list of intimidatory actions is there against so many. In today's paper it has been said that two MLAs were harassed by this party and I must tell you for your information that the residence of Ratna Bose, TDP MLA was attacked by the Telugu Desam faction of Shri P. Malikarjun Rao, a member belonging to the NTR. The residence of TDP MLA, Krishna District, was at-

tacked by the faction of NTR. The residence of N. Rajkumari TDP MLA, Guntur District was attacked by the NTR faction. Similarly, the residence of C. H. Ranga Rao of Eluru was attacked by the NTR faction. Just like that there are 19 persons who were attacked only because they supported Bhaskar Rao and they did not support NTR. This is democracy. This is your respect for traditions. You are talking of so many big things. I can very well understand if the party of Mr. Advani is there to support him. But I simply fail to understand how the people belonging to the CPM and CPI are supporting him. How they are supporting an autocrat? You do not know that in the Ramakrishna Studios there four Americans are there who are taking photos and the very next day these photos are flashed from America. (*Interruptions*).

SHRI INDRADEEP SINHA (Bihar) Who has allowed the American in India, the Government of India or the Government of Andhra Pradesh?

SHRI P. N. SUKUL: NTR wanted to organise mandals out of villages, so many mandals. Our Congress party was opposed to that reorganisation.

SHRI INDRADEEP SINHA: Why didn't your party... (*Interruptions*).

SHRI P. N. SUKUL: Don't disturb me. If you want to explain, you can do it afterwards. You give a reply to whatever I say. Why should you get up every now and then? (*Interruptions*).

THE VICE-CHAIRMAN (SHRI-MATI MARGARET ALVA): Mr. Sinha, your speaker is going to reply. He has got a chance.

SHRI P. N. SUKUL: Madam, I was referring to his idea of reorganising villages into mandals. Our Congress party was opposed to that scheme of Mandals and the American Consul General in Madras came to our leader of the Congress Party in Legislative Council, Mr. Rosaiah, he came up with a list of 1200 mandals, and said to Mr. Rosaiah, why are you opposed to it, if you have any changes to suggest, I will see that those changes are made final. This was the arrangement between NTR and his party and the Americans. I do not understand how friends of the CPI and the CPM can side with the Telugu Desam party. (Interruptions).

SHRI INDRADEEP SINHA: I ask him why did his Government not prosecute NTR on this charge? If you have got the courage, please do it.

SHRI P. N. SUKUL: Madam, my time is being taken like that. So, in spite of this minority that he is having inside the legislature, he has come to Delhi to parade his partymen on the streets of Delhi and take them to Rashtrapati. What for? Two days he has allotted for pressmen for press briefing, just to have the show, the grand gala opening in Delhi; two days for the press! And this is, in fact, going to be an international show because tomorrow you will see flashes from other countries. That is his only idea of bringing the MLAs to Delhi; otherwise, everybody knows, under the Constitution, President cannot do anything. President cannot even identify the members, he cannot detect what forgery you have committed, if you do it. That is why, it is a matter, as I said, this entire discussion is going to be a meaningless and futile exercise because it is not going to affect the complexion of the case. The Governor's decision, his judgment, his discretion that he has used, stands and nobody can question that discretion of the Governor. Under Article 163(2); it says:

"If any question arises whether any matter is or is not a matter as respects which the Governor is by or under this Constitution required to act in his discretion, the decision of the Governor in his discretion shall be final, and the validity of anything done by the Governor shall not be called in question on the ground that he ought or ought not to have acted in his discretion."

Therefore, the decision of the Governor has put the final seal on the matter. Now, the new Chief Minister has also said that the legislature is going to be convened very shortly, and it is going to meet and your respective strength can be shown and proved on the floor of the House, and so long as you are not able to do that, I would request my friends of the Telugudesam faction, led by Mr. N. T. Rama Rao, that they should not misbehave, that they should not go unruly, that they should not allow what is being done in Rayalaseema district and elsewhere. Places are being looted, buses are being burnt. What happened in Hyderabad? There was some mechanical defect and there was a scare of bomb, and that is why the plane was delayed, and the partymen of N. T. Rama Rao tried to damage the aircraft. You damage the aircraft first and then complain why it was late. What happened at Palam? How did you try to break the window-panes and how you wanted to stop all the passengers? I only advise my Telugu Desam friends to have a little of heart-searching. Why did this vertical split take place and why 95 persons fell out? Mrs. Gandhi is not to be blamed for that. You can say Andhra Pradesh Congress extended support to the new Chief Minister. It did because it did not agree with the policies and programmes of Mr. N. T. Rama Rao. It is a debatable point and in democracy, our party is competent to extend its support to anyone it finds fittest for the job.

And, Madam, what is the position today? The position as on today is,

there are 95 Telugu Desam MLAs belonging to Mr. Bhaskara Rao, 57 Congress-I, 5 Muslim Majlis, 8 Independents and 2 others. It means, Mr. Bhaskara Rao has a total strength of 167 members, and that is going to be proved on the floor of the legislature also. Having been reduced to minority, you were talking that he advised the Governor to convene the House and that the Governor did not do so, and that the Governor did not head the recommendation of the Chief Minister, the outgoing Chief Minister. But, you forget the point that he had not resigned. Without resigning, he had no cheeks to recommend that this should be done or that should not be done. Only when the Chief Minister resigns that his recommendation is taken into consideration as to what should be done. But he had not resigned. He had to be dismissed, and if you say that you demanded convening of the House, you know that the House is shortly going to be convened. That is all, Madam, that I have to say. 5.00 P.M. So, once again I will only say that the Governor has used his own discretion, his own judgment and now our friends on the opposition should not unnecessarily try to be undemocratic, unruly and should not indulge in mobocracy and other things.

श्री वीरेन्द्र वर्मा : उपसभाध्यक्ष महोदय, आन्ध्र प्रदेश में घटित घटनाओं ने सारे देश को, प्रजातन्त्र को, बुरी तरह झकझोर दिया है। जिन बुद्धिजीवियों को देश के संविधान में विश्वास है उनको भी ठेस पहुंची है। जिस तरीके से गवर्नर महोदय ने एक्ट किया है वह उनके पार्टी पर सर्वथा अनुचित रहा है। यहाँ बहुत बहस सुबह से चल रही है। इस पक्ष के आदमी कहते हैं कि उनके साथ मेजोरिटी है बहुमत है, भास्कर राव के साथ और इस पक्ष के आदमी कहते हैं कि मेजोरिटी श्री एन० टी० आर० के साथ

है। मेजोरिटी और माइनार्टी का प्रश्न न तो यह हाउस तय करेगा, न गवर्नर तय करेगा और न उसको तय करने वाले राष्ट्रपति जी हैं। मेजोरिटी और माइनार्टी का असम्बन्धी के फ्लोर पर तय होने वाला बात है। क्योंकि इन प्रकार की परिस्थितियाँ अनेकों बार देश में उत्पन्न हुई, इसीलिए सन् 1968 में स्पीकर्स कान्फ्रेंस ने एक डिमोन्स्ट्रेशन लिया कि कभी भी ऐसी परिस्थिति पैदा हो जाए तो सब से उचित यही होगा कि गवर्नर महोदय को कोई भी पार्टी जो गवर्नमेंट में अविश्वास करती है वह लिख कर दे और गवर्नर आदेश देगा चीफ मिनिस्टर को एक सप्ताह के अन्दर असम्बन्धी का सेशन बुलाया जाए अगर वह नहीं बुलाता है तो यह समझा जाएगा कि वह अल्पमत में है बहुमत खो बैठा है। ऐसी ही परिस्थिति जब फिर बाद में पैदा होती रही सन् 1970 में राष्ट्रपति महोदय ने पांच गवर्नर्स की एक कमेटी नियुक्त की। भगवान सहाय उस के अध्यक्ष बनाए गए जो उस समय जम्मू-काश्मीर के गवर्नर थे। उन्होंने अपना यूनेनीमस सुझाव दिया और यह रिपोर्ट में स्पष्ट लिखा गया कि जब यह प्रश्न कभी भी पैदा होगा कि किसी मुख्य मंत्री ने अपना बहुमत खो दिया है तो उसके लिए सब से अच्छा स्थान असम्बन्धी है। मुख्य मंत्री को आदेश दिया जाएगा कि गवर्नर कि वह असम्बन्धी को मीटिंग बुलाएँ एक हफ्ते के अन्दर अन्दर। देश के जिन राज्यपालों ने निष्पक्षता के साथ इस देश के विभिन्न प्रदेशों में कार्य किया है उन्होंने कोई ऐसा मौका जियायत का राष्ट्रपति को, देश की सरकार को, प्रदेश की सरकार को नहीं दिया और उन्होंने तत्काल अपने प्रदेश की असम्बन्धी को बुलाया। इस प्रदेश में जो सब से दुर्बल घटना हुई वह यह थी कि 15 अगस्त को सुबह सात बजे आन्ध्र प्रदेश

[श्री वीरेन्द्र वर्मा]

का कैबिनेट ने एक डिसेजिन लिया एक रेजोल्यूशन पास किया और वह रेजोल्यूशन चीफ सेक्रेटरी के सेक्रेटरी महोदय ले कर गवर्नर महोदय के पास सुबह 8.45 पर पहुंचते हैं और यह रिक्वेस्ट करते हैं कि 18 तारीख को सेचरडे के दिन असेम्बली को मीटिंग बुलाई जाए और यह तय कर लिया जाए कि मेजोरिटी रामाराव के साथ है अथवा दूसरी तरफ है। शाम को उसी दिन 6 बजे पुनः मुख्य मंत्री, तत्कालीन मुख्य मंत्री श्री रामा राव जी, गवर्नर से मिले और फिर यही प्रार्थना की। रात के पाँचे 9 बजे फिर 160-165 विधायकों को ले करके गवर्नर महोदय से मिलने के लिए पहुंचे। लेकिन गवर्नर महोदय ने मना कर दिया कि मेरे से कोई टाइम फिक्स नहीं किया है इसलिए मैं नहीं मिलूंगा दो घंटे तक वहाँ इंतजार करते रहे और जब वे लोग उठकर चले आये तो भास्कर राव जी और दूसरे मिनिस्टर जिन्होंने अब शपथ ली है जीवन जी या क्या नाम है, इन आदमियों से रात को साढ़े 10 या 11 बजे के करीब गवर्नर महोदय मिले। मान्यवर, अगले दिन फिर यह चेष्टा की गयी कि गवर्नर महोदय से मिल मिल लिया जाये। नहीं मिले, टाइम नहीं दिया और दूसरी तरफ गवर्नर महोदय बातचीत करते रहे। दिन के दो बजे मुख्य मंत्री को मिलने का टाइम दिया तो उसी समय मुख्य मंत्री महोदय उनके 9 कैबिनेट मिनिस्टर्स कुछ एम० पी० भी श्री उपेन्द्र जी बगरह और अन्य 25 आदमियों को वहीं गिरफ्तार कर लिया गया और 158 कुल आदमी हो जाते हैं मुख्य मंत्री समेत जो शाम के 5 बजे तक पुलिस के कंट्रोल रूम में बैठाये रखे। इनका नाम दर्ज है। प्रश्न यह होता है कि वे एम० एल० ए० थे या फर्जी आदमी बताया यह जाता है कि उनके पास

आईडेंटिटी कार्ड्स भी थे। प्रत्येक आईडेंटिटी कार्ड पर एम० एल० ए० का फोटो होता है। प्रेस वाले भी वहीं पर बैठे थे उनको भी दिखाया गया। आईडेंटिटी कार्ड्स पर फोटो लगे हुए थे। यह सब कुछ होते हुए भी गवर्नर महोदय ने भास्कर राव साहब को मुख्य मंत्री पद को शपथ दिला दी। बाई पाँचे 3 बजे के करीब जबकि श्री रामा राव साहब की बर्खास्तगी के कोई आदेश नहीं है और दुर्भाग्य यह कि उन्हें गिरफ्तार भी कर लिया, 5 बजे तक उनको बैठाये रखा और उनकी बर्खास्तगी का कोई आदेश उस समय तक नहीं गया। गवर्नर महोदय ने मुख्य मंत्री को बर्खास्तगी का आर्डर भेजे बगैर उनको पुलिस कस्टडी में रखा। उनको गिरफ्तार कराया। यह डेमोक्रेसी का मखौल है। मुख्य मंत्री के पद के बिल्कुल प्रतिकूल है। न गवर्नर महोदय को ऐसा करना चाहिए था और न डेमोक्रेसी का शान के लिए यह उचित था।

मान्यवर, आज मजबूर हो कर आन्ध्र प्रदेश के 163 एम० एल० ए० यहां राष्ट्रपति के सामने पेश हुए। किसी मजबूरी में नहीं आये बल्कि इस मजबूरी में आये कि वहाँ गवर्नर महोदय ने उनसे मिलने को मना कर दिया था। फिर यह कहना कि उनको गिरफ्तार रखा गया, उनको स्वतंत्र नहीं रखा गया उनको घेर करके रखा गया तो ये जो 32-36 घंटे में आन्ध्र प्रदेश से आये तो यहां किसने उनको घेर करके रखा था, रास्ते में कौन सी पुलिस उनकी रक्षा कर रही थी। सिकंदराबाद तक आंध्र प्रदेश की पुलिस ने उनको परेशान किया। लेकिन माननीय वे यहां आये और अपने आईडेंटिटी कार्ड्स अपने फोटोज के साथ राष्ट्रपति जी को दिये। यह जानते हुए भी कि राष्ट्रपति जी कुछ नहीं कर सकते, लेकिन एक्सप्रोज करने के लिए, पब्लिक

और जनता के सामने यह दिखाने के लिए कि अगर राज्यपाल महोदय इस प्रकार का घोर अन्याय कर सकते हैं तो वह राज्यपाल, डेमोक्रेसी की रक्षा नहीं कर सकते, संविधान की रक्षा नहीं कर सकते ।

मान्यवर, परिस्थितियाँ आज इतनी भयंकर पैदा कर दी हैं कि यह हाऊस मजबूर हो कर इसको डिसकस कर रहा है । लोक सभा ने भी इसको डिसकस किया । प्रश्न आज केवल यह नहीं है आंध्र प्रदेश का, आंध्र प्रदेश के पहले भी पांडिचेरी में जिस तरह से हुआ और सिक्किम में भी यहाँ भी हमारे गृह मंत्री जी कह रहे थे ।

17 तारीख में जब यह प्रश्न उठा—
—उधर श्री नरसिंह राव जी ने कहा कि केन्द्र का कोई मतलब नहीं है, यह राज्य सरकारों का मसला है, मैं भी समझता ऐसा ही हूँ, लेकिन सिक्किम में गालिबन आप ही या आपके दूसरे कलोग, स्टेट होम मिनिस्टर सिक्किम में गये थे और वहाँ नर बहादुर भंडारी को कहा कि आप त्याग-पत्र दें । उन्होंने मना किया कि मेरी मजारटी है । मना करने पर भी उनको बर्खास्त कर दिया और दूसरे आदमी को शपथ भी बिला दी ।

मजारटी और माइनारटी का मामला गवर्नर को तय करने का कोई अधिकार नहीं है, चाहे गवर्नर का कानफ्रेंस की गाईड-लाइंस हों, चाहे स्पीकर्स कानफ्रेंस की गाईडलाइंस हों, और चाहे डेमोक्रेसी या कंस्टीट्यूशन की भी बात हो ।

माना, माननीया, कि राज्यपाल को बहुत अधिकार है, लेकिन राज्यपाल भी कंस्टीट्यूशनली किन्हीं अधिकारों से बंधे हैं, डेमोक्रेसी की उन्हें भी रक्षा करनी है,

संविधान की बेल्टूज, मूल्यों को भी उन्हें अपहोल्ड करना है । लेकिन इस मामले में इस बात का ध्यान नहीं रखा गया । उधर हरियाणा में क्या हुआ था ?

तबसे साहब ने देयो लाल जी को कहा कि आप परसों आ जाइयेगा अपनी ताकत के साथ—उनको बुला कर, पहले दिन ही भजनलाल को शपथ दिला दी—और कहा कि सब से बड़ी पालिटिकल पार्टी श्री भजन लाल की थी ।

माननीया, जिस समय जम्मू एण्ड कश्मीर की सरकार को बर्खास्त किया गया, उनके मुख्य मंत्री को बर्खास्त किया गया, वहाँ के मुख्य मंत्री जो ने भी वह रेक्वेस्ट की थी कि उनकी असेम्बली को बुला लिया जाए । असेम्बली बुला ली जाती, मजारटी उनके खिलाफ हो जाती, बहुत मुनासिब बात थी, वह हट जाते और दूसरी सरकार उती समय कायम हो जाती । लेकिन असेम्बली को न बुलाया जाना, दूसरे का शपथ देना और गवर्नर महोदय अपने आप बगैर किसी कारण के मजारटी और माइनारटी की बात को तय करें और यह न संविधान के अनुसार है और न डेमोक्रेसी के सिद्धान्तों के अनुरूप है ।

इसी प्रकार आपके यहाँ भी हुआ और चेष्टा की गई थी कर्नाटक में भी—नम्बर तो है—गुरुपदस्वामी जी बैठे हैं, घबराते तो नहीं हैं, लेकिन परिस्थितियाँ हैं, चुनाव का समय है, चुनाव के इस वर्ष में सारी परिस्थितियाँ पैदा कर दी जाती हैं, की जा सकती है, लाभ होगा कि नुकसान, यह समय बतायेगा । लेकिन, माननीया, हमारे इस देश में डेमोक्रेसी है और डेमोक्रेसी की रक्षा दल बदलने से नहीं हो सकती ।

[श्री वीरेन्द्र वर्मा]

मवाल यह पैदा होता है, यह चुनौती है कि केन्द्र की सरकार दल-बदल को प्रोत्साहन देती है अथवा डिमकरेज करती है ? मैं चार्ज करता हूँ माननीया महोदय, आपके जरिए कि कांग्रेस की पार्टी दल बदलने को बढ़ावा दे रही है । मैं उस बात को सही मानता था कि अगर कश्मीर में किन्हीं आदिमियों ने दल छोड़ा है, छोड़ कर चले गये, जे० एम० शाह वगैरह और कोई भी, लेकिन कांग्रेस का समर्थन देना दल-बदल को प्रोत्साहन देना है । जिन आदिमियों ने दल बदला, वह सारे के सारे मिनिस्टर बने, उन सारों को दल बदल लेने के लिए इनामान मिले ।

इसी प्रकार से, माननीया, आन्ध्र प्रदेश में भी कांग्रेस ने बाहर से उनको समर्थन दिया—यह दल-बदल को बढ़ावा है । इस तरह से न डेमोक्रेसी की रक्षा हो सकती है और न माननीया महोदय, संविधान के सिद्धांतों की रक्षा हो सकती है ।

मैं ईमानदारी से महसूस करता हूँ कि श्री राम लाल जी ने, जो कुछ समय पेश्वर हिमाचल प्रदेश की चार्ल्स लाख की आवादी के प्रदेश के मुख्य मंत्री थे और उच्च-न्यायालय ने भ्रष्टाचार के मामले में उनके खिलाफ स्टिट्यूट कर दिए थे, उनके और उनके लड़के के खिलाफ—प्रधान मंत्री जी ने उनको हटाया उस स्टिट्यूट के आधार पर । दुभाग्य आन्ध्र प्रदेश के इन लोगों का कि ऐसा आदमी, एक छोटी सी स्टेट का मुख्य मंत्री, इतनी बड़ी स्टेट का, इतनी महत्वपूर्ण स्टेट का राज्यपाल बना दिया गया और उन्होंने अपने पोलिटिकल भविष्य के लिए सिद्धांतों के विपरीत, कानून के खिलाफ, डेमोक्रेसी के सिद्धांतों और कंस्टीट्यूशन के खिलाफ इस प्रकार

की कार्यवाहियों की हैं । यह सर्वथा उनके पार्टी पर अनुचित थी । मैं मांग करता हूँ कि ऐसे गवर्नर को राष्ट्रपति महोदय और भारत की सरकार को वापस बुलाना चाहिए, बर्खास्त करना चाहिए और पहले मुख्य मंत्री ने दो दिन का टाईम, अर्थात् 48 घंटे का टाईम मांगा था कि अगेंबली बुला लीजिए । न इनको कहने की जरूरत थी और न इधर के आदिमियों को कुछ कहने की जरूरत थी कि किसकी मैजोरिटी है । अफसोस इस बात का है कि भूतपूर्व मुख्य मंत्री, जिसको जनता ने चुना था, जनता के चुने हुए मुख्य मंत्री को 48 घंटे का टाईम अपनी मैजोरिटी जो करने के लिए नहीं दिया गया और जिसको नाजायज तरीके से मुख्य मंत्री बनाया, उनको अपनी मैजोरिटी प्रूव करने के लिए 30 दिन का टाईम दिया गया । क्या मतलब है इस बात का कि 30 दिन का टाईम दिया गया ? क्या इसका मतलब दल-बदल को बढ़ावा देने का नहीं है, भ्रष्टाचार को बढ़ावा देने का नहीं है ? माननीय महोदय, यह बहुत गलत बात है । इससे न डेमोक्रेसी की रक्षा हो सकती है और न ही संविधान की रक्षा हो सकती है । इसलिए हम सभी को, अकेले इन्हें नहीं, बल्कि सारे हाउस को डेमोक्रेसी के मूल्यों को उंचा उठाने के लिए अपने कार्य-कलाप इस प्रकार से करने चाहिए कि जिससे न हम अपनी पार्टी को बदनाम कर सकें और न ही डेमोक्रेसी को कमजोर कर सकें ।

SHRI T. CHANDRASEKHAR REDDY: Madam Vice-Chairman, after Mr. Bhaskara Rao had sent his resignation.... (Interruptions) After Mr. Bhaskara Rao had sent his resignation with three of his colleagues to the Governor, in the meantime, the then Chief Minister, Mr. Rama Rao, had sent a recommendation to the

Governor to dismiss Mr. Bhaskara Rao. After this dismissal, there was a vertical split in the party and there were 91 MLAs who had gone to Mr. Bhaskara Rao and three more joined. and he had taken the list of 91 people to the Governor and the Governor after calculating found that when there were 199 MLAs there, 91 plus 3 had gone over to his side Mr. Rama Rao's was a minority government; and when the minority is there, he cannot continue in the Ministry as the Chief Minister. Minister. (Interruptions)

THE VICE-CHAIRMAN (SHRI-MATI MARGARET ALVA): There are some newspapermen who are not with him. So do not worry. Listen.

SHRI V. GOPALSWAMY: It is his maiden speech So I do not want to interrupt.

SHRI T. CHANDRASEKHAR REDDY: As I said earlier, even some of the Ministers who were with Mr. Rama Rao got frustrated because they were treated as his bonded labourers. (Interruptions) Earlier in my Calling Attention motion I had said that Mr. Rama Rao had not delegated powers to have Cabinet meetings or to take any on-the-spot decisions and there was no government. The Ministers and the MLAs got frustrated and he became a dictatorial Chief Minister.

SHRI INDRADEEP SINHA: Is that a ground for dismissal?

THE VICE-CHAIRMAN SHRI-MATI MARGARET ALVA): Please do not interrupt. You can brief your party; you brief your speakers.

SHRI T. CHANDRASEKHAR REDDY: When he has no right to continue as a minority party leader, I do not know how Congress (I) party (Interruptions)

SHRI DEBA PRASAD ROY: Just now when Mr. Virendra Verma spoke, nobody from, our side interfered. Now when Mr. Chandrasekhar Reddy is speaking, they are interrupting him.

Andhra Pradesh

THE VICE-CHAIRMAN (SHRI-MATI MARGARET ALVA): I am looking after that. Please sit down.

SHRI T. CHANDRASEKHAR REDDY: Bhaskara Rao and Rama Rao's is a family affair. Now the Telugu Desam party has a vertical split. When we found that Mr. Bhaskara Rao had got a majority and he had gone to which side, we said we will support him and give 57 MLAs to the Bhaskara Rao Government. That is all. You are unnecessarily bringing in the Prime Minister, you are bringing in the Congress (I) party. The Congress (I) party came in only at the later stage when we found that he had got 91 MLAs. Now they have brought 162 MLAs. Here is the UNI news which says that 95 people he had produced before the Governor. But the newspaper reports today say that a probe into fake identity cards had been ordered by the Government. Mr. Harirama Jogiah, the then Minister, telephoned to the Secretary, Legislature Party: Please send me some forms to make identity cards. The Secretariat refused flatly. Then they went and got new forms printed in a private press, they got prepared the identity cards and brought, those take identity cards to Delhi for which the Government of Andhra Pradesh has now put a CBI enquiry. Now they say that 95 MLAs are with Mr. Bhaskara Rao, and these people say they have 162.- Which is correct and which is wrong?

SHRI KALYAN ROY: You say.

SHRI T. CHANDRASEKHAR REDDY: With all your bogus identity cards, 95 MLAs they have produced. One of Mr. Bhaskara Rao's supporter, Mr. Peela Reddy is sitting in the Central Hall. That means he has got 96.

SHRI KALYAN ROY: You decide which is more, 162 or 95.

SHRI T. CHANDRASEKHAR REDDY: For two months when Mr. Rama Rao was in America there was no Government. It was not functioning. The Chief Secretary was the Chief Minister. Sitting in America, the Chief Minister gave orders to do this

[Shri T. Chandrasekhar Reddy] and that. The DIG comes from Mr. Rama Rao and says, "I have been sent from Mr. Rama Rao to see that the law and order situation is controlled." He gives press statement. Under these circumstances, the members of that party got frustrated, and the party split. Many members left Mr. Rama Rao and Mr. Bhaskara Rao got majority and formed the Government. What is wrong, I would like to know.

SHRI KALYAN ROY: Nothing wrong! You go ahead.

SHRI T. CHANDRASEKHAR REDDY: Mr. Rama Rao has not produced majority and has not paraded them because he asked to call the Assembly on 18th. By that time Mr. Bhaskara Rao has shown his majority, and after seeing the majority, Mr. Ram Lal, Governor, asked Mr. Rama Rao to resign which he refused for which he has been dismissed. He was not arrested. He has been gheraoing the Governor, and he was saying, 'I do not want to go from here.' Mr. Upendra was there. A car was brought for Mr. Rama Rao. He said that he would go in a van. That is why he was taken in the van. Some of our friends said that he was arrested, when he was Chief Minister.

SHRI INDRADEEP SINHA: You arrested the Chief Minister. He was Chief Minister at that time.

THE VICE-CHAIRMAN (SHRI-MATI MARGARET ALVA): You please give your questions to Mr. Kalyanasundaram. He will raise them. If you want, you can give them in writing.

SHRI T. CHANDRASEKHAR REDDY: Mr. Ram Lal's action, the Governor's action, is absolutely correct.

SHRI M. KALYANASUNDARAM (Tamil Nadu): Madam, the action of the Andhra Pradesh Governor is a serious outrage against our Constitution. It has undermined the confidence of the people in our parliamentary system.

My learned friend, Mr. Advani, while initiating the discussion raised certain valid points about the constitutional implication and democratic propriety and about the powers of the Governor. But the discretions are drifting in a partisan way. Tempers are allowed to run high. Even the Prime Minister who intervened in a hurry, only dissociated with the action of the Governor. She did not justify the action. She wanted to clear that she had nothing to do with it, that she did not send any instruction and also that no other Central Minister had sent him any instruction. The Governor acted on his own. I am prepared to believe it. And the Prime Minister further stated that it was a split in their party. That is also true. But may I ask our Congress friends and also the Prime Minister: Then, why should the Congress (I) members, 57 or so, join the bandwagon of Mr. Bhaskara Rao?

श्री रामानन्द यादव; आपने किसी को समर्थन दिया है आज तक या नहीं।

So many times you have lent your support to those who did not deserve it at all.

SHRI M. KALYANASUNDARAM: They are defending only for the sake of defending the action of the Governor. They do not realise what serious damage is going to cause to their own party. (Interruptions).

THE VICE-CHAIRMAN (SHRI-MATI MARGARET ALVA): Mr. Kalyanasundaram never interrupts any speaker. Let him finish.

SHRI M. KALYANASUNDARAM: That is their weakness. They do not want to listen to other speakers. They want to protest every speaker and every sentence. What I wanted to say is: let us approach the problem in a dispassionate way. Whether the action of the Governor will do good for the State, for the country and for the Constitution. My Congress friends wanted to defend the Governor's action. But I can tell our

friends from Telugu Desam party that this is a blessing in disguise for them. I wish Mr. N. T. Rama Rao speedy recovery. The action of the Governor, Mr. Ram Lal is very improper according to the Constitution. Even he lacked human decency. Mr. Rama Rao returned after a serious heart surgery and the next day he was asked to resign on the recommendation of a dissident. Mr. Rama Rao challenged that he has got the majority and asked the Governor to convene the Assembly within three days. He was prepared to prove his majority. But the Governor did not listen to him—the Governor dismissed Mr. Rama Rao's Ministry and invited Mr. Bhaskara Rao to form the Ministry. Can such a thing happen? I do not think this is worse than what happened in Sikkim or J&G. This can never be defended. I would advise my Congress friends not to defend Governor's action because tomorrow you will have to face the same situation. You may have to make that Governor a scape-goat. Please see the agitation that is going on in that State. I am not encouraging violence. Is Mr. Bhaskara Rao the real Chief Minister there? In my opinion, from the reports emanating from the State, it is Mr. Rama Rao who is the defacto Chief Minister, with the support of the people having a majority. Mr. Bhaskara Rao is at the mercy of the Governor with bullets and bayonets of the police. This is the situation. Let us face the reality. I do not suggest to dismiss Mr. Bhaskara Rao immediately and reinstate Mr. Rama Rao. A constitutional method is necessary for this purpose. Whatever damage has been done, has been done to the Constitution. But how to rectify? That should be the approach of the Government of India—that should be the approach of the Prime Minister—that should be the approach of the Congressmen and others in the House who have any respect for our Constitution and democratic system. What should be done now is the question? Mr. Rama Rao had claimed majority. Don't dispute about the number? Mr. Bhas-

kara Rao is not able to show his majority. I want to ask a question: are these MLAs to be paraded to Raj Bhavan? Is Raj Bhavan to decide the majority or minority of a Government? Is Raj Bhavan a cattle show? They are being marched like cattle to the Raj Bhavan. Our MLAs are becoming cattles to be sold and resold. So shame on our MLAs. We should be concerned about this. I don't show any concern to this type of MLAs whichever party they may belong. If MLAs desert a party, the defectors should not be supported. Will the ruling party give us an assurance that they will not support the defectors? I don't allege that the ruling party is responsible for toppling any Government. But if you are sincere, then don't encourage any defectors. Defectors must be shunned. Then there will be no toppling and democracy will be safe. There should be a code of conduct among all the political parties that they will not encourage defectors. What is the policy difference between Mr. Bhaskara Rao, and Mr. N. T. Rama Rao except the leaf of office? What is the policy matter on which he differed from Mr. N. T. Rama Rao? (*Interruptions*) I know a little more of Andhra Pradesh because I come from Madras. Mr. Bhaskara Rao thought that he was a great politician. Loyalty to party, Loyalty to leader, fidelity to principles were never the virtues of Mr. Bhaskara Rao. The Congressmen know it. In which party he was stable, tell me. Was he not with Dr. Chenna Reddy? Was he not with Mr. Anjaiah? And then he was with Mr. Rama Rao. He has behaved the same way. Is he the type of person whom you should encourage to be made the Chief Minister? Will it do credit to the Congress? Will they ask themselves this question? That is all I have to say about this Governor's action.

Now, what should be done? I will only ask the Home Minister and the Prime Minister now to condemn the action and dissociate themselves from

Lbhn M. KalyanasundramJ this action. It is not enough to say that your Prime Minister is not responsible. It is not enough to say that the Central Government is not responsible. You must condemn the action of the Governor and dismiss him. The whole world is watching us. Don't think it is a matter concerning only Andhra. People are indignant. The whole country is indignant. Are we again moving towards any confrontation between the Opposition and the ruling party? Try to avoid confrontation. The Prime Minister is repeatedly saying that more serious dangers are around us, our unity is being threatened, our security is being threatened, our freedom is being threatened. Is this the time to play a political game like this? So the Constitution must be respected and restored. I demand of the Government: kindly recall that Governor. I do not want to go into his antecedents because many cases are still pending, involving his family. About Rs. 50 crores worth of timber of the Himachal Pradesh forests has been felled illegally, and the cases are pending before the court. His family members are involved.

SHRI CHIMANBHAI MEHTA (Gujarat): How can this come here? On a point of order.

SHRI M. KALYANASUNDARAM: He should be recalled for his crime in Andhra Pradesh.

SHRI CHIMANBHAI MEHTA: Hojw can this mater be raised here?

SHRI SURESH KALMADI (Maharashtra): The whole world knows it. It is at that, I am not demanding any action against the Governor on that ground. What he did as Governor of Andhra Pradesh is the main thing for which I demand action. He should be recalled and removed and the President can do it.

SHRI CHIMANBHAI MEHTA: The country knows that NTR was the only person in India to oppose army action in Punjab. He was the person who went to America and tried to meet Reagan. May I raise that issue here?

श्री रामानन्द यादव : यहाँ पर हम लोग आंध्र प्रदेश के गवर्नर ने जो भास्कर राव को बुला कर एज चैफ मिनिस्टर उन को शपथ दिलायी और एन टा रामाराव को जो डिस्मिस किया उसके संबंध में कांस्टीट्यूशनल प्वाइंट पर बहस कर रहे हैं। लेकिन उनके जो आउट साइड काम हैं नाट एज ए गवर्नर, व्हाट ही डिड आउट साइड इन हिमाचल प्रदेश, बीआर नाट डिस्कसिंग आल दैट। तो क्या यह उचित होगा कि उस आदमी के जो बाहर के काम थे वेहन ही बाज नाट दि गवर्नर उस को हम यहाँ डिस्कस करें।

उपसभाध्यक्ष (श्रीमती मागैट आल्वा) : बहुत कुछ बाहर की बातें डिस्कशन में आ गयी हैं, इस लिये...

श्री रामानन्द यादव : जो विषय है यहाँ पर डिस्कशन के लिये उस से बाहर जा कर जो उन का कंडक्ट है, क्या उस को हम डिस्कस कर सकते हैं, व्हाट ही डिड वेहन ही बाज दि चीफ मिनिस्टर? क्या उस पर डिस्कशन यहाँ उचित होगा। कोई प्रोप्रायटी इस में ईशाल्व है?

उपसभाध्यक्ष (श्रीमती मागैट आल्वा) : यह उचित नहीं है, लेकिन बहुत सी बातें इस डिबेट में आयी हैं, इस लिये उस बारे में हम कुछ बात कर सकते हैं।

SHRI M. KALYANASUNDARAM: I am not prepared to enter into a controversy on this question. I leave action against the Governor on that ground. What he did as Governor of Andhra Pradesh is the main thing for which I demand action. He should be recalled and removed and the President can do it. Secondly, if you want to maintain peace there, please dismiss Bhaskara

Rao's ministry and then call the Assembly and let NTR prove his strength. If Bhaskara Rao gets the majority, reinstate him. But don't call the Assembly with Bhaskara Rao as Chief Minister. There is another rumour also. Bhaskara Rao has no majority. He has been made Chief Minister illegally. Therefore, Bhaskara Rao must be removed. The Assembly must be called. Let NT Rama Rao prove his majority. If he proves his majority, reinstate him as Chief Minister. That will be very graceful and that will do honour to our Constitution. That is the only way you can undo the mischief, undo the damage, done by Governor Ram Lal. There is no other way. Let us not create another tension in the country in this situation. Try to avoid tension. Rama Rao has made a very reasonable demand. They have all come here and demonstrated their majority. That fact cannot be questioned. You may dispute it. But they are bringing their MLAs in flesh and blood. They are not just furnishing a list. The only course open is to rectify the mistake, to restore confidence of the people in our Constitution and democracy. As I have already suggested, on behalf of my party, I demand that Bhaskara Rao should be immediately removed and Assembly should be convened. And if NT Rama Rao has majority, let him be reinstated or if Bhaskara Rao has majority, no harm. But one thing must be avoided. There is a rumour that Bhaskara Rao also will be dismissed and the Assembly will be dissolved and President's rule imposed. Then that will be very very dangerous. Then Andhra will be ruled by Congress-I for ever. Don't think on those lines. Rectify the mistake in a constitutional way. In order to correct one mistake, don't commit another mistake. Kindly accept our suggestions. I want an assurance from the Minister when he replies, whether he agrees with the action of the Governor or whether he is prepared to condemn the action of the Governor, on the floor of this House.

THE VICE-CHAIRMAN (SHRI-MATI MARGARET ALVA): Shri Madan Bhatia.

SHRI V. GOPALSAMY: My name is first on the list, Madam.

THE VICE-CHAIRMAN (SHRI-MATI MARGARET ALVA): I know, there are many more before you.

SHRI V. GOPALSAMY: From Others' list my name is the first.

THE VICE-CHAIRMAN (SHRI-MATI MARGARET ALVA): No, there are others. Please sit down. I know...

SHRI V. GOPALSAMY: How? How are you calling him first?

THE VICE-CHAIRMAN (SHRI-MATI MARGARET ALVA): Telugu Desam has also to speak first

SHRI V. GOPALSAMY: I know, Mr. Suresh Kalmadi is also sitting. I know....

THE VICE-CHAIRMAN (SHRI-MATI MARGARET ALVA): Actually this was the chance of the Congress Member. Because he was to go, he made a request. So I have called him. Actually this was the chance of the Congress.

SHRI V. GOPALSAMY: But then he has not joined the Congress from Others. His name is there in the Others' list. How can he come in between?

THE VICE-CHAIRMAN (SHRI-MATI MARGARET ALVA): After Mr. Kaiyandasundaram it was the chance of the Congress. But he made a request to me and it is my decision. Please don't challenge my decision in the matter. He has requested me to accommodate him and I have given him the chance of the Congress-I.

SHRI V. GOPALSAMY: But my point is his name is in the Others' list. His name is not there in the Congress-I list.

THE VICE-CHAIRMAN (SHRI-MATI MARGARET ALVA): He has not taken your party's time.

SHRI MADAN BHATIA: Madam, Vice-Chairman, I am standing on the floor of this honourable House with a little sense of awe. Let us remember that at this crucial juncture we are seeking to expound the Constitution of India—the Constitution which is intended to endure for ages and is, therefore, likely to be adapted to various crises, in our political affairs.

It does not hold any brief either for the Governor or for Mr. N. T. Rama Rao or for Mr. Bhaskara Rao. But I do hold a brief for the Constitution of India because I have taken the oath to bear true faith and allegiance to the Constitution. I shall be untrue to the Constitution if I say anything which is blurred by any political or extraneous considerations. Therefore, I respectfully submit that the first question, the most vital question of the Constitution which is facing this honourable House today is whether the Governor is competent to decide on the basis of a memorandum submitted to him by the legislators and signed by them that the Chief Minister in power has lost the majority. Or, must he under the Constitution decide this question on the basis of the vote taken on the floor of the House?

Before I deal with this question, I shall like to remind the Hon'ble Members that our Constitution is based on the Parliamentary system of Government taken from Britain. This particular fact was emphasized by the various speakers in the Constituent Assembly when the Constitution was adopted. This fact has been emphasized by the Hon'ble Supreme Court. This particular fact that our Constitution means the Constitution as it is written together with all the Constitutional precedents and the conventions which form the foundation of the Parliamentary system of Govern-

ment has been lucidly put forth by a famous jurist, Jennings, in his book "Various Characteristics of the Indian Constitution". And there he says:

"The machinery of Government is essentially British and the whole collection of British Constitutional Conventions has apparently been incorporated."

Before I deal with the Constitutional Conventions established in Britain, I would like to bring to the notice of this Hon'ble House that an identical situation arose in Nigeria, the Constitution of which is based similarly on the Parliamentary system of Government. In fact the wording of the Constitution stands comparison with the wording of the Constitution of India. There this question arose.

A memorandum was submitted to the Governor signed by 66 Members out of 124 Members stating that they have withdrawn the support from the Prime Minister of Western Nigeria. On the basis of that memorandum, the Governor called upon the Prime Minister to submit his resignation. He declined to submit the resignation and he was dismissed. The Prime Minister filed a Writ Petition in the court of Nigeria saying that the Governor under the Constitution was not competent to decide whether the Prime Minister lost the majority or not and this question had, therefore, to be decided on the floor of the House by means of the voting taken on the floor of the House. He challenged the action of the Governor. The matter went up to the Privy Council because, under their Constitution, the highest appellate authority is the Privy Council of Britain. Madam, I would respectfully submit here that the Privy Council held that the action of the Governor was totally constitutional and valid. There was nothing either in the Constitution or in the Constitutional conventions of the parliamentary system of Government which would indicate that the

Governor cannot decide the question of the support which the reigning Prime Minister is enjoying otherwise than by means of voting on the floor of the House and I wish to draw the attention of the honourable House to this judgment which is reported in "The All-England Reporter". The Bench of the Privy Council was presided over by five highest judicial officers of England and their names were: (1) Lord Radcliff, (2) Lord Jenkins, (3) Lord Guest, (4) Lord Dublin and (5) Sir Kenneth Crescent. Madam, Their Lordships first posed the question which they had to answer, and the question was—"Can the Governor, validly exercise power to remove the Premier, from office under section 33(10) of the Constitution of Western Nigeria without prior decision or resolution on the floor of the Assembly showing that the Premier no longer commands the support of the majority of the House?" and Their Lordships answer this question in this way:-

"Their Lordships have not been able to find any indications either in the general scheme or in other specific provisions which would enable them to say that the Governor is legally precluded from forming his opinion on the basis of anything but votes formally given on the floor of the House."

Madam, the honourable Member, Mr. Advani, relied upon a provision of the Constitution which says that the Council of Ministers would be answerable to the House. Their Lordships dealt with this argument also and rejected this argument. Their Lordships said:

"It is said, too, that the support that is to be considered is nothing else than the support in the proceedings of the House itself and with this proposition also, Their Lordships are in agreement. They do not think, however, that this in

itself is a pregnant observation. No doubt, everything comes back in the end to the question."

Mr. Deputy Chairman in the Chair

"What action the members of a party or a group or a combination are resolved to take in proceedings on the floor of the House. But in democratic politics, speeches or writings outside the House, party meetings, speeches or activities inside the House, short of actual voting, are all capable of contributing evidence to indicate what action this or that members has decided to take when and if he is called upon to vote in the House and it appears to Their Lordships unreal to try to draw a dividing line between votes on the floor of the House and other demonstrations where the issue of support is concerned."

This is the Constitutional Law, Sir, and all that has been said on the floor of this House on this side that the action of the Governor to decide this question on the basis of the memorandum was highly unconstitutional has no basis in the Indian Constitution.

As regards the Constitutional conventions in England, I would respectfully submit, Sir, that there has never been a single instance in the entire Constitutional history of England where the Prime Minister, whose party lost the majority on account of a split or whose coalition, if he was heading a coalition, lost the majority, on account of the withdrawal of support of a particular constituent of the coalition, ever refused to resign and took the stand that he would not resign unless he is afforded an opportunity of showing his support on the floor of Parliament. I respectfully submit, Sir it is embedded in the Constitution of Britain and the constitutional conventions, which form an integral part of Constitution, that the moment the Prime Minister's party

Mr. M. N. Reddy

becomes a minority party on account of a split in the party. At the moment his coalition loses the majority because a part of the coalition has withdrawn its support, he, without waiting for time on the floor of the House, must submit his resignation.

In this regard, I want to draw the attention of this hon. House to what Jennings, the famous jurist, says, at page 28 of "Cabinet Government":

"The situation is much the same where political conditions cause the resignation of a Government which has not suffered defeat either in Parliament or at the polls. In 1905, when Mr. Balfour decided that he could not continue a Government which was breaking up over Tariff Reforms, Edward VII sent for Sir Henry Campbell-Bannerman, who formed a Liberal Government pending an appeal to the people. In 1922, when the Conservative under-secretaries and back-benchers, led by Mr. Bonar Law, rebelled against the Coalition, George V sent for Mr. Balfour, who formed a Conservative Government and advised a dissolution. In 1931 the Labour Government had no majority but was governing with Liberal support. Finding itself unable to agree on measures to deal with the financial crisis, it resigned, and Mr. MacDonald was commissioned to form a coalition Government. In 1940 Mr. Neville Chamberlain's majority falling to 81, and the Labour Party withdrawing its general support, the Government resigned and George VI sent for Mr. Churchill because he could form a coalition Government which included members of the Labour Party."

I respectfully submit, Sir, that this is a constitutional convention that when the party headed by the Chief

Minister has lost the majority on account of the split, in that circumstance, the Chief Minister must submit his resignation. This constitutional convention was thrown to the winds by Mr. N. T. Rama Rao. He trampled under his feet the Constitution of India and the constitutional conventions which form an integral part of the Constitution, by insisting that, "I shall not resign; you call the Assembly and give me an opportunity to demonstrate my support from the floor of the hon. House". I respectfully submit, Sir, that the second constitutional question which arises in the present case is whether the advice of the Chief Minister who refuses to resign in these circumstances is a turn to the Governor by saying, 'I shall not resign but I give you the advice to summon the Assembly and my advice is binding on you'—whether in a circumstance such as this the advice of the Chief Minister is binding on the Governor. I respectfully submit, Sir, that this whole question arises from the interpretation of the relevant article of the Constitution which says that the Assembly shall be convened, prorogued, summoned or dissolved by the Governor at such time and at such place as he thinks fit. But I do not go to that extent, normally—the Supreme Court has said 'normally', not always—normally he is bound by the advice of the Chief Minister. But the question before the hon. House is whether in a circumstance such as this he can insist that 'my advice to you is that you must summon the House, is binding on you. Let us test the validity of this particular contention by taking two other similar circumstances. The whole question is whether the Governor has no discretion but to abide by the advice of the Chief Minister. Supposing that a memorandum had been submitted to the Governor and the Governor felt that he was not satisfied with the memorandum and he went to the Chief Minister saying: "I am not satisfied with the memorandum, but you please summon the Assembly to clarify my doubts and have a vote of confidence." Supposing the Chief Minister says: "No, it is my prerogative to advise you under the Constitution whether to summon the Assembly or not to summon

the Assembly. I advise you not to summon the Assembly for a period of three months and my advice is binding on you." Can he say that? The very stand that he would take in a circumstance such as this would entail his dismissal because the Constitution does not permit him to take such a stand. Take the second position. Supposing he was having a coalition government consisting of four or five parties and not even one party enjoyed the majority in the House, and one constituent of the coalition Government withdraws the support as a result of which the Government in power loses the majority and writes to the Governor: "We have withdrawn our support from this coalition government and our members in the coalition government have resigned." Can it be said that in a circumstance such as this, the Chief Minister can still insist that my advice to the Governor is that he must summon the Assembly and my advice is binding on him." If that be so, then India's gradual transition to the multi-party system is going to be stultified. It is the assessment of the hon. Members of this House on this side that India is gradually drifting to a multi-party system. The whole concept and basis of the multi-party system is this that as soon as the coalition loses the majority, the head of the coalition must resign. There is no question for him to wait and say: "I shall not resign unless there is a voting on the floor of the House."

Sir, there is another vital reason, a constitutional reason, why such an advice cannot be given by the Chief Minister. If the question to be decided is whether the Chief Minister in power has lost the majority or has not lost the majority, this again makes him a contender in the whole question. He becomes one of the parties to the case. He is no longer a Chief Minister who has to give advice in the running of the administration of the Government, (*Interruptions*) His personal political fortunes are involved in the decision on this question and this particular question has to be decided by an independent authority provided in the Constitution, namely, the Governor. The

Chief Minister has no power and competence to give advice on any matter in which he has personal stakes. The Constitution forbids it. I respectfully submit that if the foundations of democracy in this country have to be made firm, if India's gradual transition to the multi-party system has to be made smooth... (*Interruptions*) Excuse me, I am talking about Constitution, there are two conventions of the Constitutions which must be established. The first convention is that if the Chief Minister loses the majority of his party because of a split or if the Chief Minister loses the majority of his coalition because of the withdrawal of support by one constituent of the coalition, he must resign and he cannot be permitted to take the stand that he should be given an opportunity to show his strength on the floor of the hon. House. I respectfully submit, Sir, that the second most important constitutional convention which must be established is this that if the legislators furnish their memorandum to the Governor saying that they have withdrawn the support from the running Chief Minister as a result of which he has lost the support of the majority, those legislators must not be allowed to go back on that memorandum except from the floor of the hon. House. They should never be allowed to indulge in the activities of horse-trading of the reigning Chief Minister or anybody else. Otherwise, if the Governor does not go by the memorandum and seeks to change his colours like the chameleons colours of such legislators, the Constitution cannot work. Once he receives the memorandum, he must act and the legislators must face the consequences of their memorandum. They can change their stand from the floor of the hon. House. But they cannot be permitted to change their stand after 26 hours if four hours or on the drop of a hat.

I respectfully submit, Sir, that if this convention is not established, the Governor will become a party to the horse-trading which may continue after the memorandum has been submitted. The whole Constitution depends upon the es-

[Shri Madan Bhatia]

lablishment of these two broad constitutional conventions. (*Time Bell rings*). Sir, I am closing but it is with great regret that I have to say that this whole subject of discussion has been raised on account of the involvement of one individual, Mr. N. T. Rama Rao, on whose exit I cannot shed tears. Right from the first day when he took office, there is hardly any constitutional norm which he did not start breaking. The whole constitutional fabric, the federal system of Government is based on this concept that there shall be total co-operation between the State Government and the Central Government. But, here is a man who assumes the office and organises conclaves and gives a call for the removal of the elected Prime Minister. (*Interruptions*)

Sir, the basic concept of this Constitution, the most cherished value of this Constitution is that India will be a secular State.' He throws this concept to the minds and declares the whole territory of Tirupati as the holy city. Not authority in this country, not even the Parliament, without an amendment of the Constitution, can declare even one inch of the soil of India as a holy place. This is wholly contrary to the concept of secularism. Not a single word was uttered by the hon. Members against this totally reprehensible constitutional conduct.

Then, Sir, he goes abroad and he gives instructions to the Chief Secretary, in my absence there shall not be a Council of Ministers which will function in my place. The people are killed in the streets. The Constitution envisages, the Supreme Court says so that there shall always be a Council of Ministers. But he throws this constitutional provision to the winds and gives instructions to the Chief Secretary to run the Government on the basis of bureaucracy. I respectfully submit, Sir, that this is not constitutional conduct.

But if I have ever felt disgraced as an Indian, it is by virtue of his conduct when he landed at Hyderabad from the United States. He sits on a big dias. The ladies come, wash his feet with coconut

water, they touch his feet and kiss his feet and he allows this and the water is distributed (*Interruptions*) as holy water among the people around. I just, Sir, shudder to think what would have happened to my country if men like him had been at the helm of affairs for the last 35 years. It goes to the credit, I must say it, of the Indian leadership in the last 35 years and the Congress Party, that India has been pulled out of this cowering age and has been put on the path of progress and modern age. Thank you.

SHRI INDRADEEP SINHA : May I seek a clarification from my friend. He was talking of Constitutional law and convention. May I know whether Mrs. Indira Gandhi, after the split of the Congress Party in 1969, had resigned. She lost the majority and yet she did not resign.

SHRI PARVATHANENI UPENDRA: Mr. Deputy Chairman, I seek your indulgence. My throat is bad today. I request my friends not to provoke me to shout back... (*Interruptions*).

Sir, it is not a question of Shri N. T. Rama Rao continuing in power or the Telugu Desam losing power; that is not the main question. The question is how a legitimately elected Government, a popular Government, has been dethroned in a very blatantly unconstitutional and illegal manner, without even observing the necessary formalities. When I hear the speeches made by my friends on the opposite side, I do not know whether I should laugh at them or pity them, because on an issue which has tremendously harmed them not only in Andhra Pradesh but elsewhere, they are jubilant; they are showing glee, and today the entire national press and the world press, the entire public opinion, have gone against the party in power at the Centre and in unequivocal terms, the Governor's action has been condemned. In spite of that, if these people think that the action deserves applause, I can only pity them.

Sir, Mr. Ram Lal, in one day, has finished whatever little was left of the Congress party in Andhra Pradesh. It is nothing but a diabolical plot and a conspiracy. We knew it was coming. It started in September 1983 when an attempt was made by the same person, but because of our alertness, he could muster only 11 persons, and out of these 11 persons, 8 came and apologised to the Chief Minister and the matter was closed. Again in March, during the Rajya Sabha elections, another attempt was made but again it could not succeed. But the plot continued, and they were only waiting for an opportune time. And this opportune time came when the Chief Minister had to go for a major heart operation, and even after his return, he will be immobilised for a long time, so that this will be the opportune time to strike. On the 10th of August, myself and an ex. Chief Minister of Andhra Pradesh happened to travel by the same flight. Two hon. Members of this House, one from Karnataka and another from Tamil Nadu, were also there. We were sitting in the VIP Lounge at Delhi airport. The senior leader said: I am sorry, Upendra, Madam called me and told me that she was going to do something political in Andhra Pradesh, • and I said... (Interruptions) I said, "don't do it when he is in America. When he comes back, you may do; otherwise he will gain public sympathy." And this is very clear, therefore, that it was only a question of time... (Interruptions). Please face the facts. What is the use of shouting? I am not untruthful; I am only speaking truth.

It was supposed to take place on the midnight of 17th August and the swearing-in ceremony of Mr. Bhaskara Rao was supposed to take place on the 18th. As soon as I returned, I checked up the position. It was a fact that signatures were being collected on some promises and what was the methodology adopted for getting the signatures? On the first page all the bogus signatures were collected. On the second page they were asked to sign. Naturally, the number is inflated. They were told; "already fifty or

sixty members have signed. In any case, the Assembly will be dissolved. Therefore, you put the signature." This is how the members were tempted. MLA after MLA told me that this was the thing going on. The Chief Minister came on the 14th. This man, along with the co-plotters, were at the airport much before we went to show that everything was normal. This man hugged the Chief Minister showing great affection, while everybody greeted him with a namaskar, this man hugged him. This man hugged him so that he can strike him at his back. The Chief Minister returned home in a critical condition. Doctors advised him that he should not move for another six months. In a frail condition the poor man was faced with a letter containing all imaginary matters, how he handled the law and order situation, how the officials behaved and all that. The MLAs came to the Chief Minister and told him that this was the thing going on and that he could not ignore these things any more. Therefore, the Chief Minister called an emergency meeting of the Cabinet colleagues excepting this man, and consulted them. After consulting his Cabinet colleagues, he recommended this man's dismissal from the Cabinet. The same night three Ministers against whom serious charges of corruption were pending and enquiries were in progress, were also persuaded — (Interruptions). I listened to Mr. Bhatia, I listened to others. (Interruptions),

SHRI J. P. GOYAL (Uttar Pradesh):
Why can't you ask them that they should not speak?

MR. DEPUTY CHAIRMAN : You don't stand up.

SHRI PARVATHANENI UPENDRA:
In the night three more Ministers resigned. On the 15th August, at 7.00 a.m., the Cabinet met in an emergent session and decided to request the Governor to summon the Assembly on the 18th because three days are required as a minimum notice for calling an Assembly session. The Chief Minister sent the request to the Governor to summon the Assembly on the 13th. It was also mentioned in

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i lie covering letter that the session may be summoned on the 18th because I was seeking a vote of confidence. The Minister and three other Ministers had resigned. So, it is my moral duty to face the House and seek a vote of confidence. This letter was sent to the Governor at 8.30 a.m. Mr. Bhaskara Rao had an appointment with the Governor at 9.30 a.m. to present the list of bogus MLAs. On knowing that this Cabinet recommendation was going to the governor, he also rushed to the Raj Bhawan almost simultaneously with a list of bogus signatures of the MLAs. He also took with him some people, not MLAs, but outsiders, and introduced them to the Governor stating that he is so and so MLA. A parade was done. On that day, we had a meeting of all the supporters of the Chief Minister, numbering 168, and we tried to see the Governor. I telephoned, but he was reluctant, his staff was reluctant. I could not speak to him directly. All the MLAs were impatient. We came to know that something fishy was going on in the Raj Bhawan and the Governor was likely to take a decision. Therefore, they were eager to meet the Governor and present the case before him. I took 163 MLAs to the Raj Bhawan. We were not allowed to enter the Raj Bhawan. We were stopped at the gate. But we pushed inside. All the MLAs, including 9 existing Ministers, were there. They were asked to sit in the Darbar Hall. A word was sent to the Governor. The Governor sent a word that he would not see us. Then we repeatedly sent request and said, "let him come and see us, he need not take action, let him only come and see us. Let him give an appointment tomorrow. We will just go back. Let him come for two minutes and see them." He refused. Then I sent a word, giving my name: "I want to see him". Then he called me along with another Minister. When we reached there, we were sitting in the waiting room, and after half an hour he came. He had such ferocity in his face, he came and almost for fifteen minutes he harangued us, teaching us manners, that we did not observe the formality of taking a prior appointment, etc.

SHRI SYED SIBTEY RAZI : He does not behave in a ruive maimers. Today in the morning,

he misbehaved with the Prime Minister. Naturally he must have misbehaved with the Governor. He is habitual in misbehaving.

SHRI PARVATHANENI UPENDRA : I profusely apologised to the Governor. I told him : "Your Excellency, we are sorry for the inconvenience. But you see the anxiety of the members. We know something is going on here. Some parade is going on before you. They want an opportunity also to show their loyalty to their leader." After some time, other party leaders were called in. He told us positively, "I am not taking any decision in a hurry. Tomorrow you please come at 10 o'clock. We will further discuss the matter", I told him also, "since you have seen the other group, you please also see this group and satisfy yourself, call the Secretary of Legislature and his staff to identify the MLAs whether they are genuine or not and then give a decision". He said: "It is not necessary. If it is necessary, I will call you".

After we left—that was about 11 o'clock in the night—he hurriedly called Mr. Bhaskar Rao, Mr. Madan Mohan, Leader of Opposition, and one of the resigned Ministers. All the three went there and they were closeted with him for an hour, without an appointment. The man who scolded us for not taking an appointment — (Interruptions).

SHRI RAOOF VALIULLAH : Sir, are we supposed to listen to his personal account of what happened?

SHRI PARVATHANENI UPENDRA : Because I am giving an eye-witness account. You are speaking without the basic knowledge, without knowing all facts. Therefore, I want to present facts before this hon. House.

Then, Sir, next day he did not give an appointment. Several times I tried to speak to him. Once he came on the line and said: "I know, keep all your people, I will call you". At 12-15 he telephoned and talked to me, telling me to come at

12.30 p.m. By that time he had already despatched the letter asking the Chief Minister to resign. After he had despatched that letter, he said.... (*Interruptions*).

SHRI SYED SIBTEY RAZI : Sir, on a point of information. In what capacity he went to Raj Bhawan? Was he the Leader of the House?

SHRI PARVATHANENI UPENDRA: As a General-Secretary of the ruling party I went there.

SHRI SYED SIBTEY RAZI : Sir, he is giving his personal account. I will request him to explain his position, in what position he went there. We are discussing constitutional issues. He is explaining every thing. He should also explain in what capacity he went to see the Governor. Was he a member of the legislature? How could he go and see the Governor to talk about the political situation?

SHRI PARVATHANENI UPENDRA : Sir, he asked me to come at 12.30. Then I asked him, "I will come with all the MLAs—163 of them". He said: "No, you should come alone.". Then I refused: "I will not come alone. If you want, all of us will come". The Chief Minister had since prepared the reply, telling that he still enjoyed a majority and he was coming with all the members. (*Interruptions*) Therefore, when we reached the Raj Bhawan, we found hundreds of anti-social elements collected outside the Raj Bhawan gate who tried to prevent the Chief Minister from going in, who tried to prevent the M.L.As from going in. We sent a word. He called us. About 25 of us—all the party leaders and Ministers—went inside. When we went inside and when the Chief Minister gave the reply, he only uttered the words, "I am satisfied, I am satisfied" and nothing else. When the Chief Minister asked him how he had come to the conclusion and was satisfied, he said, "I need not tell you all this."... (*Interruptions*)...

MR. DEPUTY CHAIRMAN : Order, please.

SHRI PARVATHANENI UPENDRA: When we asked him to satisfy us, he was in a great hurry to swear in the man who was there already because he made the swearing-in arrangements even before the Chief Minister replied. Then we sat there and said, "Sir, you please reply to our queries or we will not go from here." Then he jumped over us, trampled on us with his boots and, while going away, he shouted at the IG of Police, "Arrest them, take them away." Then the IG of Police and the Commissioner went inside and asked him, "Sir, he is still the Chief Minister. Can we arrest him?" He said, "Yes, Yes. Arrest them and take them away." I will still say, at that point when Mr. Rama Rao was arrested, he was still the Chief Minister. No dismissal order was issued. Even to this day the dismissal order has not reached Mr. Rama Rao. That is the funniest part of the story. That is one point, apart from all others, which you have to note, which this honourable House has to note. After that he hurriedly got him sworn in, and the whole State is in flames. Mr. Rama Rao wanted only 48 hours to prove his majority, but this man who refused to give 48 hours to Mr. Rama Rao gave 30 days to Mr. Bhaskara Rao.

SHRI T. THANGABALU: You were not in majority. . . (*Interruptions*)...

SHRI PARVATHANENI UPENDRA: After Mr. Bhaskara Rao took charge he let loose a reign of terror on MLAs. From both the MLAs' hostels the MLAs had to vacate their quarters because anti-social elements started intimidating them saying, "Either you will join Bhaskara Rao's group or we will murder you." Therefore, they had to take shelter in the Ramakrishna Studio. Then the Chief Minister sent a police force in the night asking them to verify from each MLA whether he was staying there voluntarily or not. The police came, talked to every MLA, searched every room and every corner of the Studio and gave us a *pan-clinama* that nothing was found and everybody was staying there voluntarily. After that when we decided to come to Delhi to present a memorandum to the President of India, they were threatened,

[Shri Parvathaneni Upendra]

"You will not be allowed to travel by the trains." Then we had to seek police protection.

SHRI SYED SIBTEY RAZI: They came to Delhi for outdoor shooting.

SHRI PARVATHANENI UPENDRA: When police protection was not coming forth, the Speaker of the Assembly had to write to the police, "Please provide protection to them to go to the railway station." As soon as these people came out of the place, goondas were let loose on the buses carrying these MLAs and they tried to prevent the buses from moving. Why they were trying to prevent them was because the truth will come out, because the nation will come to know what has really happened. Therefore, they tried to prevent them. Then they came here by train.

Today they met the President of India, 162 of them. The total strength of Mr. Rama Rao is 167. Five MLAs could not come for various reasons. 162 were present today. While they were being admitted inside the Rashtrapati Bhavan, at the gate the security staff asked them to show their identity cards one by one and they were allowed to enter only after showing their identity cards. Not only that. Again, at the inner gate, another search was made so that no unauthorised man could go. All other people were stopped, including the press people. 162 MLAs went inside the Rashtrapati Bhavan and met the Rashtrapati today. After that, the Speaker of the Assembly came there and told the President, "Sir, I have come here only to testify that all these members present here are genuine: members of the Andhra Pradesh Assembly." .. (Interruptions)..

Sir, if you allow me I will place the list of all the MLAs who saw the President today on the Table of the House. If one name is found bogus I am prepared to resign my membership of this honourable House.... (Interruptions)... And strangely enough, today.... (Interruptions)

MR. DEPUTY CHAIRMAN: I am not accepting. (Interruptions) This is not accepted.

SHRI PARVATHANENI UPENDRA: Sir, two minutes. These things I know better. Today a report has come from Hyderabad that the Chief Minister had paraded 95 Telugu Desam MLAs in Hyderabad when many of them are present here in Delhi. That is the report. Today they held a press conference, including members.....

AN HON. MEMBER: A point of order.

SHRI PARVATHANENI UPENDRA: ... whose names figure in the Bhaskara Rao list. They held a press conference at 3 P.M. and presented themselves before the press, telling them; "We are the people when Bhaskara Rao is claiming to be there. How can they present a list with our names when we are here?" My submission is that the whole operation is based on falsehood and untruth. It is shameful on the part of a party like the Congress (I) to allow falsehood and forgeries to take place. It is very unfortunate that such things are happening in the country. It is a great blow to the democratic institutions in the country. Therefore, we request that this Governor, who degraded his office, should be dismissed forthwith. We also demand that the minority government headed by Bhaskara Rao must also be dismissed forthwith and NT Rama Rao should be called once again to form the government. If this is not done, the people of Andhra Pradesh will do it, if not today, tomorrow, when we will come back with greater majority. And whatever might be the short-term gains today, they will stand to lose. The whole strategy upto now has been to protect quislings. But because the public anger is so much, we are not able to control the situation. Therefore, it is necessary to take immediate action. Mr. Venkatasubbaiah is so much concerned about law and order whenever something happens in our state. Let him show the same concern and let the government take an immediate decision to reinstall N. T. Rama Rao as the Chief Minister. That this the only solution to the whole

crisis. Otherwise, Andhra people will show their strength and teach a lesson to the Congress (I) in the coming elections.

श्री सैयद रहमत अली : मेरा
प्वाइंट ऑफ ऑर्डर यह है कि हाउस का
कोई मेम्बर क्या इस तरह से कागज
मेज पर फेंक सकता है ।

MR. DEPUTY CHAIRMAN: I did not allow anybody. You are unnecessarily wasting the time of the House. I did not allow him. You did not see. I do not understand the point of order. Unnecessarily you are wasting the time of the House.

SHRI PAWAN KUMAR BANSAL (Punjab): Mr. Deputy Chairman, Sir, to review the recent events in Andhra Pradesh in right perspective, we must briefly look back to the events of the past two years. As the silver screen mighty God, NTR appealed to the people of Andhra Pradesh and entered politics and became the Chief Minister of the State. When Shri Rama Rao took over the reins of the State, the eyes of the people were fixed on him with a feeling in their hearts, a feeling of expectation that with this leader at the helm of affairs, their problems would be eradicated and, as promised, they would be led up the path of milk and honey. The speed and dexterity with which he changed his role also impressed the opposition, and they found in him a good host of conclaves of unholy alliances.

Soon after taking over as the Chief Minister, Shri N. T. Rama Rao himself realised that he lacked the administrative acumen and the capacity to govern. But for every ailment of his, he blamed the Centre, he blamed the Congress, he blamed Mrs. Indira Gandhi. In the process he encouraged the forces of destabilisation in the country. People, initially taken in by the words and the gimmicks of the actor turned politician in saffron robes with the paste of sandal on the forehead and anachronistic ear rings, soon found to their chargin that their hallowed hero was unable to deliver the goods and did not have

the capacity to govern the State. It was one thing to act as an *avatar*, but quite another to do anything perceptible in the real political life.

The party founded by Shri Rama Rao lacked direction in the absence of any philosophy, any ideology, any commitment. There were rumblings within the party. When Shri N. T. Rama Rao adopted an anti-national stand on Punjab, there was a sort of revolt within the party itself as is borne out by the statement of Mr. Upendra himself when he said that twice there was going to be a split in the organisation but somehow they were able to intimidate or hold back the MLAs within their fold. Sir, the MLAs who had turned to Mr. Rama Rao in the political situation prevalent in the State in 1982-83 also realised their mistake to their discomfort that they had found themselves being governed by an autocrat who, in order to cover his failings, became more and more dictatorial and ambitious. There was increase in corruption in administrative fields with the Chief Minister's son and son-in-law wielding extra-constitutional authority.

There came the breaking point when the simmering discontent within the Telugu Desam found an outlet on the dismissal of Shri Bhaskara Rao, the number two man in the Cabinet, by Shri Rama Rao. As many as 91 MLAs out of 201 Telugu Desam MLAs in that House denounced and repudiated the leadership of Shri Rama Rao, and there was a vertical split within the organisation. Resultantly, Shri Rama Rao lost majority in the House and forfeited his right to continue as the Chief Minister of the State.

Immediately on being elected as the leader of the rival faction of the Telugu Desam, Shri Bhaskara Rao mustered the support of other MLAs in the House. An absolute majority of legislators in the State Assembly called upon the Governor in person and requested him to request Mr. Bhaskara Rao to form a Government.

There was an allegation against the Congress that it was the Congress Legislature Party which extended its support to

[Shri Pawan Kumar Bansal]

Mr. Bhaskara Rao, and in fact, encouraged defections there indirectly which resulted in the dismissal of Shri Rama Rao. The question that I have to pose to my learned friends from the Opposition is that in these circumstances was it not the political right of the Congress Legislature Party within the Legislative Assembly of Andhra Pradesh to support any party there and if per chance we chose not to go to the rescue, of Shri Rama Rao we could definitely not be blamed for encouraging defections there.

The morals of the hallowed saint were thrown to the winds when on losing majority he declined to resign. It could have been a different thing, if using the lucid words of Mr. Bhatia, Mr. Rama Rao realising that he had been reduced to minority sent his resignation. Then what would be the conduct of the Governor is another story. But here the facts as they are before us are that he declined to resign and the Governor being impressed of the fact that Mr. Bhaskara Rao enjoyed the majority of the Legislature, was within his right to call upon him to form the Government. Sir, as I said the morals of the hallowed saint were thrown to the winds when on losing majority in the House he declined to resign. In the circumstances, there was no alternative for the Governor but to dismiss Shri Rama Rao and call upon Mr. Bhaskara Rao, the leader of the majority to form the Government.

Sir, the Telugu Desam led by Mr Rama Rao was a house with walls of sand and it has obviously fallen because of its own weight. Mr. Bhaskara Rao has taken over as the Chief Minister strictly in accordance with the provisions of the Constitution having registered the support of the majority of the legislators.

All the hue and cry of the Opposition and the allegations against the Congress-f about engineering the fall of a good ally is baseless, but true to their style of functioning and blaming the Congress-^ for all their failings and drawbacks. Perhaps, Mr. Rama Rao had given some false hopes of help and usefulness in their one point programme of removing Shri-

mati Indira Gandhi and the Congress-I which has now come to hallucinate them. In their criticism, they unfortunately forgot that the crisis in Telugu Desam took the present form with the dismissal of Mr Bhaskara Rao not by the Congress-I but by Mr. Rama Rao himself. The wheel of his mythological chariot has broken and the house of cards has crumpled. But the blame is unabashedly passed to the Congress-I. This is the pathetic state of affairs. In Andhra Pradesh, the Congress-I earnestly accepted the role assigned to it by the electorate. Where is our fault, if Mr. Rama Rao could not sustain his image which he projected -two years back—and lost majority due to vertical split in his group because of his own doings.

The Janata history of 1979 has repeated itself in the case of new found ally in Andhra Pradesh—that is the legacy of unprincipa! combinations. One only hopes that the Opposition Parties will see the writing on the wall and give up the cause of mindless confrontation without having a policy of ideology or a programme to serve the people and instead discharge their expected duties of constructive opposition. The change of Government in Andhra Pradesh is in accordance with the Constitution. Here, I would only just reiterate what Mr. P. N. Sukul has said. He referred to the provisions of Article 163 and 164 of the Constitution of India. Certainly, there is no force in the averment that the House should have been summoned to test the strength of the warring groups. Once it was clearly established that Mr. Rama Rao had lost the majority support, following his advice would have only encouraged horse-trading. And it was precisely to avoid this that the Governor, on being convinced that the majority was with Mr. Bhaskara Rao, asked him to form the Government. Mr. Bhatia again in a very homely manner gave to us the interpretation of Privy Council regarding the position which exists in a Parliamentary Democracy when the Prime Minister or the Chief Minister loses majority support. It is exactly according to that law laid down by the Privy Council and the traditions which have been accepted in other Democracies for long that We have to

visualise the functioning of our Constitution. Only by doing so will we be able to save the nation of all the avoidable agony on non-issues. Thank you.

SHRI SURESH KALMADI: Mr. Deputy Chairman, Sir, I am very happy to see a very rare sight in the House today, and that is, the frequent interruptions by the Congress (I) Members. (*Interruptions*) I hope the interruptions will not be on my time. We were very happy to see their utter concern for democracy. But when we caught them red-handed, they were trying to get out of a difficult spot; they were trying to get out of a Himalayan blunder by making noise, by confusing the issue. But the entire world today knows exactly what happened in Andhra Pradesh.

Sir, this is not a thing which happened all of a sudden. This is a situation, a system which has developed over a period of 4-112 years. In the last 4-112 years, we have seen the leadership's policy of divide and rule. In Assam, it is Assamese and non-Assamese, Hindus and Muslims. In Punjab, we have seen, it is Hindus and Sikhs. And through the "Kar Seva" even Sikhs are being divided into Sikhs and Sikhs. This is the strategy of the leadership of this party. Why there only, her policy extends further to divide the Opposition. Her policy extends further to divide the ruling party itself into so many groups. And in the last three months, she has gone even further. She has divided parties in the Opposition. There is the National Conference and there is the Anti-National Conference. Just because Farooq Abdullah is not with them, he is anti-national and his party is Anti-National Conference. They have divided Telugu Desam and now they have come out with a brand new "Real Telugu Desam". Yesterday I believe Mr. Bangarappa was here to say that he is the real Kranti Ranga and he asked for Congress (I) support. So this divide and rule policy has weakened the country and taken the country to a precipice, to a point of no-return.

Sir, with regard to the institution of Governor which we have all talked about today, in Jawaharlal Nehru's time, great

people were made Governors and Chief Ministers were consulted before people were made Governors. Now in his daughter's time, who are the Governors? We have Ram Lal. We have an A. P. Sharma; we have people like Tapase; we have Talyar Khans. (*Interruptions*) I am coming to* He is the last and the biggest Governor they have ever produced of a perfect yesman. That is* people who have been corrupted^ people who have been in the political wilderness, people who have been sacked from Chief Ministership. As far as* is concerned, he has had such a criminal record; he has changed his name four times*.

MR. DEPUTY CHAIRMAN: No, no, please don't record these names. These names will not go on record...

SHRI SURESH KALMADI: I did not give these names...

श्री रामानन्द यादव : मेरा प्वाइंट आफ़ ऑर्डर है। हमारे माननीय सदस्य श्री सुरेश कलमाडी इस तरह की भाषा का प्रयोग कर रहे हैं, एक ऐसे व्यक्ति के प्रति जो एक स्टेट का गवर्नर है, अभी मैंने आपके आने से पहले यह सवाल रोज़ किया था कि उन्होंने गवर्नर के पद को ग्रहण करने के बाद जो काम किया है, उसके संबंध में यहाँ पर डिबेट चल रही है, न कि उनके व्यक्तिगत करियर के ऊपर। ऐसा लगता है कि सुरेश जी शायद अपने स्तर से बिगुल नीचे गिर रहे हैं। आदमी जिस स्तर से आता है वह उसी स्तर के अनुसार व्यवहार करता है। मैं आपसे इस बात पर रुलिंग चाहता हूँ कि क्या यहाँ पर, जो मोशन का दावरा है, उससे बाहर जाकर यहाँ पर बहस हो सकती है ?

SHRI SURESH KALMADI: In 1980 it was the same*

SHRI NIRMAL CHATTERJEE (West Bengal): What was his name then?

*Not recorded.

SHRI SURESH KALMADI: I would not like to give a wrong statement on the floor o' the House. I have to state the truth. (*Interruptions*).

श्रीमती प्रतिभा सिंह (बिहार) :
शरद पवार जी कैसे मुख्य मंत्री बने थे,
यह हम उनसे जानना चाहते हैं ?

SHRI SURESH KALMADI: Anyway, the point is only puppets have been made Governors, puppets on a string, and the string is moved from Delhi. So they are puppets on the string. Even Ramlal is on a string moved from Delhi and no action of his is really independent. The name of the Governor should be changed after seeing the recent incident to that of toppler because he is the toppler of democracy, he is the toppler of Ministries. He is supposed to be*. All Governors in the country are*. So, this particular institution of Governor has been put in the mud. And that is why I will not blame Ramlal for what he has done. He is, after all, a cog in the wheel. He has to do what he is directed to...

SHRIMATI PRATIBHA SINGH: He is saying Governors are*. We would like to know who, according to him, is*

SHRI SURESH KALMADI:*

MR. DEPUTY CHAIRMAN: Mr Kalmadi, you must exercise restraint. You are not expected to pass such remarks. This is not proper.

SHRI SURESH KALMADI: If there is anything wrong in my remarks, you expunge it...

MR. DEPUTY CHAIRMAN: When you refer like this, it is in bad taste. It is not expected of you. The smaller the party, the bigger the type of democracy. Let us have some respect for everybody. I rule out all such insinuations and innuendoes. J

SHRI DIPEN GHOSH: Then you should also have respect for smaller parties.

MR. DEPUTY CHAIRMAN: Every-time he makes uncalled for remarks. It is not fair. It is not proper.

*Not recorded.

Those parties which are in power will be more responsible than those which are not in power anywhere.

SHRI SURESH KALMADI: If anything good happens, then the credit for that is taken by the leadership at the Centre. If anything goes wrong, then the poor Chief Minister or the poor Governor is fixed. This is the system which has been in operation at the Centre. To-day the Prime Minister made a statement saying that she has nothing to do with the toppling of the Andhra Pradesh Government. She said that she has nothing to do with what happened in Andhra Pradesh and that she knew it only when she saw it in the teleprinter. Sir, I have definite information that when the Prime Minister made a visit to Medak, she had a secret meeting with Bhaskara Rao and Ram Lal was invited there... (*Interruptions*). If he does not succeed, he is to blame. If he succeeds then, it is 20 point *ka kama*] or leadership *ka kamal*. When Shri N. T. Rama Rao went for a by-pass operation, the Prime Minister did the entire operation from here on the Andhra Pradesh Assembly. When the cat was away, the mice were at play. It was engineered from here. The operation topple started from here. Money bags started flowing from Delhi. ... (*Interruptions*).

SHRI KAMALENDU BHATTACHARJEE: You should speak facts.

SHRI ANAND SHARMA: When you were here, we were all honest. When you are there, we become corrupt and become purchasable commodity. This game was started by Shri Sharad Pawar. When from this side people go to opposition, we become purchasable commodity.

SHRI SURESH KALMADI: I won't take them seriously. They belong to Rajiv brigade and their job is to shout. I will not take them seriously... (*Interruptions*).

I was saying that this was engineered from here. Still the Prime Minister says she does not know anything. CBI officers went from here. She says she did

not know anything. Army units were alerted in Hyderabad. And Mrs. Gandhi says she knows nothing.

SHRI RAOOF VALIULLAH : That Was because Hyderabad was burning because of communal riots when N. T. Rama Rao was away in the USA.

SHRI SURESH KALMADI : When Mr. N. T. Rama Rao came back ahead of schedule, there was panic in the Congress(I) camp.

Sir, I am not going into the details of what happened in Andhra Pradesh because most of the speakers have mentioned them. I would like to say a word about the hurry in which Bhaskara Rao was sworn in. At that time at the Rai Bhawan there were only the staff. They Were collected and put together in the hall of the Raj Bhawan and Bhaskara Rao was sworn in. You compare this with the swearing ceremony of Shri N. T. Rama Rao Ministry, at the Lal Bahadur Maidan where two lakhs of people had assembled for his installation. That is democracy. This new Chief Minister was sworn in, in the drawing room of the Rai Bhawan with the Governor and some staff present... *(Interruptions)* _

I would like to know how many MLAs were arrested along with NTR. This can be found out from the police records. That itself would prove that NTR had majority on that day. I would also like the signature sheet of Mr. Bhaskara Rao to remain open. Today also, Sir, 162 MLAs were paraded in front of the Rashtrapati... *(Interruptions)*.....

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

SHRI SURESH KALMADI : Sir, Mr. Upendra has said that he is ready to quit the Rajya Sabha if one of his MLAs was not an MLA. I would like to know if anybody from the opposite side including Mr. Chandrasekhara Reddy who brought this news could say that if Mr. Bhaskara Rao, the master manipulator, fails. *(Interruptions)*.

SHRI ANAND SHARMA : These are the people who have got only skin-deep faith in democracy. *(Interruptions)*.

MR. DEPUTY CHAIRMAN : Order, please.

SHRI SURESH KALMADI : Sir, they have already made a great mistake and the whole world is laughing at them. They should be manly enough to admit the wrong thing that they have done. You should be manly enough to admit it, particularly young people like you. I am ashamed at this. *(Interruptions)*. You can fool the people for some time. But you cannot fool all the people all the time. The people of Andhra Pradesh have reacted violently to the action of the Governor. *(Interruptions)*.

SHRI T. THANGABALU : It is not all the people of Andhra Pradesh, but it is your own people only. *(Interruptions)*.

SHRI SURESH KALMADI : Sir, today, the Governor and the Chief Minister cannot move out of their houses; the MLAs who have defected cannot reach their houses because the people are burning their houses... *(Interruptions)* _ Even the wives of these MLAs refuse to give them food, refuse to give food to their husbands, because they have defected and that is the situation in Andhra today, Sir! *(Interruptions)*. Sir, I congratulate the people of Andhra Pradesh, the young people of Andhra Pradesh and the youth of Andhra Pradesh because they have come out against this saying that you cannot have defections, that anti-defection laws must be enacted in the country, and this is the lesson of Andhra which, I think, we should learn and we have decided on a social boycott. I also take this opportunity... *(Time bell rings)*... to salute all the people who have died, all the young people who have died, for a national cause in Andhra Pradesh.

Sir, over a hundred MPs went and met the President a few days ago and there we told him, "We are a hundred MPs here and we say that we have got 175 MPs supporting us and the Central Government has, therefore, lost the majority. Will you call us to form the Government and dismiss the Government?". Sir, he was taken aback and he was aghast. It

[Shri Suresh Kalmadi]

is the same situation here. Mr. Bhaskara Rao was sworn in in the drawing room of the Governor! It is a similar situation which has arisen here now. (*Interruptions*). Sir, it is said that everything is fair in war and love. This is the motto of the Congress(I) also. There are persons like Mr. Jambhwantrao Dhote, another disillusioned Congress(I) man, who left them. (*Interruptions*). And tomorrow, Sir, another one will follow suit. (*Interruptions*).

MR. DEPUTY CHAIRMAN : Order, please.

SHRI SURESH KALMADI : Sir, systematically, chaos has been brought into the country. The judiciary has been subverted and corruption is going on on a large scale and sycophants are entering every field of life. I charge that it is being purposely done by the dictatorship in the country and the dictatorship is trying to join hands with the army to perpetuate that system in this country which the young people in the country must be warned against. So, the country must be prepared for a fight against this and to defend the Constitution of the country. If deliberately democratic institutions are made to lose their credibility, and if democratic institutions in the country are to be revived, then there is no alternative but to fight against this tendency. (*Interruptions*).

MR. DEPUTY CHAIRMAN : Order, please.

SHRI SURESH KALMADI: You have no guts. (*Interruptions*)
7 P.M.

MR. DEPUTY CHAIRMAN : Order, please.

SHRI SURESH KALMADI : The people will not rest till the Prime Minister gives unqualified apology to the people of the country for what happened in Andhra Pradesh. Let me say while I go what the ruling party did in Andhra Pradesh what they did in Jammu and Kashmir. It has brought the Opposition together as never before. It has brought the people closer. (*Interruptions*)

MR. DEPUTY CHAIRMAN : Let him complete, please.

SHRI SURESH KALMADI : It is good in that respect. It has brought the Opposition closer to the people and it has pushed the Congress (I) to a precipice from which they will not be able to come out. (*Interruptions*)

MR. DEPUTY CHAIRMAN : Mr. Sankar Prasad Mitra.

SHRI V. GOPALSAMY : What about me? (*Interruptions*) These people want me to walk out. (*Interruptions*) But I won't spare you. I will come upon you. (*Interruptions*)

SHRI SANKAR PRASAD MITRA (West Bengal): Mr. Deputy Chairman, Sir, the issue raised by this discussion has two aspects: the aspect of legality and the aspect of propriety. I know, Sir, that articles 163 and 164 of the Constitution are relevant to the subject matter of this debate. It is also well known that neither the courts nor any other authority can question the legality of the Governor's exercise of discretion in dismissing a Ministry. It is not necessary to go to English decisions or to the Judicial Committee of the Privy Council. This point was settled by the Calcutta High Court in its decision in Mahabir Prasad's case, reported in AIR 1969, Calcutta, at page 198. As far as I know, the law laid down by this judgment has not yet been altered by any other court in the land. But, Sir, the propriety of the Governor's action, particularly when the Ministry's strength has not been tested on the floor of the Legislative Assembly, can always be questioned. And because it can always be questioned, and there are possibilities, having regard to the language of article 164, of a Governor abusing his powers, and further possibilities of widespread public agitation, on this issue the Administrative Reforms Commission in 1969 in its report on Centre-State Relations, Chapter IV, paragraph 7 at page 25, suggested that some guidelines should be laid down to enable Governors to exercise this power. This was also the decision of the Presiding Officer's Confer-

ence. The decision of the Presiding Officers' Conference was followed by the setting up of a Committee of Governors in 1971. What was the recommendation of that Committee? The recommendation of the Committee was:

"When the Governor is satisfied by whatever process or means that the Ministry no longer enjoys majority support, he should ask the Chief Minister to face the Assembly and prove his majority within the shortest possible time. If the Chief Minister shirks the primary responsibility and fails to comply, the Governor would be duty-bound to initiate steps to form an alternate Ministry."

I do not wish to discuss the facts of the Andhra episode because this episode has been discussed in details by all the Members who have taken part in this debate and it is for this House to judge whether these recommendations of the Committee of Governors was followed in the instant case.

Similar recommendations were also made in the Centre-State Relations Inquiry Committee, Tamil Nadu, 1973, Chapter VIII, pages 130-131. Unfortunately, none of these 'recommendations' has yet been heeded to or implemented. The result is that the country is facing crisis after crisis on this count only and the law and order situation in different States has repeatedly been endangered, human lives lost, injuries inflicted, sometimes fatal,

Sir, I do not wish to take much of your time because so many Members have already spoken and you have given me the chance practically at the tail end. It is my fervent appeal to the hon...

SHRI KALYAN ROY : When he is speaking, not a single Minister is present.

MR. DEPUTY CHAIRMAN : He is sitting there.

SHRI SANKAR PRASAD MITRA:

It is my fervent appeal to the hon. Home Minister, in fact to the entire Council of Ministers at the Centre to take imme-

diately steps to frame guidelines for the exercise of powers by the Governors under Article 164 of the Constitution. Sir, so far as the present crisis in Andhra Pradesh is concerned, the only solution that I see is the convening of the State Legislative Assembly at the earliest possible moment where the two contenders would be called upon to prove their respective strength and whoever succeeds should be reinstated or continued as the Chief Minister of Andhra Pradesh. There is no other constitutional solution to this issue and I hope this particular suggestion would be accepted by the Central Government. It is no use saying that the Governor acted without consultations with the Centre, without referring to the Centre.

He may or may not have done so. I do not want to enter into that dispute. But the Constitution provides that the Governor holds office at the pleasure of the President and so long as he holds his office at the pleasure of the President, the Central Government cannot shirk its responsibility in this matter. I hope the appeal would be heeded to by the hon. Minister in the larger interests of the preservation of democracy in this country and also in the larger interest of the values enshrined in the Constitution of this country. Thank you.

SHRI V. GOPALSAMY : Mr. Deputy Chairman, Sir, like democracy has been bypassed in Andhra Pradesh my chance also has been bypassed twice. Anyhow, I am grateful to you for this opportunity.. More heat has been generated today from both sides. Some days back people like a lion or a lioness roared in this House about scrapping of article 356, and so on and so forth. I do not find them here-I do not understand why my friends from the A.I.A.D.M.K. have been given the whip not to enter the Parliament House at all. Do they not know which side to support? Are they in a dilemma?

AN. HON. MEMBER : They are supporting our side.

SHRI V. GOPALSAMY : For that they have no guts. Sir, Mr. J. K. Jain in his speech made some references. It was

[Shri V. Gopalsamy]

highly discourteous on his part to say 'that the last rites have been performed, when Mr. Rama Rao is in sick bed after bypass coronary surgery. (*Interruptions*)..

SHRI J. K. JAIN : Sir, I am on a point of order.

SHRI V. GOPALSAMY : The Members from that side never objected.

SHRI J. K. JAIN : On bypass surgery I never said this. I said that he performed u Mahayagnya in which he wanted to obtain a second birth.

SHRI V. GOPALSAMY : You said last rifles. (*Interruptions*)

SHRI J. K. JAIN : I said that some astrologers had predicted that in this birth he can never become the Prime Minister and for that he has to take the second birth. Why is he talking of bypass surgery? This is irrelevant. I never said this.

SHRI V. GOPALSAMY : This was not objected to by my hon. colleagues from the Treasury Benches. Only Mr. Jaswant Singh objected to it.

Sir, when our hon. Prime Minister intervened in this debate she stated that unnecessary questions are raised by the opposition parties. Sir, I would like to inform this Government through you that the questions are not raised by the opposition parties. The questions are raised by the people in the streets, the questions are raised by the people in the street corners, in every hamlet, village, town and city, in this country from Kashmir to Cape Comorin. They are asking, why is it that this undemocratic act has been performed? Why is it that democracy has been murdered? Why is it that democracy has been throttled? Why is it that a popular Government has been thrown out? These are the questions asked. You have to face the people. That is why a popular revolt is going on. The floodgates of a popular revolt have been opened in Andhra Pradesh. That is why there is popular anger, the peoples anger. You do not believe in the truth. When you believe in the para-military forces, when you believe

the Central Reserve Police Force, when you believe these security troops to go there, when you are parading these troops in the streets, when the decision of the people is not regarded, then you take the decision in the Raj Bhavan. The Government should be decided by the people and not at the Raj Bhawans, not by the agents of the Central Government. That is why the people say that the troops are marching to crush democracy and that is why they have come to the streets.

SHRIMATI PRATIBHA SINGH: Then why in 1980 D.M.K. asked that A.I.A.D. M.K. should be dismissed?

SHRI V. GOPALSAMY: We never asked. Don't mislead the House. We never asked. Sir, the Prime Minister, stated that she was totally unaware of what was going on in Andhra Pradesh. Even when para-military forces were taken to the streets, she says, she was not at all aware. Whether the hotline was working at all or not, whether their intelligence was working or not, she says, only through the teleprinter, through the agency reports, she came to know of what was going on in Andhra Pradesh.

Sir, what is the conduct of the Governors? These Governors were appointed by the imperial power, by the imperial British Raj, to suppress the masses in those days. Mr. Advani elaborately described about the Constituent Assembly debates, whether the Governor should be elected or nominated. Pandit Nehru was opposed to the idea of elections. I do not want to go into the details. But about the conduct of the Governors, here are the confession statements of Governors. Sir, in the year 1968, when Mr. Ananthasayanam Ayanagar was the Governor of Bihar, what happened then. There was pressure from the top to topple the Unified Front Government. He refused to oblige and he lost his post. Mr. Ananthasayanam Ayanagar said: "My only mistake was that I did not act as some other Governors did. If I had, then I could have continued as Governor for 15 years." Sir, in this context, I would like to quote no less a person than the lieutenant of Gandhiji, the

great freedom fighter, J. B. Kripalani. "As gentlemen partymen beholden to the Central leaders for their appointment, it has been but natural for us, for Swaraj Governors to regard themselves as the agents of the Centre rather than heads of the constituent units of the Indian Union and look to New Delhi for aid and advice as and when confronted with a crisis or to equate the interests of the State or the country with those of the Congress Party." Sir, when they say, "that was done by the Governor, Shri Ram Lal, we do not know" and if you say this, then Dr. Goebbels would become a pigmy before our hon. Prime Minister's statement when she says she was not at all aware of what happened. Sir, we are not blaming the Governors; they are the pawns; they are the agents of the Central Government. The prime accused is the Central Government. The prime accused in the conspiracy, in this diabolical conspiracy, to annihilate democracy, is the hon. Prime Minister of this country, Mrs. Indira Gandhi. (*Interruptions*). You are shouting shame. The whole world is shouting shame to you. The people are shouting shame against you. You can shout in this House. You go out and see the popular anger throughout the country. Sir, 162 MLAs were paraded in Rashtrapati Bhavan, Mr. Upendra stated. And Mr. Chandrasekhar Reddy says. no. only 95 MLAs ____ (*Interruptions*).

SHRIMATI USHA MALHOTRA: On a point of order. We are discussing, according to them, the Constitutional crisis. How does the hon. Prime Minister come in?

SHRI V. GOPALSAMY: I repeat and stand by it. When Mr. Upendra stated that 162 MLAs went to Rashtrapati Bhavan, he posed a challenge that if one signatory member in that statement is provoked fake or bogus, he said, he is prepared to quit his post as M.P. and resign as Member of Parliament. I ask Mr. Chandrasekhara Reddy, are you prepared to take up the challenge? They know the truth. (*Interruptions*). Mr. Jain you please listen.

SHRI PARVATHANENI UPENDRA: Sir, on a personal clarification. I repeat my

challenge that if any of these 162 Members who met the President is proved to be bogus, I will quit immediately.

SHRI J. K. JAIN: It has no meaning. So many times you people have backed out. (*Interruptions*).

SHRI PARVATHANENI UPENDRA: Any one of them may accept the challenge, I am ready.

SHRI J. K. JAIN: Two of the MLAs have already backed out. Go and read.

SHRI PARVATHANENI UPENDRA : Your money bags can do that, I do not deny that. (*Interruptions*).

SHRI V. GOPALSAMY: I agree with them. Sir, when my friends from the other side said that 95 MLAs have paraded before the Governor. Mr. Ramlal. If the news which has appeared in the *Indian Express* is true that on August 15th, that is, on the Independence Day, three Prime Ministers were produced in the city of Delhi, in that case you can produce not only 95 but 150 bogus MLAs, there is no doubt in it. You can produce any number. If you are producing three Prime Ministers in the streets of Delhi.... (*Interruptions*). That has appeared in the *Indian Express*. When you are capable of producing three Prime Ministers in the streets of Delhi, you can produce any number of bogus MLAs. That has happened on the 16th August. (*Interruptions*). (*Time Bell rings*)_ Sir, they have become the professional butchers of democracy. You have become professional butchers of democracy. (*Interruptions*). If the Government sincerely wants to uphold democracy, first dismiss that*

MR. DEPUTY CHAIRMAN: Please do not record this thing.

SHRI V. GOPALSAMY: *

MR. DEPUTY CHAIRMAN: Please do not record Mr. Gopalsamy.

*Not recorded.

SHRI V. GOPALSAMY: Sir, dismiss' is not an unparliamentary word.

MR. DEPUTY CHAIRMAN: The way you have called 'Ram Lal' is not parliamentary. Do not repeat those words.

SHRI V. GOPALSAMY: Mr. Ram Lal should be recalled.*

MR. DEPUTY CHAIRMAN: Don't record Mr. Gopalsamy. (*Interruptions*). Please conclude now.

MR. DEPUTY CHAIRMAN: I am concluding Mr. Bhaskara Rao's Ministry should be dismissed. Mr. N. T. Rama Rao should be reinstated as Chief Minister and then only you convene the Assembly. Then you summon the Assembly. That is because he was having the majority. (*Interruptions*). Sir, this Government is trying to bulldoze all the democratic regional parties' governments, all the non-Congress Governments. But the people are watching one thing. The people are angry with you. (*Interruptions*). If you are prepared to hold elections, people will be teaching you a bitter lesson. Already Congress has been burried in many States. Not only in Andhra Pradesh, not only in the South but throughout the country you will be routed in the next elections.

SHRI P. VENKATASUBBAIAH: Mr. Vice-Chairman, Sir...

SHRI PARVATHANENI UPENDRA: Deputy Chairman.

SHRI P. VENKATASUBBAIAH: I am sorry, Mr. Deputy Chairman, Sir....

SHRI KALYAN ROY: You commit a slip in the beginnig. What you will do at the end?

SHRI P. VENKATASUBBAIAH: Mr. Roy, I am not as knowledgeable as you are. You are very thorough. You are a Pundit don't make these shy remarks.

Sir, in this discussion, though it was supposed to be very constructive and confined to the issues that had been listed,

*Not recorded.

tempers have been frayed and passions been roused. All sorts of accusations have been made against the ruling party. I do not want to go into all those things. I treat them with the contempt they deserve. Sir, politics makes strange bed follows.

SHRI DIPEN GHOSH: When did you discover that?

SHRI P. VENKATASUBBAIAH: The Opposition has made a common cause with Shri N. T. Rama Rao. I can understand that and I sympathise with them. So far as Andhra Pradesh is concerned, they have become irrelevant. They are desperately trying to cling on to the apron strings of Shri Rama Rao to get some seats because of his favours. That is the only thing I can advance in support of Opposition making a common cause with Mr. N. T. Rama Rao.

Sir, our party has been accused that we were responsible for all these things. I would like to give some background because all those matters have been raised and I want to clarify and put the record straight. Sir, soon after assumption of office by the Government in Andhra Pradesh, 23 Zila Parishads were in the hands of the Congress. The Telugu Desam Government has made defections a fine art and they started defections and toppling the Zila Parishads one after the other.

SHRI PARVATHANENI UPENDRA: They were not sacked. Through legitimate means they were removed.

SHRI P. VENKATASUBBAIAH: I never came in your way.

SHRI PARVATHANENI UPENDRA: We could have abolished the Zila Parishad if we wanted.

SHRI P. VENKATASUBBAIAH: My dear friend, I never disturbed you. Now please listen.

SHRI PARVATHANENI UPENDRA: But why are you making a wrong statement?

SHRI P. VENKATASUBBAIAH: This is a statement of facts.

SHRI PARVATHANENI UPENDRA: The Zila Parishads were removed through no confidence motions. They were not sacked.

SHRI P. VENKATASUBBAIAH: Sir, by engineering defections covertly and issuing Ordinance to suit the convenience of the ruling party, they have toppled one Zila Parishad after another. They have gone on record—if I remember correctly, he can correct me, when the Visakhapatnam Zila Parishad Chairman was toppled, my great friend, Mr. Upendra made a statement: "Now it is the turn of West Godavari Zila Parishad." If it is not correct, I stand corrected.

SHRI J. K. JAIN: He is keeping quiet.

SHRI PARVATHANENI UPENDRA: It is correct. We adopted legitimate means of toppling through no-confidence motions. We did not sack the Chairman. (*Interruptions*).

MR. DEPUTY CHAIRMAN: Order please.

SHRI P. VENKATASUBBAIAH: Another accusation has been made against us that we are bringing through backdoor such of those persons who have lost in the direct elections. Sir, in the first attempt to send Rajya Sabha Members here, at least two Members had lost the confidence. And they have been brought to Rajya Sabha. This fact will not be disputed by my friend, Mr. Upendra.

SHRI KALYAN ROY: We are discussing the Governor's role.

SHRI P. VENKATASUBBAIAH: You did not confine yourself to the Governor's role. .. (*Interruptions*)_ Sir, I am giving the background because an atmosphere has been created...

SHRI -DIPEN GHOSH: Two wrongs cannot make a right. Does he suggest that two wrongs make one right?

SHRI P. VENKATASUBBAIAH: I am giving you the background. An atmosphere has been created to encourage defections, to lure persons from one party to their party by showing them some offices of profit. This has resulted in this vertical and horizontal split in their party. Sir, the Chief Minister made a statement in a Mahanadu that in his party there were legislators and Ministers who were eating grass. So, it was a most humiliating statement made by the Chief Minister against his own colleagues, against his own party.

SHRI PARVATHANENI UPENDRA: Not more than in your party. He sacked a Minister only for that.

SHRI J. K. JAIN: Mr. Upendra does not eat grass. That we can say.

SHRI P. VENKATASUBBAIAH: These are the circumstances which ultimately led to this large-scale split in their party.

We are not for defections. As a matter of fact, in 1967 I moved a non-official resolution in the Lok Sabha that the Government should take steps, constitutional or by common consensus, to ban defections. A Committee was constituted...

SHRI INDRADEEP SINHA: To which party did you belong then?

SHRI P. VENKATASUBBAIAH: To the Congress Party. Mr. Sinha, you do not know politics. From 1957 onwards to this date, I am a member of the Congress Party. I tell you, I never crossed. When I resigned from the Congress (O), I again stood for election—I sought the verdict of the electorate—and I got elected. I am not a defector like some of you. I sought the mandate. When I resigned from the Congress (O), I stood for General Election—a direct election — in 1971, I sought the mandate of the electorate. Whether my decision was correct or not, please stand corrected if you are ignorant of all these things.

SHRI INDRADEEP SINHA: I am grateful that you have accepted that you belonged to Congress (O).

SHRI P. VENKATASUBBAIAH: A Committee was constituted and in that Committee all the political leaders were there including the respected, late lamented - JP, and there were constitutional experts and jurists like Mr. Setalvad and Mr. Mohan Kumaramanglam. They prepared certain guidelines and on the basis of those guidelines a Bill was formulated and sent to a Joint Select Committee. But it was not able to get through. If I remember, Advaniji also was a Member of that Joint Select Committee. Afterwards when the Janata Party came to power, they introduced the Bill. But the Bill was scuttled—not because of the Opposition but by their own partymen. The Bill was scuttled. So, it goes to show the anxiety and the *bona fides* of the Government to take necessary steps to ban defections.

SHRI LAL K. ADVANI: Mr. Venkatasubbaiah, you are right when you say that my party itself scuttled it, I understand, with your assistance. But after 1980 when you could have brought it by now, five years have passed.

SHRI J. K. JAIN: What we will do, we will decide. We are not going to be guided by you.

SHRI P. VENKATASUBBAIAH: I am glad he has agreed. All sorts of insinuations have been made against my leader, my party—that we were responsible and we are all sycophants. Sir, it is no sycophancy if we follow our leader. We are proud of her. We are proud of her leadership. But, unfortunately, sycophancy has been made a fine art and it has been practised with greatest diligence and care. Once I remember Mahavir Tyagi telling us that there were a large number of feet-touchers. But now the place of feet-touchers has been taken by feet-washers. Sir, when they accuse us, they must know that our party stands for certain principles. (*Interruptions*).

SHRI J. K. JAIN: How many times have you washed the feet, tell us.

SHRI P. VENKATASUBBAIAH: Sir, a position had arisen that there was a vertical split in the ruling party. This is the

point which I wanted to inform the House and put the record straight.

Sir, I just come to the issue that has been discussed in the House. The recent developments in Andhra Pradesh started with the dismissal of Shri N. Bhasakara Rao, the Finance Minister, from Andhra Pradesh Council of Ministers by the Governor on the advice of the Chief Minister on August 14, 1984. Sir, here, the Governor has acted on the advice of the Chief Minister and he dismissed the Minister. He has performed his constitutional obligation. He has been implementing the principles enshrined in the Constitution.

He has done the same thing when it has come to the question of deciding who is having the majority, which is the pleasure of the Governor. To that I will come later. This was followed by the resignation of three more Ministers on August 15, 1984. The Chief Minister on August 15, 1984 wrote to the Governor requesting him to summon an emergency session of the Legislative Assembly on August 18, 1984 to enable him to move a resolution seeking a vote of confidence in the Assembly. However, prior to the receipt of that letter, Shri N. Bhaskara Rao, the dismissed Finance Minister, called on the Governor on August 15, 1984 along with 91 MLAs of the Telugu Desam Party and other supporters and submitted a memorandum saying that they had withdrawn support to Shri N. T. Rama Rao and that Shri Rama Rao had lost his majority and they had unanimously elected Shri N. Bhaskara Rao as the leader of the party. They also requested the Governor to ask Shri N. Bhaskara Rao to form the Government. Subsequently, two more Members of the Telugu Desam Party, 57 Members of the Congress Legislature Party, 5 Members of the Majlis Itchad-e-Musalmeen and 8 Independents and other Members submitted a letter extending their support to Mr. Bhaskara Rao, thus taking the total number of Members supporting him to 162 in a House with a total strength of 295, out of which one seat was vacant. Again, on August 16, 1984 at 8.30 A.M., Shri Bhaskara Rao along with other supporters went to the Raj Bhawan.

Excluding the Congress (I) Party Members, there were 105 MLAs of Telugu Desam Party present with him physically in addition to 11 other Members, which constituted the requisite majority for forming the Government. As the Governor was satisfied that N. T. Rama Rao had lost his majority, he requested the latter to tender his resignation with immediate effect at 11 A.M. on August 15, 1984.

SHRI LAL K. ADVANI: This is a narration. We have heard this.

SHRI PARVATHANENI UPENDRA: Is it your report or the Governor's report? (*Interruptions*)

SHRI P. VENKATASUBBAIAH : According to the information we have received.

SHRI J. K. JAIN: It is not Question Hour. They cannot question the Minister. (*Interruptions*) No, Sir. You allow these people when he is speaking. Look at him.

SHRI V. GOPALSAMY: Don't shout.

SHRI J. K. JAIN: What are you doing? Are you observing silence?

SHRI LAL K. ADVANI: Sir, one small clarification. (*Interruptions*) Just for a moment. Sir, the issue has been hinging around. I can understand his saying that the Governor did not consult them. But the issue is: Was the Governor right in arriving at the subjective satisfaction?

MR. DEPUTY CHAIRMAN: He will come to that point.

SHRI P. VENKATASUBBAIAH: I am coming to that point. I am only giving you the background.

MR. DEPUTY CHAIRMAN: He is developing that point. He will come to that.

SHRI P. VENKATASUBBAIAH: The Council of Ministers was dismissed, and Mr. Bhaskara Rao who commanded the support of the majority of the Members in the Legislative Assembly, was sworn in as the Chief Minister in the afternoon of August 16, 1984. The Governor also directed Shri N. Bhaskara Rao to prove his majority in the Legislative Assembly within a period of one month from the date of

assumption of office. This action was taken by the Governor in exercise of his powers under article 164(1) of the Constitution. Sir, in dismissing Shri N. T. Rama Rao as Chief Minister as also his Council of Ministers and in swearing in Shri Bhaskara Rao as new Chief Minister, the Governor has acted under article 164 (1) of the Constitution of India. You know the relevant provision of the Constitution. I will not read.

SHRI LAL K. ADVANI: What about article 164(2). Article 164(2) has been defied. You are setting a dangerous precedent. It is a very dangerous doctrine.

SHRI P. VENKATASUBBAIAH: The question, "What is the precise connotation of the expression "during the pleasure of the Governor?", has often been raised. The Calcutta High Court, as my friend has already pointed out, has provided a clear answer. The High Court said, and I quote:

"The exercise of the pleasure by the Governor is a matter entirely in the discretion of the Governor. This right of the Governor is absolute and unrestricted."

The Court went on to say:

"The Governor has absolute, exclusive and unquestionable discretionary power to dismiss a Ministry under article 164(1) of the Constitution, and the exercise of the pleasure is not fettered by any condition or restriction."

SHRI LAL K. ADVANI: Is the Governor a despot?

SHRI P. VENKATASUBBAIAH: He is not a despot. He is satisfied. He acted under the provisions of the Constitution.

SHRI K. MOHANAN: He has not acted under the provisions of the Constitution.

SHRI P. VENKATASUBBAIAH: I may remind you. I may quote Dr. Ambedkar's observation also. Dr. Ambedkar, Chairman of the Drafting Committee, had also made observations in this regard. He had said:

[Shri P. Venkatasubbaiah]

"During pleasure is always understood to mean that the pleasure shall not continue notwithstanding the fact that the Ministry had lost the confidence of the majority. The moment the Ministry has lost the confidence of the majority, it is presumed that the Governor will exercise his pleasure in dismissing the Ministry."

Sir, even at the time of the framing of the Constitution there was a proposal to issue an Instrument of Instructions to the Governor. This proposal was, however, given up primarily because it was felt that it would be unwise to make a rigid provision and that the Governor should be allowed to exercise his judgement and discretion on merit of the case.

Sir, in the present case, the Governor has applied the pleasure doctrine not arbitrarily but in a judicious manner when he was satisfied that Shri Rama Rao had lost the support of the majority in the Legislative Assembly and Shri N. Bhaskara Rao had the support of the majority of the MLAs.

SHRI JASWANT SINGH: Can you say that the Centre, had nothing to do with it?

SHRI P. VENKATASUBBAIAH: Sir, whether the Governor should have accepted the request of the Chief Minister to allow him to test the majority on the floor of the Assembly or not was a matter within the discretion of the Governor. I am quoting an instance. When the Governor was satisfied by means other than testing of the strength on the floor of the House that Shri Rama Rao had lost the majority support, it was not obligatory for him to accept the advice of the latter. In any case this was an advice tendered by the Chief Minister who in the judgement of the Governor had lost the majority support. Therefore, it would not be proper to say that in the dismissal of...

SHRI PARVATHANENI UPENDRA:
One clarification, Sir.

SHRI P. VENKATASUBBAIAH: ...
Shri N. T. Rama Rao and swearing in of JL

Shri Bhaskara Rao the Governor acted unconstitutionally.

Sir, for the information of the House I may quote an instance, because Mr. Gurupadaswami always used to be unruffled—today he has been very angry and indignant. (*Interruptions*). Sir, I would like to quote the Karnataka instance. The Congress Ministry headed by Mr. Devraj Urs as the Chief Minister was in power with the Congress Legislature Party having a strength of 153 in a House with effective strength of 206. Mr. Urs was suspended from the membership of the Congress Party. Mr. K. H. Patil, Karnataka Pradesh Congress President wrote to the Governor claiming that the Congress Legislature had the majority in the Assembly and they had a right to continue in office with a new leader. According to the report dated 31-12-1977 the then Governor, Mr. Govinda Narain, the Chief Minister, Mr. Urs met him on 27-12-1977 and mentioned that his view the testing of the strength of the Government should be done on the floor of the House. But he also added that he was not keen to stick to the office if he lost the majority support. Then the House had to meet in a joint session of both Houses which had already been summoned to meet on 3-1-1978. The House had to meet three days after—even then the Governor pointed out that ordinarily the testing of the strength of the Ministry should be done on the floor of the House, but in view of the special features of the situation, he was compelled to take a different view and could not wait for the testing of the strength of the Ministry on the floor of the House. I quote, Sir, what he has said in the report:

"It is abundantly clear from the signed memoranda, verified letters and physical presentation of Members of the Legislative Assembly before me and expressing their free volition after fully understanding the position that 109 Members of the Legislative Assembly, have lack of confidence in the present Ministry.

"The Ministry has, therefore, lost the support of the majority of Members of

the Legislative Assembly. On account of lined, it does not seem necessary to wait various special features as has been ouW for the trial of strength on the floor-of the House."

Then what the Governor of Karnataka has quoted in his report. He did not concept to the request of Mr Urs that the trial of the strength should be tested on the floor of the House. This is in cou- - nection with Article 164(1) it should be . read. But it is the pleasure of the Gov- ernor to decide whether any particular leader has lost the majority. So, the discretion of the Governor cannot be questioned according to the provisions of the Constitution, '

Sir, then let us go to the Janata period also. (*Interruptions*). Sir, the ' major constituent of the Janata Party a loose conglomerations - of different ' Opposition Parties namely BLD, BJS, Congress(O), (SP), and CFD were, since its formation and coming to power "had been trying 10 gain prominence and hence moving to- wards the split. Differences between the then Prime Minister, Mr. Morarji Desai and the then Home Minister, Mr, Charan Singh were so pronounced that on June 28, »78, Me. Charan Singh resigned from the Cabinet. This move was supported by simultaneous resignation of Mr Raj Narain, the then Health Minister. Due to persuasion of the Bharitiya ian Sangh leaders, Mr Charan Singh was taken back by Mr. Morarji Desai in his cabinet on June 24, 1979, with the elevat- ed position of the Deputy Prime Minister. The Janata Party which had a strength of 315 in a House of 543 witnessed a steady erosion in its strength. Mr. Y. B. Chavan, the then Leader of the Congress- (J) Party introduced a 'No Confidence Motion' on July JO, 1979 against the Janata Party. The voting -was to take place on July 16. But on Jniy 13, itself Sarva iShri Raj Narain, Bahuguna and 11 other MPs resigned from the Jaaata Party. Mr. George Fernandes and some other also resigned on July 15. Therefore, on July 15, Shri Morarji Desai submitted his resignation as Prime Minister to the President. The same was accepted by the President. Shri Morarji

Desai was asked to continue in office till alternate arrangements were made. On July. 18, the President called Mr. Y. B. Chavan, the mover of the no-confidence motion, and asked him to explore the pos- sibility of forming a Government. Shri Chavan expressed his inability to do so. (*Interruptions*)

SHRI K. MOHANAN ; He has not answered the questions ' we have raised. (*Interruptions*)

SHRI DIPBN GHOSH : What is he reading? (*Interruptions*) on -a point of order.

SHRI K. MOHANAN : We will not sit here. He is testing our palienca. (*Interruptions*)

SHRI DIPEN GHOSH -. On a point of order, What is he reading? Is it a re^ply to the debate? (*Intvmiptivwt*) Let the Minister say whether Mr. Ram Lai is going to be dismissed. We want to know categorically. . . (*Interruptions*)

MR. DEPUTY CHAIRMAN : May I request the Members of the Congress Party to sit down and not make noise.' The Minister is replying. You don't have that courtesy.

SHRI DIPEN GHOSH: Sir...

MR. DEPUTY CHAIRMAN : Please take your seats. No, I will not allow it. (*Interruptions*) Only the Minister will go on record, and nobody else, (*in terruptions*)

SHRI P. VENKATASUBBAIAH; am chronologically trying to inform th House that the Governor and the Presi dent exercise discretion according to tii articles of the Constitution, (*hiterrui tions*)

SHRI DIPEN GHOSH: Sir, we wa! out in protest.

{At this stage, some hon. Members tt the Chamber.}

SHRI P. VENKATASUBBAIAH: am sorry, Sir, they do not have t

[Shri I*. Venkatasubbaiah]

patience to hoar mc. They hurled all soils of abuses and we were prepared to lake them. Here I am trying to impress upon the House the constitutional implications involved in that particular article. The Governor did not act unconstitutionally. He acted under the provisions of the Constitution. Whether that article is arbitrary, whether it could be used in this manner, is a matter that could be discussed later in a constructive manner. The debate also, we thought, would help us to get some soil of education, some sort of enlightenment from the Opposition being used arbitrarily. So in this/ pio- to this article which, they are charging, is being used arbitrarily. So in these pte- seui circum lances, the Governor had not acted in any unconstitutional manner. The Prime Minister has made it amply clear that the Central Government has nothing to do with this matter, nor have we asked the Governor to do anything. It is purely on the discretion that has been exercised by the Governor that he

has taken this decision. I don't see why these hon. Members unnecessarily agitated and try to complicate and mislead the public. Their only idea is to mislead the people, to distort the whole thing and have some political mileage out of this situation. This is their motive. I am sorry, I am not prepared to oblige them on this contention made by the hon. Members, Sir, the Governor was within his constitutional rights to have taken such action. So, Sir, I only humbly submit to this House that the allegations that have been made are baseless. They are also malicious and they deserve the contempt they received. With these words I thank you for the opportunity given.

श्री उपसभापति : सदन की कार्यवाही
कल ग्यारह बजे तक के लिए स्थगित
की जाती है ।

The House then adjourned at fifteen-six minutes past seven of the clock, till eleven of the clock. on Wednesday, the 22nd August 1984.