

Shri P. Sundarayya

PROF. G. RANGA: May I seek elucidation on two points? One is my hon. friend referred to some rival bodies being in charge of administration in certain districts.

KHWAJA INAFT ULLAH: Parallel bodies.

PROF. G. RANGA: Yes, parallel bodies. May we have some information as to whether it is some political parties or whether it is rival bodies which are trying to capture power "there in that State? Another point is my hon. friend said that the President has received information from the Rajpramukh and also

SHRI P. SUNDARAYYA: Who is also a party to it.

PROF. G. RANGA: ... other sources. I ask from which other source is the President entitled to get information.

SHRI C. C. BISWAS: All these questions may be raised when the Resolution is brought before this House for approval of the Proclamation.

SHRI S. MAHANTY (Orissa): Sir, I want to raise two questions in relation to the Statement which has just been made by the Leader of the Council. The first one is this. He said that certain defections in the Congress Party led to the formation of a non-Congress Ministry in P.E.P.S.U. I want to know what were those defections. Secondly, I want to know what was the party position in the P.E.P.S.U. Legislative Assembly on the eve of this Proclamation.

MR. CHAIRMAN: Well, all these things may be taken up when the Resolution for the approval of the Proclamation come before this House.

EVICTON OF SHRI P. SUNDARAYYA FROM NO. 1, WINDSOR PLACE

SHRI P. SUNDARAYYA (Madras): Sir, I have got a motion on the subject of breach of privileges of this House and I want to move it. I want to explain to you, Sir, how this breach of privileges of this House has come

Windsor Place

in. It comes in this way. Myself, a Member of this Council and Comrade K. C. George who belongs to our Party and who is also a Member of this Council are both living in No. 1 Windsor Place, managing our Parliamentary Office and conducting it. In spite of this, the Government has sent police to evict us? without previous warning and without any warrant of eviction. Yesterday night when I went home from this House and asked the Estate Officer, who is conducting this operation, whether he has got any order of eviction against me, he said, "There is no order of eviction against you, since you are supposed to live in No. 4 and there are only your clerks here. Therefore the eviction order is against the clerks." I told him "his was a particularly queer position. For the last ten months, though No. 4 Windsor Place is allotted to me and two other M.P.s. I along with Comrade A. K. Gopalan are living there to conduct our office efficiently, to be in touch with our Parliamentary Office and with the affairs that come there, day and night. It is for this purpose that we are living there and all the correspondence that the Parliament has with me is always addressed to me at No. 1 Windsor Place. The electricity Bills, etc. all this I am paying in my name and the telephone is in my name and all the correspondence on the dispute with regard to No. 1 Windsor Place, its exchange etc. etc., has been carried on by me and all the communications are addressed to me. Even the latest order served the day before yesterday night, cancelling the stay order of the Speaker, was also served on me asking me to give possession of the House. When such are the facts, when my wife and myself are living here, without bringing a warrant of eviction against me

SHRI B. B. SHARMA (Uttar Pradesh): Sir, on a point of order. The hon. Member is referring to a particular case and not to any matter of breach of privilege of the House.

SHRI C. G. K. REDDY (Mysore): It is a matter of privilege.

AN HON. MEMBER: It is a matter of law.

SHRI P. SUNDARAYYA: I am showing how it is without doubt a matter of breach of privilege. Firstly, I am living in No. 1 rightly or wrongly—that is a different matter.....

AN HON. MEMBER: Trespass.

SEVERAL HON. MEMBERS: Oh, oh.

SHRI P. SUNDARAYYA: No use crying "Oh, oh." I want you to listen to me.

MR. CHAIRMAN: Get along.

SHRI P. SUNDARAYYA: I am living in No. 1 Windsor Place and if Government thought that I am living illegally, then they should certainly have brought a warrant of eviction against me, an eviction order against me. That they have not done. Instead of bringing a warrant against me, an order of eviction against me, they have proceeded on some other flimsy excuse and without issuing any warrant they have thrown my luggage out. They did not say I was living there unauthorisedly, because there was no such order. They threw my luggage and other things outside; they threw my bed and the whole office outside and then they have hajided over the possession of the luggage and other things to me. If I am not the person living there and in charge of the office, why did they hand over all the things that they had thrown out, to me? Why not to Mr. Srinivasan on whom it is served? I say this is a breach of privilege because, for one thing, the Government's action in evicting a Member of this House without intimating him and without a warrant is a breach of privilege. Secondly, we from the Opposition Group here and Parliament is expected. This House is expected to function with the Opposition, and we can function as a Group only if our office can function; and they disrupted our office, the functioning of our office, by throwing away all our papers helter-skelter.....

AN HON. MEMBER: Without even an inventory.

SHRI P. SUNDARAYYA: Here are photos of those things. Here is photo No. 1, here is photo No. 2, here is photo No. 3.

SHRI GOVINDA REDDY (Mysore): Propaganda.

SHRI P. SUNDARAYYA: I can place them on the Table of the House; any one interested can see them. And then they disrupted our office and prevented us from functioning effectively in this House. That is also a breach of privilege of this House.

SHRI T. PANDE (Uttar Pradesh): But was that house allotted to you?

SHRI P. SUNDARAYYA: The third point is this. The police could be called in to evict a Member of Parliament if such a dispute occurred, only if the House Committee first meets and discusses and decides to call for the police to evict the person. That is the Resolution of the House Committee of this House as well as of the other House. But in this particular case, without the meeting of the House Committee being called, though our colleague Shri Hiren Mukerjee asked for a meeting of the House Committee the Chairman Mr. Mallayya had refused to call a meeting of that Committee—before the House Committee actually met and discussed this question, they sent for the police. On what basis did Government take that action? That is for them to explain. Even the decision of the House Committee the Government has thrown aside. Without consulting the House Committee the Government brought in the police and evicted a Member of this House. It is but right and proper that the Speaker as well as the hon. Chairman of this Council must be consulted and prior approval taken before any such action can be taken. Without consulting the Chairman and getting his approval, to have taken action of this sort against a Member of this Council is a breach of privilege of this House as well as a

reflection on the honour of the Chairman himself.

SEVERAL HON. MEMBERS: No. no.

MR. CHAIRMAN: It doesn't matter.

SHRI P. SUNDARAYYA: Because of these reasons, I do say that a breach of privilege has been committed on this House and as such this should be referred to the Privileges Committee to go into the matter.

SHRI B. C. GHOSE (West Bengal):
On a point of information

MR. CHAIRMAN: No, I am on my feet now. The question was to move a motion; but no motion to refer the matter to the Privileges Committee can be moved without my consent. And I am afraid that it will not be possible for me to do it, for several reasons. The first is, according to the decision of our House Committee, for which we are responsible, Messrs. Sundarayya and K. C. George were assigned No. 4. Windsor Place and No. 14-C, Eeroze Shah Road. That is the decision of our House Committee, and they have not been dislodged from these places to which they were assigned. That is the first thing.

The second thing that I would like to say is that No. 1. Windsor Place, belongs to the House of the People according to the allotment made. So, it is a question for the House of the People and not for this Council of States. My feeling is that it is unfortunate that this thing has happened but, these differences could be settled only with mutual good will and understanding. This good will and understanding cannot be enforced. They must grow. I agree with Mr. Sundaryya when he said that we are working a parliamentary democracy and not a totalitarian system. A totalitarian system wishes to extirpate or destroy its opponents, but, a parliamentary democracy has to deal with all groups with the same courtesy and consideration. All groups should get

the same rights and the same privileges and, whoever it may be, one group will have to deal with the other with the utmost understanding and consideration. I have no doubt that when reasonable representations are made to the Housing Committees of the other House or of this House for any adjustment of prevailing disputes, they will be reasonably dealt with.

I have had the privilege of discussing this matter with three of our friends, the Leader of the Council, Shri Lai Bahadur Shastri and Sardar Swaran Singh. I had a long discussion, for about 30 to 40 minutes, before I came to this House on this particular matter. I deplore the incidents that have happened, but I have no doubt that it will be possible to have these things set right, but our rules are there and I cannot say that this Motion for Privileges is in order.

SHRI B. C. GHOSE: May I make just a submission. Sir?

MR. CHAIRMAN: No. We resume the Budget Discussion.

SHRI P. SUNDARAYYA: I want to make a submission, Sir. Yesterday Shri Lai Bahadur Shastri said that he will make a statement about these things. May I know in what stage things are and whether we are going to get possession of our office or not?

MR. CHAIRMAN: I don't think.....

PROF. G. RANG A (Madras): Am I to understand, Sir, that each one of our Parties is entitled to have a House so that we may also put in an application?

(Interruptions.)

THE MINISTER FOR WORKS, HOUSING AND SUPPLY (SARDAR SWARAN SINGH): AS my colleague, Lai Bahadur-ji, had undertaken yesterday to make a statement, I think, in all fairness, I might state the factual position as it is for the information of the House.

No. 1, Windsor Place is within the quota of the House of the People. The allotment is made on the recommendation of the Accommodation Sub-Committee of the House of the People. Having been in the occupation of Shri Velayudhan in the last Parliament, this house continued in his occupation when the present Parliament came into existence, and was treated as allotted to him in accordance with the general decision that was taken by the Accommodation Sub-Committee. It was noticed about October or November 1952 that the office of the Communist Parliamentary Party was accommodated in this house and that some staff of the Party office were living there. (*Interruption*). Early in November 1952, Shri Velayudhan wrote to the Chairman of the Accommodation Sub-Committee that "in his absence

SHRI P. SUNDARAYYA: That is a lie.

SARDAR SWARAN SINGH: "..... some unauthorised persons took possession of his bungalow when he was away from Delhi after the first session of the Parliament" and requested that the house should be got vacated from the unauthorised occupants. The Accommodation Sub-Committee considered this matter in detail and came to the conclusion at a meeting held on 19th November 1952 that "Shri Velayudhan had sublet his quarter in full to non-entitled persons in contravention of the allotment rules".

SHRI P. SUNDARAYYA: Total falsehood.

SARDAR SWARAN SINGH: It was therefore decided by the Committee that "the allotment of No. 1, Windsor Place to Shri Velayudhan should be cancelled and the non-entitled persons should be asked to vacate the bungalow". The Accommodation Sub-Committee also decided that the bungalow should be allotted to three Members of the House of the People with permission to accommodate one Member of the Council of States in that bungalow.

The Estate Office, being charged with the implementation of these decisions, first wrote to Shri Velayudhan and after the requisite notice period of seven days formally cancelled the allotment in his favour. The Estate Office also wrote to Shri Sundarayya on the 26th November intimating to him that the allotment to Shri Velayudhan had been cancelled and requesting him to arrange for the vacation of this house within a week. This was, Sir, in November. Shri Sundarayya then informed the Estate Office that he was corresponding on the matter with the Chairman of the House Committee and that the House Committee would take a final decision.

On the 10th December 1952 the Members in whose favour 1, Windsor Place had been reallocated appeared before the House Committee and the House Committee recorded as follows:

"18. Shri Rameshwar Sahu, MP. personally represented to the Sub-Committee that he and other three Members to whom bungalow No. 1 Windsor Place was allotted were being put to great difficulty for not having been given the vacant possession of the bungalow by the Estate Office. He further stated that he personally went to bungalow No. 1 Windsor Place and asked Shri Punalapalli Sundarayya, Member, Council of States, to vacate the bungalow so that the real allottees could occupy it. Shri P. Sundarayya told him that he would not vacate the bungalow under any circumstances but would rather let the events take their own course. Thereupon the Chairman suggested to Shri Sahu that they might accept some other bungalow but they were not agreeable as No. 1, Windsor Place suited them in all respects. The Chairman, therefore, postponed consideration of the question to some other date in order to examine the question further".

On the 24th December, Shri Sundarayya again wrote to the Estate

Officer complaining about the cancellation of the allotment in favour of Shri Velayudhan and drawing attention to an earlier letter of his in which he had asked for regularisation of a mutual exchange that had been agreed to between Shri Velayudhan and themselves. This regularisation was not, however, agreed to, and as far back as 11th November Shri Sundarayya had been informed by the Estate Officer that mutual exchange was not permissible without the written approval of the Chairman of the Accommodation Sub-Committee. On the 24th December 1952 Mr. Sundarayya further informed the Estate Officer that he was taking up the matter with the Speaker of the House of the People and the Chairman of the Council of States and requested that no action should be taken to evict them before the Speaker gave his final decision. The Parliament Secretariat informed Shri Sundarayya on 22nd January 1953 that the Speaker had examined their representation in detail and that there was no irregularity or disregard of any rules in the decision arrived at by the House Committee and that he saw no reason to interfere with such a decision. A copy of this letter was sent to the Estate Officer for information and necessary action.

On the 31st January 1953, the Estate Officer wrote to Shri Sundarayya, drawing his attention to the Speaker's decision and requested him to arrange for the vacation of No. 1, Windsor Place within 7 days. He was also informed that in case the bungalow was not vacated by that time, Government might be constrained to adopt such methods for getting the premises vacated as may be deemed fit. Copy of this letter was also addressed to Shri M. B. Srinivasan and Shri T. V. D. Kurup. who were employees of the Communist Party and were actually residing in the house. On the 2nd February Mrs. Sundarayya wrote to the Estate Officer in reply to this letter saying that (a) Shri Sundarayya was away in his constituency and therefore she could take no action and (b) that

the house was in fact in occupation by Shri Sundarayya and Shri Gopalan and not merely by the staff of the Communist Party Office. Shri Sundarayya also wrote a letter on the 2nd February from Vijayawada suggesting that the new allottees of No. 1 Windsor Place might appropriately be asked to occupy 4, Windsor Place, which stood in his name and a mutual exchange arranged and suggested that the eviction be held up till he returned to Delhi on or about the 8th February.

No action was taken till the 8th. In any case, they had been given notice till the 7th to vacate. On the 9th, as it was still not vacated, an eviction notice was issued to Mr. Srinivasan and Mr. Kurup to vacate No. 1 Windsor Place under section 3 of the Government Premises (Eviction) Act, 1950. (Interruptions by Shri P. Sundarayya and Shri B. Rath). Obviously, on the mere assertion by Shri Sundarayya or Mrs. Sundarayya that certain people were in occupation of 1, Windsor Place we could not concede the fact of such occupation as local enquiries did not suggest that they had in fact moved into this house and vacated the other house which stood in their name. In terms of the formal notice that was issued. 15 days' time was available to them to vacate the house, i.e., till the-25th February. No action was taken till the 23rd on which date Shri Sundarayya sent a letter to the Estate-Officer saying that the three of the new allottees to No. 1 Windsor Place had signified their assent to the mutual exchange between No. 4 and No. 1 and that they may be recognised and that the eviction need not be insisted upon as he was taking up the matter further with the House Committee. This mutual exchange was not acceptable to the Chairman of the House Committee, unless all the.....(*Interruption*) four people were agreeable. When consulted by the Estate Officer, the Chairman said that there was no change in the decision of the House Committee. On the 26th February the Estate Officer was informed that the Speaker would like to have the eviction action stayed until he had had an

■ opportunity to further consider the matter. On the 2nd March, the Parliament Secretariat wrote to Shri Sundarayya that the Speaker, after examining all the facts of the case, had withdrawn the stay order passed by hi'm in regard to the eviction of the unauthorised occupants from No. 1, Windsor Place and had decided that the order of the Chairman of the House Committee of the House of the People in this regard should be carried out. A copy of this letter was sent to the Estate Officer. Although the letter contained a specific request from the Parliament Secretariat to Shri Sundarayya that the house may be vacated, when an Assistant Estate Officer visited No. 1, Windsor Place on the 3rd evening, Mrs. Sundarayya, who happened to be present there, stated that as Shri Sundarayya was not there, she could do nothing and suggested that he might see Shri Sundarayya the next day or late in the evening when he returned from Parliament. Accordingly, on the 4th morning, the Assistant Estate Officer called on Shri Sundarayya at No. 1, Windsor Place, but Shri Sundarayya said that he was going to take up the matter ■ again with the Prime Minister and that therefore he would not hand over the possession. In consultation with the "Chairman of the House Committee, however, the Estate Officer thereafter took steps to secure formal eviction of the place and before doing so, the Speaker also was apprised of the position.

No Member of either House of Parliament was formally evicted from No. 1, Windsor Place. After its vacation by • Shri Velayudhan, the House has not been occupied by any Member on due "allotment. It is No. 4, Windsor Plane "that stands allotted to Shri Sundaray-ya.

At the time of actual eviction also when the party from the Estate Office "went there, only the staff of the Communist Party were present. All their records, furniture and personal effects that were found there were handed over to Shri Sundarayya last night and ^receipt of acknowledgment has been

obtained. No force of any kind was used at the time of eviction. Cash to the extent of Rs. 3,440/- was found in the house in the almirah and it was counted in the presence of Mr. Srinivasan and one Mr. Madan and as neither Mr. Srinivasan nor Mrs. Sundarayya, who turned up by then were willing to take the cash, it was deposited in the Estate Office for safe custody.

Sir, I want to make no comments but I want to make it absolutely clear that we explored all possible avenues and only ultimately, when they refused to vacate it, we had to perform the very unpleasant duty. I am glad to say that the Estate Officer and the Police did their job in quite a restrained manner in spite of provocation.

SHRI P. SUNDARAYYA: Sir, I want to make some corrections in the Statement. The first point is that the mutual letters exchanged between myself and Shri Velayudhan were submitted on the 7th November. Instead of the usual practice of confirming such letters of exchange, the House Accommodation Sub-Committee, under the leadership of Mr. Mallayya, has rejected them and allotted the house to four others. This point has not been mentioned.

SHRI B. K. MUKERJEE (Uttar Pradesh) : Is he making a counter-statement?

MR. CHAIRMAN: He is making some corrections.

SHRI P. SUNDARAYYA: Then, the second point is, that when No. A, Windsor Place was offered in exchange, three Members agreed. Mr. Mallayya himself has given a letter that if all the Members agree, he has no objection. Three of the Members have agreed and signed and the fourth Member says he has no objection to sign but he could not do it because Mr. Mallayya asked him not to sign. This is the position. There are the two facts. In spite of these things we wanted to settle this affair amicably and

we approached every person. I believe the last person that was left was the Prime Minister himself. We approached the Prime Minister yesterday to see whether he could do anything as the leader of the Congress. Even now, I want to tell the Congress Party, which is the majority party, the party that is running the Government, that if they want parliamentary democracy to be working, they should give us an opportunity and not disperse us to every corner of Delhi making it not possible for us to function.

SHRI B. K. MUKERJEE: What about the money?

SHRI P. SUNDARAYYA: The money is our money. What is wrong about it? I strongly protest, Sir; I want him to withdraw.

SARDAR SWARAN SINGH: We are not detaining the money; as soon as he wants to take it, he can have it.

MR. CHAIRMAN: Mr. Mukerjee had no business to interfere.

SHRI P. SUNDARAYYA: It is an insinuation; it should be withdrawn.

SHRI B. C. GHOSE: It is an insinuation which should be withdrawn.

MR. CHAIRMAN: I said Mr. Mukerjee had no business to interfere.

SHRI P. SUNDARAYYA: Before you proceed to the next business, Sir,

MR. CHAIRMAN: I don't think you should proceed further. There was a statement and you made corrections. I have called Mr. Kidwai to speak.

SHRI P. SUNDARAYYA: Just half a minute, Sir, and then you can have the proceedings coolly and calmly.

Since our office is dispersed, since we are not prepared because of the dispersal of our office and since sitting here and participating in this House is useless—since we cannot function—as a matter of fact the preparation of our Budget speeches is dislocated—our

6 CSD

group are going to withdraw from the House which may then coolly and calmly go on.

THE DEPUTY MINISTER FOR LABOUR (SHRI ABID ALI): For ever?

SHRI P. SUNDARAYYA: We will consider. It depends upon us.

MR. CHAIRMAN: Order, order.

SHRI T. S. PATTABIRAMAN (Madras): You can go to Moscow
(Some Members of the Opposition then walked out.)

STATEMENT RE ALLEGED OFFICIAL INFLUENCE IN A BYE-ELECTION

MR. CHAIRMAN: Mr. Kidwai.

THE MINISTER FOR FOOD AND AGRICULTURE (SHRI RAFI AHMAD KIDWAI): Sir, I understand, yesterday one of the Members of the group that has just walked out made some allegation against the Deputy Minister for Food, Mr. Krishnappa, that he used his official influence in favour of the Congress candidate in a bye-election. I want to say a few words on it.

The Communist Party at 3 P.M. today, Mr. Krishnappa gave in this House about the food situation there. About the distribution of food that had come from Russia he was represented to have said that the people of Mysore did not need Russia's help for food. He was also reported to have ridiculed the Russian aid. It was further alleged that Mr. Krishnappa used his influence with the Congress President to get a new name substituted for the nominee of the Pradesh Congress Committee. Now, when all these things were being said and widely broadcast in the constituency, some of the members of the constituency wrote to him about this. It was also alleged that Government stocks were exhausted and therefore there was going to be difficulty about feeding the people there. Naturally Mr. Krishnappa first contented himself with replying to persons