

[Sh. Harish Rawat]

people in tribal-dominated tehsils. There is widespread resentment among the people against the present situation.

Therefore, the Ministry should take immediate steps to improve the situation.

12.38 hrs.

STATUTORY RESOLUTION *RE*: APPROVAL OF PROCLAMATION IN RELATION TO TAMIL NADU

[English]

THE MINISTER OF HOME AFFAIRS (SHRI BUTA SINGH): Sir, I rise to move:

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

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

The Governor has further reported that when the House met at 12.00 hrs., the Speaker announced the decision to disqualify six former Ministers on the basis of a

complaint made by Thiru Tamilmani and adjourned the House to 3.00 P.M. According to the Governor, it was improper on the part of the Speaker to have adjourned the House twice instead of taking up the vote of confidence.

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

- (i) Expression of no confidence in Smt. Janaki Ramachandran's Government.
- (ii) Adjournment of the House sine die.

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

When the Assembly met at 3.00 p.m., complete pandemonium prevailed in the House. Chairs, wrenched out makes, paper weights, chappals flew across the House and the Members engaged in fisticuff leading to injuries to some of them. The Governor has stated that the pandemonium which prevailed in the House at 12.00 hours and at 15.00 hours and the police intervention inside the House has been one of the most sordid chapters in the annals of the Legislative Assembly.

A very large number of MLAs were forced to leave the Assembly Chamber leaving only 110 out of 222 members present in the Chamber. Once the members other than those belonging to AIADMK (Mrs. Janaki Ramachandran faction), DMK, Muslim

League and Janata had left, the House passed a vote of confidence in the Ministry headed by Mrs. Janaki Ramachandran. The Governor had reported that the manner in which voting was conducted by AIADMK Party casts serious doubts about its claim that it had been able to win the vote of confidence as only 110 members out of 222 were present in the House.

The Governor further stated that atmosphere in the State had been fully vitiated and there was political deadlock in the State. In view of the situation which had arisen, he was of the opinion that there was breakdown of constitutional machinery and a situation had arisen in which it would be impossible to carry on the Government in accordance with the provision of the Constitution. The Governor, accordingly, recommended that-

- i) the Legislative Assembly may be dissolved; and
- ii) President's rule imposed under Article 356 of the Constitution.

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

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

SHRI E. AYYAPU REDDY (Kurnool): The imposition of President's rule in Tamil Nadu though it became absolutely necessary, is the most unfortunate and unwarranted constitutional Calamity. There was no wise guidance from Delhi. After the death of MGR it was absolutely necessary that the continuity of the MGR Cabinet should be kept up not merely for the sake of the people of Tamil Nadu but for the sake of the entire

nation. What is important is the Tamil issue, the ethnic issue in Ceylon and the security forces in Ceylon require the whole-hearted backing of the people of Tamil Nadu, which was ensured during MGR's life. But, for the continued support for the Indo-Ceylon Accord, the Central Government and the leadership in Delhi ought to have called for not only the important group leaders in AIADMK, but it should have called for the other leaders also who were supporting the Indo-Srilankan Accord. What has happened now is the AIADMK has been split into two groups. The leadership at Delhi certainly had the moral, spiritual, constitutional and political authority and it could have easily persuaded them and prevented the split of the Anna DMK. It is not only the AIADMK that has split, the Congress itself has undergone a catastrophic change.....(*Interruptions*).

SHRI RAM PYARE PANIKA (Robertsganj): No. There is no split.

SHRI E. AYYAPU REDDY: All right. You may console yourself by saying that there has been no change in the Tamil Nadu Congress.

SHRI P.R. KUMARAMANGALAM (Solen): A few individuals going does not bring a change.

SHRI E. AYYAPU REDDY: You may thin so, but let us see what the electorates will reply. Actually we are not interested.....(*Interruptions*).

SHRI P.R. KUMARAMANGALAM: Then why are you mentioning it for no rhyme or reason?

SHRI E. AYYAPU REDDY: Because the question which is at stake is the national interest. The Indo-Srilankan Accord is at stake. Now this Accord will become the apple of discord in Tamil Nadu. It is certainly going to be an apple of discard. In the elec-

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tion platform, the Indo-Srilankan Accord is going to be the subject matter of criticism....
(Interruptions)

SHRI P.R. KUMARAMANGALAM: No.

SHRI E. AYYAPU REDDY: You may say no but the role of the IPKF and the Indo-Srilankan Accord and the ethnic issues are going to figure prominently in the elections that are going to come. In that sense and with that point in view, I am saying that the leadership at Delhi should have been more cautious and should have envisaged and should have gone into the possibilities of the repercussions of a split in AIADMK on the Indo-Srilankan Accord. Therefore, the imposition of the President's rule is not an ordinary Constitutional obligation which has been exercised but this has been exercised without forethought, without wisdom and without taking into account the consequences and the fall-out. Now, when are you going to hold elections in Tamil Nadu? What is the role played by the Central leadership and by the Congress leadership in this affairs? People who were swearing by Rajiv Gandhi till day before yesterday are now at loggerheads. The only party which had boycotted the President's Address yesterday was the AIADMK, owing allegiance to Mrs. MGR.....(Interruptions).

SHRI P. KOLANDAIVELU (Gobichettipalayam): Not Mrs. MGR, Mrs. Janaki Ramachandran.....(Interruptions).

SHRI E. AYYAPPU REDDY: All right, let us not quarrel about that. But this will show that instead of stabilising, unifying and harmonising the people of Tamil Nadu, we have unnecessarily divided them.....
(Interruptions).

SHRI P.R. KUMARAMANGALAM:
Who has divided them?

SHRI E. AYYAPU REDDY: It is certainly not Telugu Desam, It is the Central leadership, it is the Congress Party. Therefore, the responsibility for causing this split and for creating this sort of instability in Tamil Nadu has to be taken and has to be owned only by the Central Government.

AN. HON. MEMBER: Why?

(Interruptions)

SHRI E. AYYAPU REDDY: You had your own ambitions, you wanted to catch power in Tamil Nadu, you wanted to bring Tamil Nadu under the Congress regime and the personal ambitions of two politicians....(Interruptions). Please don't compel me to tell the personal ambitions and the political ambitions of individuals which the national interests have been subject to, the over-zealous ambitions of a few individuals. Therefore, if only the Congress and the leadership at the Centre had the good of the people of Tamil Nadu at heart, especially in view of the delicate situation that is being obtained in Ceylon and the number of constraints and the number of harassments and the number of difficulties which the IRKF is facing in Ceylon, you should have prevented the imposition of President's Rule. Therefore, Sir, we are totally unhappy not because we support one wing of the AIADMK against the other, but because we wanted that the unity of the AIADMK should be kept up and if there was only a will on the part of the Prime Minister, the unity would have been there and Tamil Nadu would not have been subject to the present state of instability under which it is now suffering.

SHRI P.R. KUMARAMANGALAM (Salem): Mr. Deputy Speaker, Sir, I rise to support the Resolution to approve the Promulgation of Emergency in Tamil Nadu.

AN HON. MEMBER: Not Emergency, Sir.

(Interruptions)

SHRI P.R. KUMARAMANGALAM:
Sorry.....of President's Rule. I correct
myself. *(Interruptions)*.

Sir, we in the Congress had very categorically stated that we wanted stability in Tamil Nadu. In fact, I understand that the hon. Prime Minister had requested both groups, both factions of the Anna-DMK to sink their differences, bury the hatchet and unite in the interest of stability in Tamil Nadu and in the interest of the nation. Unfortunately it looks like they were two extremes to even come to an understanding between themselves, let alone unite.

Sir, the accusations that my friend from the other side has thrown without any sort of proof or basis and dis-regarding the public statements and the efforts of the hon. Prime Minister to say the least is unfortunate. Sir, we are also very much aware (the Congress Party), that the split that took place in the Anna-DMK was not in the interest of the State of Tamil Nadu or in the interest of the nation. We have categorically gone on record to state that we believe in undivided Anna-DMK and we extend our support to the undivided Anna-DMK. We did everything possible to try and bring them together. Sir, to say that the responsibility of the split lies with either the Central Government or the Congress Party is a total blatant untruth because if at all the split was encouraged by anybody, it was encouraged by certain Opposition parties which was not the Congress in Tamil Nadu, for example, the DMK. It is because it is the DMK which is benefited by the instability in Tamil Nadu and not either the Congress or even either faction of the Anna-DMK. The most unfortunate day, Tamil Nadu has seen was the 28th of January, 1988, when the Tamil Nadu Assembly met. For the first time, with no reasonable, rational excuse, when a vote of confidence was to be taken up on the floor of the House,

the Speaker of the House, adjourned it twice without giving any reason which has any connection with adjourning the sitting of the House. Flimsy grounds were made, some of which were untrue. But the whole purpose was obvious. It was to ensure that an excuse could be found whereby those who did not support the Government with was seeking the vote of confidence, would be physically barred from entering the Assembly. Every possible item that could be used was used as a missile-chairs and mikes. Even foot-wears were used liberally. Several MLAs were injured. To go on record, I am ashamed, as a Tamilian, to note that for the first time, in the annals of history, the police was brought in and directed to do a lathi charge inside the House, which was unheard of *(Interruptions)*. And the Members of the Assembly who were neither expelled nor suspended were forcibly thrown out of the Assembly. *Goondas* were allowed to enter with passes to create violence, not in the Visitors' Gallery but right in the well of the House.

Sir, Mr. M.G. Ramachandran was a man of the masses who held the affection of the people of Tamil Nadu very close to his heart. He worked for the upliftment of the masses of Tamil Nadu and those who seek in his name to remain in power, at least, are expected not to bring down the prestige of the State of Tamil Nadu. On the 28th of January, 1988, the only achievement that the Speaker of the Assembly at that time, Mr. Pandian and the Government that was in power seeking the vote of confidence, made was to bring down the prestige of the State of Tamil Nadu which has always been held throughout India and throughout the world at a very high esteem. Mr. Deputy-Speaker, the annals of history will establish that this was the most unfortunate day the state of Tamil Nadu saw. What is fascinating is, we have a Speaker today in Tamil Nadu who by resolution of a majority, was dismissed from his post by a no-confidence and another

[Sh. P.R. Kumaramangalam]

Speaker was elected. Unfortunately, even now under the President's rule, the Government of Tamil Nadu recognises.....

AN HON. MEMBER: Do you recognise it?

SHRI P.R. KUMARAMANGALAM: I do not know what the Central Government is doing. But we do, the Congressmen in Tamil Nadu do.

SHRI K.R. NATARAJAN (Dindigul): Mr. Deputy-Speaker, Mr. Pandian as the Speaker cannot be talked here.

SHRI P.R. KUMARAMANGALAM: He has been dealt even now as if he is the Speaker of the dissolved Assembly. (*Interruptions*)

Let me finish. You will have your time.

MR. DEPUTY-SPEAKER: The subject-matter is of that. Already the Governor's report is there. We cannot avoid that reference in that case.

SHRI P.R. KUMARAMANGALAM: Sir, the most important fact is that it is a plea, a request and a demand from the Tamilnadu Congress and all the Congressmen of Tamilnadu that this person Mr. Pandian who was removed from the Speakership, not be recognised as Speaker of the dissolved Assembly. The most important thing is to bring back stability immediately in Tamilnadu. There was no other option, even as per the hon. Home Minister's statement on the floor of this House just now, for the Central Government to do any anything other than imposition of President's rule. The incidents that led to it were unfortunate. I am sure, the House is unhappy about it. But the need of the day immediately is to have a popularly-elected Government back in the seat of power in Tamilnadu. Could I use this

opportunity, through you Sir, to urge, upon the Home Minister and the Central Government to take immediate steps to have elections in Tamilnadu so that a popularly-elected Government could come to power as soon as possible? I am sure, neither the Congress Party nor the Central Government wants any unnecessary delay in this regard since it was not our intention to have President's rule in Tamilnadu. It has been imposed upon us by the factional fighting in the local party. I would like to say that the Accord would not be an apple of discord as my friends from the otherside was trying to point out. Maybe, Some parties would like to use the Sri Lankan Accord, the unfortunate happenings in Sri Lanka and the ethnic problem in Sri Lanka as a weapon. But I would only hope that good sense would prevail upon them to see that it is national interest that they are playing around with; it is national integrity that they are playing around with. This is not a small issue of politics but the prestige of the whole nation is what they are playing around with. I would like to take this opportunity say that the IPKF is doing a Merculean task in Sri Lanka. There are various forces which are international in colour, which are trying to destroy the peace in Sri Lanka and which are encouraging terrorists in Sri Lanka. We are seeing many an important personality in Sri Lanka being killed. This is not the time for any party which believes in either national interest or atleast in peace to use this issue as a political issue. I do not know whether Telugu Desam were trying to point out to their friends that this is an issue that can be used. But let me make it clear if that was the intention....

(*Interruptions*)

SHRI E. AYYAPU REDDY: Are you quite sure that this issue will not be raised? Why do you want to ignore the realities? (*Interruptions*)

SHRI P.R. KUMARAMANGALAM: Mr.

Reddy, I have not yielded to you. If I had yielded, then you could have said something. I have not yielded. I would request you to sit down. You are much senior to me. I would like to say, at the end, that the intention of Congress Party and all the Congressmen in Tamilnadu right from the beginning has been that there should be stability in Tamilnadu, progress in Tamilnadu and the the popular policies of the then government led by Shri M.G. Ramachandran be implemented so that the upliftment of the masses of Tamilnadu take place. Unfortunately due to certain faction fighting the situation has come to this pass. The earlier Tamil Nadu comes back to popular Government, the better it would be in the interest of the Tamil Nadu and the better it will be in the interest of the nation.

I would like to support the resolution to approve the promulgation of the President's Rule in Tamil Nadu essentially because it was a Hobson's choice. The Central Government had no other option at that moment. There was no party, no group in the assembly which could have run the Government. Thank you.

MR. DEPUTY-SPEAKER: We adjourn for lunch to reassemble at 2.05 P.M.

13.06 hrs.

The Lok Sabha adjourned for Lunch till five minutes past Fourteen of the Clock

The Lok Sabha re-assembled after Lunch at ten minutes past fourteen of the clock.

[MR. DEPUTY SPEAKER *in the Chair*]

STATUTORY RESOLUTION RE: APPROVAL OF PROCLAMATION IN RELATION TO STATE OF TAMIL NADU

[*English*]

SHRI THAMPAN THOMAS (Mav-

elikara): Mr. Deputy Speaker, Sir, the Resolution now under discussion imposing Governor's rule in Tamil Nadu opens our eyes to the political situation and principles of democracy which are followed in this country. The report placed by the Home Minister shows that the Governor has gone into quite unnecessary things and made a report to the Central Government about the state of affairs in Tamil Nadu. He takes note of the fact that there was a meeting of the legislators under the leadership of a particular gentleman and they passed a resolution against the Speaker.

First of all I would like to know if such a resolution passed by a group of persons assembling in the corner of a house and Governor taking note of it and making it a point to impose Governor's rule in Tamil Nadu what would be the future of democracy in our country! On an illegal and unlawful action taken by any person the Governor is not bound to take cognizance of that. So that action of the Governor in Tamil Nadu once again shows how Governors are used to dismiss the governments and impose Central rule so as to take political advantage.

Sir, here Congress is morally bound to support AIADMK. When Janaki government was formed in Tamil Nadu she proved that 99 members are with her and the Congress has got 64 members. Congress had entered into an agreement with another political party for maintaining a government. Naturally the majority was proved. They ought to have supported but they waited for an opportunity to sabotage the government so as to make inroads into the political situation of Tamil Nadu. This was a vicious attempt on the part of the Central Government. They have used the Governor to impose the Governor's rule there.

All these things have happened, I think, with the knowledge of the Prime Minister because at the time of death of MGR the Prime Minister himself went to Tamil Nadu

[Sh. Thampan Thomas] and addressed the meeting. The meeting was held and from there the political strategy was formed.

14.14 hrs.

[SHRIMATI BASAVARAJESWARI in the
Chair]

The Congress has no influence in Tamil Nadu. Now they want to make inroads. They have used this opportunity of splitting AI-ADMK. (Interruptions) Whatever Congress has got in Tamil Nadu is because of the unity made with AIADMK...

SHRI P. KOLANDAIVELU (Gobichettipalayam): Sir, I rise on a point of order. At the time of demise of my beloved leader MGR the Prime Minister, of course, came there in order to pay his respects but he did not attend a meeting. What the hon. Member says is that he attended a meeting and so all these problems came. It is not correct.

MR. CHAIRMAN: There is no point of order. It is only a point of clarification.

SHRI RAM SINGH YADAV (Alwar): It is a point of order on the point of disinformation.

SHRI THAMPAN THOMAS: What happened in Tamil Nadu is that the Congress want to take advantage of the situation and to impose their party rule in that State using this opportunity. They split the AIADMK and used the Governor's office in a vicious manner to get a hold in Tamil Nadu. That is my allegation on this subject.

I also fear that what had happened in Tripura, the same thing may be repeated in Tamil Nadu after some time because the situation is very very dangerous in Tamil

Nadu. The hon'ble members who spoke earlier had also pointed this out.

The people of Tamil Nadu have no confidence in the Congress and they are very much aggrieved. It is acknowledged as a backward State. In many parts of Tamil Nadu, the development has not increased..... (Interruptions)... The Centre has discarded Tamil Nadu in extending the help for development of the area. The people are against the Congress and the Congress rule for a long period. They have never accepted Congress as a party of Tamil Nadu..... (Interruptions).....None other than the General Secretary of the Congress (I)** visited Tamil Nadu..... (Interruptions).....

MR. CHAIRMAN: I will request the Hon'ble Member not to mention the name of the persons who are not supposed to defend themselves on the floor of the House.

SHRI THAMPAN THOMAS: I will say: The Congress General Secretary was sent over to Tamil Nadu. I fear that what had happened in Tripura will repeat in Tamil Nadu. There is a cause for the Central Government to declare Tamil Nadu as a disturbed area because Sri Lankan problem is a very live problem amongst the Tamilians. It is quite natural that Mr. Buta Singh might come forward with a declaration saying that this is a 'troubled area' and paramilitary forces will have to be sent over the Tamil Nadu. A situation will be created like the one in Tripura and election will be held in a rigged manner. And they want to impose on them none other than the AICC General Secretary as a Chief Minister and successor of MGR.....(Interruptions).....The people of Tamil Nadu will not tolerate all this. Mr. Kolandaivelu is becoming a party to that trick of the Congress.....(Interruptions)....

** Not recorded, as ordered by the Chair.

SHRI T. BASHEER (Chirayinkil): What is your strength?

SHRI THAMPAN THOMAS: Whatever may be our strength, whatever may be the following, but I am telling you the truth. (*Interruptions*).....It is the experience in this country. All I am concerned with is about the democracy; how the butchers of the democracy kill it and how they are using the office of the Governor to impose the Congress rule in the various States. What happened to Meghalaya? Mr. P.A. Sangma went there. He had 23-member backing. Now there is a 19-member cabinet of the Congress (I). Out of 30, 19 are members of the cabinet.....(*Interruptions*)...They used the Governor in Andhra Pradesh. In Kerala, a Congress leader has been sent as a Governor, who was a Minister here and was also active in the party. Therefore, I submit that I have no belief in the Governors as they are mere agents of the Central Government to impose their rule in the various States. That is the submission I make on this subject.

(*Interruptions*)

PROF. P.J. KURIEN (Idukki): 13 Councillors elected the Chairman and 14 people were on the other side. Let me ask you whether you can ask your Minister to resign from Kerala Government because of this. Is this democracy? Let the hon. Member say whether his party would resign in the Kerala Cabinet (*Interruptions*)

MR. CHAIRMAN: Mr. Kurien, he is not yielding. Please resume your seat. Why did you mention about that? He is on his legs. You are not supposed to talk like that. Let him conclude. (*Interruptions*)

PROF. P.J. KURIEN: You should ask your Minister to resign if you have respect for democracy.

MR. CHAIRMAN: I am asking you not to

repeat again. It won't look nice because he is not yielding.

THE MINISTER OF HOME AFFAIRS (S. BUTA SINGH): Say that Janata is like that in Telugu Desam.

SHRI THAMPAN THOMAS: Democracy in the country is facing such a crisis and Tamil Nadu is one of the histories which has been revealed by the action of the Central Government using extraordinary powers in the Constitution and imposing Governor's rule and using Governor as a tool to get into power in Tamil Nadu. The most manipulated way they have planned it at party level, at Governor's level and that is going on. It is revealed by the very facts of the Governor's report itself. I was pointing out that the Governor making such a report, taking unnecessary things into cognizance and nothing all that saying such things have happened—he ought not to have taken anything like that when there are 97 Members for Janaki Government, when Congress is bound to support ADMK whichever faction shows the majority..... (*Interruptions*).. Whatever it is Congress has the moral responsibility to accept the majority but they do not believe in morality and therefore, they did it. They created this crisis as they want to impose Article 356 of the Constitution. The same thing is being repeated everywhere, not only in Tamil Nadu, but in other places also, the Governors are being used as a tool of the Central Government and capture power. I fear the same thing, the same strategy which they adopted in Tripura by sending paramilitary forces, will be done in Tamil Nadu also. They will send them to Tamil Nadu, win elections and come to power and they will have their own men there. All these things will have the blessings of the Prime Minister. I would like to submit that the Tamil Population, the whole of South India would revolt against this. When Anjiah was the Chief Minister in Andhra Pradesh, the people of Andhra Pradesh revolted and

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showed the result. In Kerala also, when the Congress wanted to impose-I am sorry that I cannot mention the name-all people showed the result. In Tamil Nadu also the result will be shown. Mr. Subramanian has resigned from TNCC against the Congress as also Sivaji Ganesan. Therefore, there is no doubt that the people of South India are capable to understand the vicious motives of Congress (I) and to give them a good reply in elections and they will do so.

Another thing is that on the Sri Lanka accord they wanted to derive political advantage at this juncture. I have toured throughout Tamil Nadu and I have seen what the precarious position of Tamil Nadu people is. People are suffering there and there is nobody to look after them and now the Centre wants to rule this State. I would like to tell Shri Kolandaivelu that they are going to be eaten away by these *sarpas*. With these words, I conclude.

SHRI SHARAD DIGHE (Bombay North Central): Madam Chairman, I rise to support the Statutory Resolution moved by the Home Minister for approving the proclamation issued by the President on the 30th January, 1988...

The hon. Member, who spoke before me has brought many extraneous and irrelevant matters before this House which had nothing to do with the Proclamation. When the Proclamation relates to Tamil Nadu, he spoke about Tripura, Meghalaya and travelled all over India. That only shows that when some event takes place in India, the opposition wants to derive political advantage of every small event that takes place even though it may be strictly according to the Constitution.

The manner in which the Governor of Tamil Nadu had handled the situation and the ultimate proclamation that has been

issued by the Central Government, I fully support each and every action and say that everything is according to provisions of the Constitution and no other thing was possible under the circumstances which existed at that time.

Those who have spoken from the opposition before me have not considered and taken into account the events which took place in Tamil Nadu since the death of the then Chief Minister. If those are considered in the light of the provisions of the Constitution, they would have been convinced that the only solution possible under that situation was this proclamation.

I would only draw the attention of this House to the various events which took place. Firstly, Tamil Nadu Assembly consists of 234 members, out of which AIDMK has 131 members. There were 12 vacancies and therefore, for the purpose of forming a Government, 112 supporters were necessary for the one who would stake his or her claim for forming a Government in the State. What did the Governor do? The Governor also followed very clear-cut procedure under the Constitution. Ninety-seven MLAs were backing Janaki Government and, therefore, the Governor physically verified all the 97 AIDMK members, who are supporting. On 2nd January he interviewed each and every Member. Then he individually asked whether they were coerced in supporting this Government and this verification lasted for four hours. After this verification, he came to the conclusion that Mrs. Janaki would be able to form a Government and, therefore, she was summoned to form the Government. This is not a new or strange procedure at all. It has been followed several times in India in several states and the Sarkaria Commission has also referred to several instances of this kind, and he has stated.....(*Interruptions*)

We will see everything. The whole re-

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port is going to be discussed in this House and we shall then express our opinion on it. The Governor has employed various ways to determine which party or group is likely to command a majority in the Legislative Assembly. Some have relied only on the list of supporters produced as in Bihar in June 1978 when the Congress Party was called upon to form a Government. In some cases physical varification by counting the heads was done as in the case of Gujarat in 1971 then Uttar Pradesh in 1967, in Rajasthan in 1967, etc. Several states are there. Summoning the simple largest party in the House to form a Government is not new to this House at all. Even after the fall of Janata Government, Shri Yashvant Rao Chauhan was summoned as the Opposition leader and as the leader of the single largest party in the House to form the Government. when he declined then only Shri Charan Singh was summoned to form a Ministry. When he was assured of every support from the Congress-I party then only he was allowed to form the Government. Here also 97 MLAs were backing that Government. Therefore, Mrs. Janaki was summoned to form the Government and prove her majority on the floor of the House within the three weeks. Accordingly, within 3 weeks, on 28th January the meeting was called and what happened in the Assembly was also very important.

Now, I would not for a moment approve the actions of the Speaker in that Assembly as far as that day was concerned. When the Assembly met he informed, without any rhyme or reason, that certain members from Congress Party have resigned and then suddenly he adjourned the House till 12 O'clock. There was no reason to adjourned the House at that time. When the House met again at 12.00 o'clock without any thing on record, he disqualified some members under the anti-defection law. Now, the Anti-Defection law says that only in two instances a Member can be disqualified; (i) if he volun-

tarily leaves the party or (ii) he violates or votes in breach of the whip issued by his party. Neither of the things had happened. They had not left the party. There was nothing to show that they had left the party voluntarily. There was no question of voting at all. So, on what basis they were disqualified, one does not know. It is not clear from the Reports which appeared in the Press. So, at 12.00 o'clock he announced that he has disqualified some members and then again he adjourned the House till 3.00 o'clock. For what purpose these 3 hours were given we do not know. As I do not approve the action of the Speaker, I would not also equally approve of the parallel House which was held. For the removal of Speaker, there are provisions in the Constitution. There are Articles in the Constitution. Then there are rules. You cannot remove the Speaker by just holding a meeting. You have got to move a motion and then after 14 days the motion is to be passed. The motion is put before the House and then it is discussed. You cannot just remove the Speaker. So, it was not constitutional at all. The holding of a parallel House was not constitutional at all. The removal of the Speaker was also not constitutional. My learned colleague Shri Thomas has just now said that the Governor has taken a note of it. No. The Governor has not taken note of it. On the contrary it is clear from what the Home Minister read out in the morning, from that it is clear that the Governor felt that this was unwarranted, this that is, after the House was adjourned by the Speaker, the rival group comprising of Congress (I), CPI, CPM etc., reported to have held a parallel Session and elected Congress (I) Party Member Thiru S.Sivaraman, as Speaker after dismissing the present Speaker Thiru P.H. Pandiyan from the post. They also passed the following two resolutions-expression of no confidence in Smt. Janaki Ramachandran's Government and adjournment of the House *sine die*. The Governor felt that this was unwarranted and that this let

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to a situation where future business of the Legislature could not be conducted peacefully. This is the statement which the Home Minister made in the morning. So, there is nothing to show that the Governor approved all these things.

(Interruptions)

DR. S. JAGATHRAKSHAKAN (Chengalpatu): You tell me how many members had elected the Congress (I) Speaker? *(Interruptions)* Will you allow me here in the Parliament to occupy the Speaker's Chair during lunch time? Will you say, Mr. Jagathrakshakan is the Speaker of Lok Sabha?

SHRI P.KOLANDAIVELU: Yes, in the lunch time you can occupy!!

(Interruptions)

DR. S. JAGATHRAKSHAKAN: Shri Sivaraman-the Congressman-had done the same thing.

MR. CHAIRMAN: He is not yielding. You cannot get up and talk like this. When your turn comes, you can speak.

SHRI SHARAD DIGHE: I have already said I do not approve of the parallel Session. I do not approve of the election of the new Speaker and the removal of the Speaker without following the procedure, as laid down in the Constitution. So, all that was unconstitutional. Thereafter when the House met, there was so much pandemonium, many unprecedented things had happened which had never happened before—namely the police came and made a lathi charge in the Assembly itself. So, when all these things had happened, how can you say that the Government can be carried on according to the Constitution? It was quite clear that Government could not be run.

There was a break-down of the constitutional machinery. It was a situation where it was impossible to carry on the Government in accordance with the provisions of the Constitution. This situation had definitely arisen. Therefore, the Governor was right in making a report to the Central Government that this was the position and therefore the proclamation should be issued.

I say that there was no alternative before the Central Government but to issue this proclamation for dissolving the Assembly.

Now, some hon. Members have also stated that Sri Lanka Accord is important and from that point of view the Central leadership should have seen that AIADMK should be united etc., etc. I do not know whether Telugu Desam Members seriously suggest that if there is dissension in the regional party, the Congress party should interfere and do something in the matter.

SHRI E. AYYAPU REDDY: You are talking about Janaki Government. The Governor should have called the Congress Party and ascertained whether the Congress Party will be formally supporting Janaki and after getting..... *(Interruptions)*

S. BUTA SINGH: You please ensure that there is order in the House.

SHRI SHARAD DIGHE: As I read from the newspaper report, the Congress (I) Party had assured the support but when the Congress Party found that horse trading was going on, they refused to support the Janaki Government. That was also politically correct.

SHRI E. AYYAPU REDDY: What is Sangma doing in Meghalaya? Is he not doing horse trading?

SHRI SHARAD DIGHE: Therefore it

was absolutely politically and constitutionally correct to say that we will support and we will see. And Congress Party according to me made strenuous efforts to see that AI-ADMK comes together and they are able to form a Government, and they are able to run the Tamil Nadu Government. That was the genuine desire of the Congress Party, and they made serious efforts in that direction. When they found that their own Members were sought to be purchased, there was no other alternative but to withdraw the support to any Government which was trying to do it.

Therefore, my submission is that the Congress Party had acted very responsibly, and as an all-India party having full responsibility for the whole country, and having fully realized the implications of the fall of Government in Tamil Nadu. So, this was the last resort. The Congress Party tried to see that there was a Government, there was a Government by the elected Representatives, and that they run the Government so that the Sri Lanka Accord also would get good support from it.

I also ask now: when ultimately the elected representatives do not see their responsibility, what is the alternative? Go to the people. That is the only alternative. Therefore, the Assembly has been dissolved. We will go to the people, and ultimately the people of Tamil Nadu will decide the fate of the Indo-Sri Lankan Accord...*(Interruptions)*

I am sure that the people have already accepted that Accord, and there will be no trouble as far as that Accord is concerned.

SHRI N.V.N. SOMU (Madras North): More than 50 lakh people participated in the hunger strike against the IPKF actions in Sri Lanka *(Interruptions)*

SHRI SHARAD DIGHE: The wise people of Tamil Nadu will ultimately approve

it and put their seal of approval on this Accord, and approve the responsible action which the Congress Party has taken, and which the Central Government has taken, by issuing this proclamation.

With these words, I support this proclamation.

SHRI P. KOLANDAIVELU (Gobichettipalayam): Madam Chairman: I whole-heartedly support the President's rule which has been imposed in Tamil Nadu. *(Interruptions)*

MR. CHAIRMAN : Don't interrupt him. Let him speak.

SHRI P.KOLANDAIVELU: As provided for in article 356, a situation has arisen there in which the Government of the State cannot be carried on in accordance with the provisions of this Constitution. That is why in the right time, in the right manner Government of India came to the rescue of the people of Tamil Nadu, and President's rule was imposed. This imposition of President's rule in Tamil Nadu was wholly welcomed by the people of Tamil Nadu ...*(Interruptions)*

DR. S. JAGATHRAKSHAKAN : No.

PROF MADHU DANDAVATE: (Rajapur): That is welcomed only by the Congressmen.

(Interruptions)

SHRI P.KOLANDAIVELU: The main supporter of the Janaki faction, one MR. R.M. Veerappan has stated to the Press...*(Interruptions)*

DR. S. JAGATHRAKSHAKAN: He is not a member of this House.

MR. CHAIRMAN : I have told him not to mention names, but try as far as possible to avoid giving names.

DR. S. JAGATHRAKSHAKAN: He is not a member here. So, please remove his name.

(Interruptions)

PROF MADHU DANDAVATE (Rajapur): Don't name him, only describe him.
(Interruptions).

MR. CHAIRMAN: Mr. Kuppuswamy, please resume your seat. *(Interruptions)*.

Mr. Kuppuswamy, if you behave like this, I am not going to call you. Your name is here. If you behave like this, I am not going to call you. *(Interruptions)* Please resume your seats. When the Chairman is on her legs, you must resume your seats. Nobody should get up when the Chairman is on her legs, Please resume your seats.

Mr. Kuppuswamy, if you behave like this, I am not going to call you. Don't interrupt. When I am on my legs, please resume your seat.

(Interruptions)

MR. CHAIRMAN: First of all, please resume your seat.

(Interruptions)

PROF. MADHU DANDAVATE: We request S. Buta Singhji not to call the police.

(Interruptions)

THE MINISTER OF HOME AFFAIRS (S. BUTA SINGH): There is no Pandian.

(Interruptions)

SHRI P.KOLANDAIVELU: One of the main supporters of the Janaki faction told the press....*(Interruptions)*

MR. CHAIRMAN: I told you not to interrupt him when he is speaking. Unless he yields, don't interrupt him. He is not yielding. Please don't interrupt him. You resume your seat. If you have got anything to say, you first take the permission from the Chair.

(Interruptions)

DR. S. JAGATHRAKSHAKAN; He is using his name *(Interruptions)*

MR. CHAIRMAN: You take permission from the Chair first. I cannot allow you like this. You cannot get up and speak like this *(Interruptions)*

PROF. MADHU DANDAVATE: Your directive is not to refer to names.

SHRI P. KOLANDAIVELU: One of the main supporters of the Janaki faction, the former Minister, told press about the imposition of the President's Rule- "all for good" This had been published in almost all the papers-"all for good" Only for a good thing or a good cause, the President's Rule came in Tamil Nadu.

SHRI N. SUNDARARAJ (Pudukkottai): All for good is not the main thing.

(Interruptions)

MR. CHAIRMAN : How many times should I told you to resume your seat ?

(Interruptions)

MR. CHAIRMAN: Don't record whatever he says Don't get up like this, Unless he takes permission from me, don't record whatever he says.

(Interruptions)^{**}

SHRI. P.KOLANDAIVELU: Our be-

loved Chief Minister, the charismatic leader, MGR, wanted to keep the party united.

PROF. MADHU DANDAVATE: He is another charismatic leader.

SHRI P.KOLANDAIVELU: We want to keep the party united. Even we suggested some formula to keep the party united. In order to keep the party undivided, a suggestion was made to continue the *status quo*.

(Interruptions)

MR. CHAIRMAN: Why do you get up like this? You have some patience. You will also get a chance to speak.

SHRI P. KOLANDAIVELU: That was the formula suggested by us the former Minister, those who were supporting Janaki faction, but they were not agreeable.

(Interruptions)

SHRI N.V.N.SOMU: This thing had happened at the instance of the Congress.

SHRI P. KOLANDAIVELU: Why do you say like this? You do not know what is politics. Why do you say all these things?

(Interruptions)

MR. CHAIRMAN : You address the chair.

PROF. MADHU DANDAVATE: Don't look at him? Look at her .

SHRI P.KOLANDAIVELU: On the 8th January when I met our hon. Prime Minister here, he told me, why did you not compromise. That was the first thing he told me. I said we are trying our level best to compromise on this matter. We suggested some formula in order to maintain *status quo*, but they were not agreeable, What can we do?

I requested our hon. Prime Minister to come to the rescue of our ADMK Party in order to see that it was not divided. Only for this purpose, I requested our hon. Prime Minister. Our hon. Prime Minister also made a statement that the party must be united and the Congress would support only for unified ADMK, not divided ADMK. It was not that the Congress wanted to rule Tamil Nadu that all these developments took place there. It is not at all correct. Supposing anybody says, that I think it means that they want to throw mud on the other side that is on congress side. That is why they are saying like that. Actually our hon. Prime Minister, even our hon Minister for Home affairs Shri Buta Singh, and other Ministers wholeheartedly suggested the very same formula that we have suggested.

PROF. MADHU DANDAVATE: Why you say even Buta Singh?

SHRI P.KOLANDAIVELU: Actually we were having a wonderful and fantastic Speaker and nowhere in the world we have seen such a Speaker. One Mr. Pandian was the Speaker.

(Interruptions)

SHRI M.RAGHUMA REDDY (Nalgonda) Can you take the name of a person?

(Interruptions)

DR. S.JAGATHRAKSHAKAN: He is not here. He is mentioning the name. He is not a Member.

(Interruptions)

MR. CHAIRMAN: It is enough you say 'Speaker'.

SHRI K.R.NATARAJAN (Dindigul) : The conduct of the Speaker cannot be discussed.

(Interruptions)

SHRI P.KOLANDAIVELU: As far as we are concerned, he is no more the Speaker. The Assembly has already been dissolved.

(Interruptions)

MR. CHAIRMAN: Already it has been discussed. Let him discuss.

(Interruptions)

SHRI K.R. NATARAJAN: Under Article 159 he continues to be the Speaker.

SHRI P. KOLANDAIVELU: Why do you often stand and say so many things?

MR. CHAIRMAN: Mr. Natarajan, you are interrupting too much.

SHRI P. KOLANDAIVELU: Madam, actually the Speaker's adjournment on 28th Sparked the commotion. The Assembly started by 10 A.M. What was the business actually for the House? The only business was to get the confidence vote and he ought not to have denied it. The Assembly ought to have been conducted in such a manner in order to get the confidence vote for Janaki. Actually, it was not done like that. Again it was adjourned to 12 noon. It is just like morning show, noon show and matinee shows 10 A.M., 12 noon and 3 P.M. What is all these things? Can anyone bear it? A high voltage political drama prevailed all along from 10 A.M. upto 4 P.M. in the House. Pandemonium was prevailing and lathi charge was there.

PROF. MADHU DANDAVATE: How did they attend all the three shows?

(Interruptions)

SHRI E. AYYAPU REDDY: This is

Pandian monium.

SHRI P. KOLANDAIVELU: So far, never in the history of the Assembly, such an untoward and violent activity has taken place inside the House. 20 MLAs have been injured. One of the lady MLAs her name is Yasoda, was beaten and she sustained severe injuries on her hand and her bone was broken. Such was the situation prevailing. Actually, we are very grateful to the Government of India for introducing the President's rule. Actually the will of the people have eventually prevailed and the game of the conspirators and their allies has miserably failed. Now the people are at liberty to choose their popular Government, their own Government. What actually had happened with regard to the MLAs? They were saying that 97 MLAs were there. How these MLAs were behind Janaki faction? There was actually a horse trade. They have been purchased by giving Rs. 5 lakhs to Rs. 15 lakhs.

(Interruptions)

AN HON. MEMBER: Why do you allow these type of things?

(Interruptions)

MR. CHAIRMAN : Please sit down. He has a right to say. let him say.

(Interruptions)

SHRI P.KOLANDAIVELU: Madam, it has already been published in almost all the papers that horse trade has taken place in Tamil Nadu. How about the huge amount crores and crores of rupees they were spending? How they were able to amount wealth in crores?

(Interruptions)

MR. CHAIRMAN: Why are you inter-

rupting him like this?

(Interruptions)

MR. CHAIRMAN: You are getting up every time and speaking without my permission. *(Interruptions)* How many times shall I tell you? *(Interruptions)*

DR. S. JAGATHRAKSHAKAN: You please tell this thing to the hon. Member who is speaking.

MR. CHAIRMAN: I cannot direct the hon. Member to speak the way you like him to speak. Do not question the Chair. He is speaking parliamentary words. He is not saying anything unparliamentary. *(Interruptions)* Mr. Natarajan, if you get up hereafter, I will not tolerate.

SHRI P. KOLANDAIVELU: Because of the adamant attitude of the Speaker, actually he has brought down the prestige of the Tamil Nadu Assembly. I am sorry for the state of affairs which prevailed on the 28th. On 13th when parliamentarians like me and other Members of Parliament went to AI-ADMK headquarters' office, we were beaten up, arrested and put under custody. What actually have we done? Actually I have got the right to go inside the party's headquarters because I am the executive member, general council member and a basic member too. Moreover, I am a Member of Parliament. Have I no right to go inside the office of the headquarters of the party? But I have been prevented from entering the office. Even the former Chief Minister, Mr. Nedunchezian and other Members of Parliament were prevented from entering the office and we had been beaten, lathi-charged and put under custody. What have we done? Is it correct on the part of Janaki Government to beat former Ministers and MPs like this? Such was the situation prevailing there. Had the Janaki Government allowed to continue, we would have been

nowhere. We might have been murdered by now, or we might have been put into prison. That is why, the Government of India came to the rescue of the people of Tamil Nadu. At last *dharma* has won.

What was the situation prevailing when the President's rule was proclaimed? It has been stated here that the life continued as usual despite the State coming under President's rule for the third time since independence. The usual business was going on. Had Janaki Government happened to be a popular Government, what would have happened on the day when President's rule was proclaimed? There would have been lot of bloodshed and lot of properties would have been destroyed. But no such incident took place. Actually, the people of Tamil Nadu heaved a sigh of relief on the proclamation of President's rule.

I request the hon. Home Minister and the Government of India to hold elections there as early as possible and the popular Government must come into being as early as possible. Even they need not wait for the new electoral rolls. According to the 1984 rolls which are available, they can conduct the elections by March or April. The Government of India must come forward to see that a popular government in Tamil Nadu comes into being.

15.00 hrs.

Another thing that I would like to say is with regard to the Sri Lankan Agreement. We appreciate the Government for implementing the Sri Lankan Accord. Our stand is that we are supporting the Central Government in...*(Interruptions)*.

PROF. MADHU DANDAVATE: Whatever they do.

SHRI P. KOLANDAIVELU: ...implementing the Sri Lankan Accord in its letter

[Sh. P. Kolandaivelu]

and spirit. I am very happy and very grateful to the Government of India for their right action in the right manner and at the right time.

15.02 hrs.

[SHRI SHARAD DIGHE *in the Chair*]

* SHRI C.K. KUPPUSWAMY (Coimbatore): Hon. Madam Chairman, I rise to support this Resolution moved by our hon. Home Minister seeking approval of the Proclamation of the President issued in relation to Tamil Nadu. I feel extremely glad in welcoming the President's rule in Tamil Nadu.

The whole country is aware of the high drama the 21 days interim Ministry of Mrs Janaki was enacting. The people of Tamil Nadu and the whole country know very well how the hon. Members of the Legislative Assembly were confined to hotels and lodged in hostels and other places. Those Members were lured by offers of money ranging somewhere from 10 lakhs to 25 lakhs. I request the hon. Minister to take a special note of this sordid fact. The whole country knows how shamelessly and indecently elected hon. Members of the Assembly were treated by a faction in the House which deliriously wanted to cling to power. Some of the Members here spoke against the imposition of the President's rule without trying to learn what exactly happened in the State. We know in detail what exactly happened.

When the AIADMK was in power as Dr. M.G.R. was Chief Minister we offered our unstinted support. What was the reason? We did not have any ulterior motives. We lent our support to Dr MGR because he was a prison who identified himself with the national mainstream. Puratchi \Thalaivar Dr

MGR was genuinely interested in the uplift of poor and downtrodden. He worked tirelessly for their welfare. We, therefore, supported him. The Congress supported him on all matters.

We also said that we would continue to support the AIADMK even after MGR if only there are no two factions within that party. Such is the Congress tradition. Those who are not aware of the glorious tradition of Congress which is 103 years old and which had secured freedom for a country stretching from Kashmir to Kanyakumari against Odds are speaking against the President's rule. Should not a party with such a glorious traditions rule a State? Then which party should rule? Why did the Opposition lose in Tripura? Because people wanted it. They effected the change. The oppressive Govt in Tripura was overthrown by power of the people in elections. In Meghalaya, adequate steps were taken by the Governor to install a Govt which enjoyed the majority. The will of the people will prevail there also.

Let me refer to certain malpractices indulged in by the 21 days Ministry headed by Mrs. Janaki. Nepotism ruled high when 3 important persons were shown concession by that Govt. while granting licences to engineering colleges. Look at this cruel state of affairs. The licences issued to them as favour must be cancelled. Further, a thorough inquiry into the assets being held by the erstwhile Ministers of the dismissed Govt. should be instituted. Action must also be taken on the findings.

(Interruptions)

MR. Madhu Dandavate, I know all about it. You please keep quiet.

On that fateful day, the Speaker adjourned the House twice. He also disquali-

* The speech was originally delivered in Tamil.

fied the ex-Ministers who aligned with the other factions of AIADMK. Look at the indecency. Not only this. He was the person who ordered an editor of a Weekly Magazine to be put behind bars. That was a reputed magazine. Mr Pandian, the Speaker went to the shameful extent of ordering the editor's imprisonment. That was the way he functioned.

Pandyas were one of the famous three dynasties which ruled Tamil Nadu in ancient times. There is a reference in a great Epic of the Tamils that the ruler of the Pandian Kingdom sought his heavenly abode after it was proved to him by Kovalan's chaste wife Kannagi that her husband, who was charged with stealing the queen's anklet and put to death, was proved innocent. Such was the glorious tradition of Tamils which inhabited the Tamil land even before the origin of stone or grass. But the actions of the present day Pandian, the Speaker have made all Tamilians to hang their heads in shame.

Police cannot be directed to march inside the precincts of the legislature in any case. The democratic ideals and norms cannot be trampled under the boots of police. (*Interruptions*)

Hooligans and hired goonads were let inside the House to commit vandalism. Can this be allowed? The opposition parties should think over it. Mr Engineering College, you keep quiet. (*Interruptions*) The President was pleased to dismiss the Govt because it was on the wrong track. It indulged in malpractices and resorted to corrupt means to cling to power.

We are here as a major ruling party. Nearly 412 Members are here belonging to Congress. Suppose we join together and beat others what would happen? You must think over.

Can police be paraded in the precincts

of this Parliament? Can it happen? Even in the most trying circumstances like when Mrs Gandhi was expelled from this House, police were not called inside the House to restore order. People will not forget the incident that happened in Tamil Nadu Assembly. Some people ask about the Indo-Sri Lanka Accord. Certain political parties are always after one agitation or the other. For them the Accord is an alibi for agitation.

We do not fear elections. Elections will be held and people will give their verdict. After all people are going to vote and nobody can come to power without people's mandate.

An hon. friend of Shri Somu revealed in a public meeting in Dharampuri that a Minister in the dismissed Ministry had swallowed Rs one crore. Mr Somu was present in the public meeting. He knows it well. That's why he is keeping quiet.

SHRI N.V.N. SOMU: Mr Chairman, if he wants to make an allegation against anybody, let him do it. But let him not drag me or my Party. It is the dispute between the factions of AIADMK. If the Congress wants to allege anything or if he wants to do it, let him do on his own accord. Let him not involve me.

(*Interruptions*)

SHRI C.K. KUPPUSWAMY: I am not talking about you.

MR CHAIRMAN: He says don't drag his name. You can make your speech.

SHRI C.K. KUPPUSWAMY: People of Tamil Nadu wanted a peaceful Govt. We therefore, appealed to the AIADMK to unite. We promised our support to the undivided AIADMK. Hon. Prime Minister Shri Rajiv Gandhi has assured his support to the undivided AIADMK.

[Sh. C.K. Kuppuswamy]

We had no intention of toppling State Govts. We have not toppled any State Govt. Let anybody here tell me about any State Govt we toppled.

There are now 9 non-Congress(I) Govts. Why should we be interested in toppling Janaki Ministry only? Justice should not be one sided. Justice should belong to all parties. I, therefore, welcome this resolution approving President's rule in Tamil Nadu.

SHRI N.V.N. SOMU (MADRAS NORTH): Mr. Chairman, the President's rule in this country has already celebrated platinum jubilee and is awaiting the century. It is in that fashion how it is introduced in Tamil Nadu. The President's rule is always a Damocles sword hanging on the head of the State Government. Sir, our Party gave an amendment to delete article 356 from the Constitution itself which gives absolute right to the Party at the Centre to topple the State Government which do not dance according to the tunes of the Central Government.

As far as Tamil Nadu is concerned, it is under the President's rule and the people are expecting that very soon, even as immediately as possible, the elections and I request the hon. Minister here to give such an assurance—not only assurance but also to make arrangements for quick elections in Tamil Nadu. Otherwise, they are doing, as my good friend, Mr. Thomas told, under the disguise of the President's rule, the Congress Party is opening its branches all over India, which they cannot do, through the people's mandate. My friend, Mr. Tharapan Thomas clearly stated here that the Speaker of Tamil Nadu Assembly had expelled 37 MLAs without any due notice or due process or legislative procedure. We have cried like anything when our 10 MLAs who had participated in the anti-Hindi agitation have been expelled unconstitutionally. But the whole world, the Congress world, the AIADMK

world did not open their mouth. Now, when it fits, they make a big shout here.

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT IN THE MINISTRY OF INDUSTRY (SHRI M. ARUNACHALAM): We had not supported it.

SHRI N.V.N. SOMU: The Congress Party in Tamil Nadu had sponsored the resolution for expulsion of DMK MLAs. I can say it here.

(Interruptions)

SHRI N. SUNDARARAJ: We have not expelled Mr. Gopalswamy. He is one of the Members.

MR. CHAIRMAN: Let him go on.

SHRI N.V.N. SOMU: We had got a Legislature Party Office at Rajaji Hall in Madras. What did the very same Speaker do? He said, "Your number had decreased; so you have to vacate your Legislature Party office". One fine morning, without any due notice, they came with the police, and I can say, he threw us out with the help of the police. I cannot take delight in the happenings of the AIADMK. Now their Party Office in Madras has been sealed. Their Parliamentary Party Office in the upstairs has been sealed. There is a saying in Tamil: "*Murpagal seyyin Pirpagal Vilaiyum*". But I don't agree with this thing here. (Interruptions) The translation is: "If you do any wrong in the forenoon, it reflects in the afternoon".

(Interruptions)

PROF. MADHU DANDAVATE: Has the office been sealed after taking the Members out?

SHRI N.V.N. SOMU: But I can say that for all the confusion, only the Congress Party

is the main reason. I can say that.

They made to believe the then AIADMK Government and my friend Shri Kolan-daivelu has said that the hon. Prime Minister Rajiv Gandhi has suggested that they would support only the united AIADMK PARTY. That implies that if not, they will have to face the consequences. So, they have not united. They have not clearly come to the terms of Shri Rajiv Gandhi. So, when both the fac-tions did not heed his advice, immediately Shri Rajiv Gandhi took shelter under the Governor and imposed President's rule. Shri Kolandaivelu has accepted this in his speech. All the Congress MPs here said something. Why did Shri Shivaji Ganesan go out of the party? Why did Shri MP Subrama-niam go out of your party?

(Interruptions)

So, even your own Congress Members did not approve of this action.

SHRI N. SUNDARARAJ: Can I interrupt?...Shri Arjunan, former MP has resigned from the DMK Party and he has joined the Jayalalitha Group.

SHRI N.V.N. SOMU: Please don't inter-rupt. You speak when your turn comes. My leader Dr. Kalaignar Karunanidhi has rightly put it that this Government has crowned Shri M.G. Ramachandran, posthumously, with the highest honour of Bharat Ratna.

SHRI P.R. KUMARAMANGALAM: Don't you like it?

SHRI N.V.N. SOMU: I like it. I welcome it. You only crowned Shri M.G. Ramachandran and cut his head. You crowned Shri M.G. Ramachandran and you dismissed his Government. *(Interruptions)*

In this connection, I want to say one thing. You may kindly excuse me for saying that. It is said that...**

(Interruptions)

MR. CHAIRMAN: No. These remarks are expunged. No reference to President can be made.

(Interruptions)

SHRI N.V.N. SOMU: I am not casting any aspersion on the honourable President.

(Interruptions)

PROF. MADHU DANDAVATE: You can refer to the President of the Congress!

SHRI N.V.N. SOMU: If the hon. Chair-man permits me, I can read the Hindu Editor-ial here, which has been written....

(Interruptions)

SHRI R. JEEVARATHINAM (Ar-akkonam): Mr. Chairman, Sir, I strongly object to it.

(Interruptions)

SHRI N.V.N. SOMU: Sir, one Congress Member has referred here about the Sar-karia Commission. But our DMK Party is the first, throughout India, to constitute the Raja-mannar Committee, consisting of the former Chief Justice Shri P.V. Rajamannar, Dr. A.R. Mudaliar, the reputed former Vice-Chance-lor and Shri P. Chandra Reddy, a reputed Chief Justice. Dr. Kalaignar Karunanidhi, when he was the Chief Minister of Tamilnadu, he has constituted that Commit-tee and that particular Committee suggested that Governor's post is a waste. Governors

** Expunged as ordered by the Chair

[Sh. N.V.N. Somu]

are merely the agents of the Ruling Party at the Centre. Governors are merely the agents of the ruling party at the centre. Governor of Tamil Nadu also as such is an agent of the Congress Party at the Centre.

(Interruptions)

SHRI MULLAPPALLY RAMACHANDRAN (Cannanore): You are unusually confident.

SHRI N.V.M. SOMU: I am not being provoked (Interruptions) You can see that I can narrate one or two incidents. In 1957, Congress did not get majority in Tamil Nadu.

(Interruptions)

SHRI R. JEEVARATHINAM: It was in 1952.

SHRI N.V.N. SOMU: I am sorry, it was in 1952. There were two parties headed by Manickvelu Naikar Party and the other headed by Ramaswamy Padayacha. What the T.N.C.C. leader Kamaraj did was that he annexed both the parties, to establish Congress rule.

SHRI R. JEEVARATHINAM: They merged.

SHRI N.V.N. SOMU: No merging. It is a merger. I know how they merged. Now the Congress has been very hungry since 1957 because it has been routed from the power from 1957. I can say that. Even if you keep on prolonging the President's Rule by one or two years, this is only a day dream of Congress. It will never come to power in Tamil Nadu. The Congress has to depend either on DMK or on AIDMK. It has no locus standi of its own.

(Interruptions)

MR. CHAIRMAN: Order, order.

SHRI N.V.N. SOMU: This is the fashion of the day. My friend Shri Kumaramangalam has immediately sprang up. There were days when his reputed father Shri Mohan Kumaramangalam was waiting at Dr. Karunanidhi's residence at Gopalapuram for election. Perhaps Mr. Kumaramangalam does not know it. He was a small child then.

SHRI P.R. KUMARAMANGALAM: This is a personal reference which cannot be established. Even his own leader Karunanidhi himself says that my father Shri Mohan Kumaramangalam was responsible in one way for M.G. Ramachandran's Government to come to power. Now his own saying he contradicts it.

(Interruptions)

SHRI N.V.N. SOMU: That is the game of your Congress.

MR. CHAIRMAN: Come to the point.

SHRI N.V.N. SOMU: Coming to Sri Lanka, one of the Hon. Members spoke that the whole of Tamil Nadu was jubilant. Even on Saturday the 20th, nearly 50 lakh people have participated in hunger strike throughout the Tamil Nadu. (Interruptions) I want the House to kindly say that LTTE is a considerable force. One lakh IPKF persons are there and daily five crores of rupees is being spent. (Interruptions) I can say it thousand times. When he is ready for talks why our Prime Minister is still adamant. Why don't he invite Shri Prabhakaran for talks and solve the Sri Lanka problem.

Last but not least, I want to mention a point that at least from now the Congress Government should touch the conscience and act with a clean heart. If Mr. Rajiv Gandhi is Mr. Clean, let the Governor's rule be a clean rule in Tamil Nadu state. If they are

bold enough to fix an early election date and face the people's mandate.

[*Translation*]

*SHRI R. JEEVARATHINAM (Arakkonam): Hon. Chairman, Sir, I request the Hon. Minister to accept my amendment to the resolution he has moved for the approval of the Proclamation of the President issued in relation to Tamil Nadu. My amendment is to the effect that this House recommends to the President to remove Shri P.H. Pandian from the office of the Speaker. I request the House to adopt the Resolution with my amendment.

Let me now reveal certain of the truths I know about the political situation in the State that prevailed 2 months ago. Hon. Shri Somu has stated that the respected father of Shri P.R. Kumaramangalam was kept waiting at the residence of Hon. Dr. Kalaignar Karunanidhi. Yes, that was true. I have the same regard and respect to Dr. Kalaignar as our friend Shri Somu has. But I must also tell the truth. The same Dr. Kalaignar came to Delhi after the 1980 Lok Sabha elections and waited at Mrs. Gandhi's residence. He pleaded with her to dismiss somehow Dr. MGR's Ministry. This Shri Somu should not forget. That was no political crime. But a political game. All politicians behave in the same way.

In 1952, there was a United Legislature for Andhra, Tamil Nadu and Kerala. Congress did not have an absolute majority in the Legislature. Rajaji was the Congress Legislature Party Leader. After becoming the Chief Minister, Rajaji wished to ascertain whether he commanded the majority in the Legislature. But as I said earlier Congress did not have an absolute majority. He, therefore, solicited the support of other members. Shri Manickavelu of North Arcot District, Shri

Ramaswamy Padaiatchi of South Arcot District and certain independents offered their support to Rajaji in a communication signed by them addressed to the Governor on the condition that Rajaji should be made Chief Minister. Shri Somu must know that that was how Rajaji's Govt. in 1952 thrived on the voluntary, positive and constructive support of other members in the Legislature and not by coercive and corrupt means.

I, therefore, welcome the imposition of President's rule in Tamil Nadu. Smt. Janaki was not commanding majority at any point of time. The whereabouts of the 96 members who supported her were not known. I learnt that they were confined to the cellars of a Five-Star Hotel. They were not allowed outside even to meet their dear ones. The other 34 members of AIADMK were going from one city to another in a procession. That was what exactly happened. The members of DMK to which our friend Shri Somu belongs also voted against the Janaki Ministry in the House. He did not mention it in his speech. Communists also voted against her Govt. Shri Somu's aim is to capture power after dislodging those in power when they begin to totter.

†SHRI N.V.N. SOMU: Let him tell about Congress. They betrayed Janakiammal.

*SHRI R. JEEVARATHINAM: I am aware of the whole situation in Tamil Nadu. At no point of time we pledged our support to Janakiammal. High command or any other leader in Congress did not expressly state that Congress would vote for Janaki Ministry. But they themselves have drawn inferences. They have wrongly assumed that Congress would support them since they commanded 96 of their legislators. They lacked political maturity. They should have pondered over the fact that how a political party could support them without any ex-

* The speech was originally delivered in Tamil

† Spoke in Tamil

[Sh. R. Jeevarathinam]

press agreement in writing or otherwise in that regard. They really lacked political maturity. We had never led Janakiammal to believe that we would support her. But there are many amongst us here whose party led her to believe that they would support her and betrayed her at the last moment. They themselves know it.

What the Hon. Dr. Kalaingar is doing now? He is dividing the party into two. And by doing so, he is devising his own comeback to power. We are also politicians. We are not sanyasis. We will also try our best to come to power. We will make efforts to move the masses to get their mandate.

SHRI N.V.N. SOMU: But do not enlist the support of the Governor in your efforts to come to power.

(Interruptions)

Congress is trying to come to power through backdoor. Face the people singly and come to power. Not through backdoor.

*SHRI R. JEEVARATHINAM: Shri Somu himself knows whether we try to come to power through backdoor or front door.

The Congress and the DMK together contested the 1980 Lok Sabha elections against the stalwart Dr. MGR. Dr. MGR was badly defeated. He got only two seats. That time, You tell me, through which door Dr. Kalaingar approached Madam Gandhi and pleaded with her to dismiss Dr. MGR Ministry? Through backdoor or frontdoor?

SHRI N.V.N. Somu: We came through frontdoor only. Shri Jeevarathinam Mudaliar should speak truth. We contested 16 seats and won 16 seats.

(Interruptions)

[English]

MR. CHAIRMAN: He is not yielding. Sit down.

*SHRI R. JEEVARATHINAM: When occasion comes, we will go to the masses and appeal to them to vote for us. The masses will defeat you in the polls.

When we did not have the right rapport with Dr. MGR in 1980, Dr. Kalaingar approached us for electoral alliance. Did he approach us through backdoor or frontdoor?

[English]

SHRI P. KOLANDAIVELU: Mr. Karunanidhi will always adopt double standards.

(Interruptions)

MR. CHAIRMAN: Why don't you allow him to speak.

[Translation]

*SHRI R. JEEVARATHINAM: It is no use talking all these things here. My personal opinion is that Tamil people have suffered untold ordeals over the past 20 years.

Please give me some more time, Sir.

Hon. Prime Minister has come here as Maha Vishnu. He has provided adequate relief to the suffering Tamil people of the state by recommending President's rule in the State. He has come in the incarnation of Lord Krishna who took birth to wipe out adharma from the face of earth.

SHRI N.V.N. SOMU: Yes, Yes, he is Maha Vishnu, Bofors is his chunk...*(Interruptions)*

SHRI R. JEEVARATHINAM: The corruption which was rampant will come to light

* The speech was originally delivered in Tamil

during the President's rule. The Tamil people wholeheartedly welcome the imposition of the President's rule. I recently toured my Parliamentary Constituency and people thronged me with slogans like 'Rajiv Gandhi Ki Jai' Congress Ki Jai'. They were all in praise of the Central Govt's action. I saw this with my own eyes. (*Interruptions*)

You will also soon shout the same slogans.

I was there in the Assembly gallery on that day. Instead of taking up the motion of confidence, the Speaker adjourned the House till 12 PM. Even at 12 PM, they could not trade in members to their advantage. Shri Somu knows it fully well. But Dr. Kalaingar was very firm in the matter. He was not lured by the overtures of Janaki Govt. He was that much firm in bringing down the Janaki Ministry. The Speaker adjourned the House again till 3 PM. What happened? I was also a member of the Legislative Assembly. It is the duty of the Speaker to provide physical protection to members. On the other hand, the Speaker directed the police to cause a lathi charge on the members inside the House.

A few days before that fateful day, the same Speaker managed to get a complaint written about a lady member of the House whose whereabouts were not known. The Speaker ostensibly on the basis of that complaint directed the police to trace her and bring her before him. That was the style of his functioning.

Members are not cattle or any other livestock. All members are elected by the people and enjoy equal rights. The Speaker treated the members as though they are cattle, horse, sheep and goat, and disqualified six former Ministers without any basis.

Sir, let me continue for some more time. This is an interesting subject.

Then what happened, the Speaker then called out the names of all the 34 legislators in the other camp. He without verifying the facts of the case indiscriminately disqualified all of them. He murmured to himself that he was satisfied that they incurred disqualification and that they deserved it and went on a spree of disqualifications.

Not only that. He said that he was a dravidian. A true dravidian. He also said that either 'Two Leaves [Symbol of undivided AIADMK] or 'the Sun' [Symbol of DMK] should rule Tamil Nadu. He also fantastically remarked that he would take up the matter with UNO. That was his global ignorance and hot-headed attitude. He called in police and his own party elements in police attire and caused a lathi charge on the members. Mrs. Yasodha suffered a serious injury on her forearm. Many others suffered head and body injuries. Many came out with shirts drenched in blood. I was a witness to it. I, therefore, request the Hon. Minister to accept my amendment for the removal of the Speaker.

Now the people are talking about elections. It is a pet slogan of our friend Dr. Kalaingar. We also wish elections should be conducted. We are also ready to face elections. Even Ayyappu Reddy was imputing that Congress wants to capture power in Tamil Nadu and that is why Shri Moopanar has been sent there. I wish to tell him and other members that even if your party splits and you are rendered unable to serve the people we will step in and endeavour to establish our party rule in your State. In the same way why should Shri Thomas express fear or apprehensions about the departure of Shri Moopanar to the State? He had gone there to serve the masses. He had gone there to extricate the masses buried under the corrupt administration that reigned Tamil Nadu for 20 years. To tell you frankly, Shri Moopanar has made a great sacrifice. He has left his General Secretary post in the

[Sh. R. Jeevarathinam]

Congress Command in the Centre. That shows his yearning for selfless service to the people particularly to the people of Tamil Nadu.

I would like to draw the attention of the Minister of Home Affairs to the bogus membership in the electoral rolls of the State. They say three and a half crores are there in the electoral rolls. Underaged and other bogus members figure in the electoral rolls. Electoral rolls must be revised. Let it take time. Nothing will be affected.

Red Tapism is rampant in Tamil Nadu. Files are gathering dust for the past 6 months to one year. These files have to be cleared and decisions taken immediately. That should be the first task.

Corruption was also rampant in Tamil Nadu. 20 years of misrule has created many corporations and Boards which serve as easy havens for politicians to mint money in crores. In Delhi here, lakhs may mean something. In Tamil Nadu it means nothing. Corruption always runs in crores of rupees. People have amassed wealth by illegal means. The skeletons in the cupboard must be brought out to the lime light. Action must be taken against these people. A Special Officer of the rank of Chief Secretary must be appointed to institute inquiries into the corrupt deals in the State over the past 20 years. Then only you can conduct fair elections. Do not give your ear to somebody in some corner clamouring for early elections. We must be prudent in choosing the right time in the interest of fair elections. With these words, I support the Resolution and conclude.

[English]

SHRI SURESH KURUP (Kottayam):
Sir, I think all sections of this House will join together in condemning the ugly incidence

that took place in Tamil Nadu Legislature on 28th January, which brought shame to the democratic institutions of our country. I also use this opportunity to condemn the actions of the so-called Speaker of the Tamil Nadu Assembly. A close scrutiny of the political developments in Tamil Nadu will reveal that all these things happen because of the opportunistic role played by the Congress (I) in Tamil Nadu. I was hearing a speech from an hon. Member from the other side, saying that Congress (I) is so eager to see an undivided AIADMK. It is the intention of the Congress (I) to divide AIADMK. I have no craze for AIADMK. I would like to advise those Members, who are aligning with the Congress (I), and supporting the policies of the Congress (I) in Tamil Nadu, that they are trying to fish out of the troubled political waters of Tamil Nadu. Of all the States in our country, it is Tamil Nadu that needs a stable and popularly elected Government, because of the developments in Sri Lanka, and our own involvement in Sri Lanka. Our enemies would like to see turbulence in Tamil Nadu. That is what is happening there because of the dubious role played by the Congress (I). Need of the hour is early elections. The Congress (I) Party has a record of continuing with the President's rule in the States and waiting for the opportune time for the elections which will favour them. So, I think, it is for that purpose that the Prime Minister's men are now in Tamil Nadu. They are being sent there.

If they continue with this practice in Tamil Nadu, it will create havoc in that State and it will not be in our national interest.

With these words, I request the Central Government to take steps to conduct early polls in Tamil Nadu.

SHRI N. SUNDARARAJ (Pudukkottai):
Mr. Chairman, Sir, I welcome the proclamation issued by the President of India and the dissolution of the Tamil Nadu Assembly.

Only a few power mongers disagree with this proclamation. But as far as people of Tamil Nadu are concerned, they have wholeheartedly welcomed it; it was not on any specific issue, but they did not want a corrupt Government of Shrimati Janaki Ramachandran to continue in Tamil Nadu.

SHRI K.R. NATARAJAN (Dindigul): That Government was in power only for 23 days. Will you allow such wild allegations to be made in the House?

(Interruptions)

MR. CHAIRMAN: No interruptions please. Let him continue.

SHRI N. SUNDARARAJ: To prove this, I would like to state that there were advertisements daily in the English newspapers in Tamil Nadu indicating the rate of an MLA. If today, it was Rs. 3 lakhs, the next day, it would be Rs. 4 lakhs and on 28th January it was Rs. 25 lakhs per MLA, who was prepared to come over to Janaki Ramachandran's faction. Do you want such a Government to continue in power?...
(Interruptions) I take the responsibility for this....
(Interruptions)

MR. CHAIRMAN: No interruptions please. Please take your seats. Let him speak.

SHRI N. SUNDARARAJ: On January 28, the whole blame was put on the Speaker. Shall I name him? He was Shri Pandiyan. He said that his powers were not limited. While the hon. Speaker of this august House says that he has no powers, the powers belong to the whole House, there an individual says that his powers are unlimited. He can release a person convicted by the High Court and he can put a man behind the bars, if he likes. In the same way he just announces in the House at 10.00 a.m. on 28th January that he has received a telephonic message that

five MLAs have resigned from the Assembly, so he is adjourning the House. Then he just went out. Is it the form of the Constitution? At 12.00 o'clock he again came in and said that he has dismissed 6 MLAs under the Anti-Defection Law and then again walked out. At this time he again adjourned the House up to 3.00 o'clock. At 3.00 o'clock he called the police in and asked them to attack the Congress-I MLA's and MLAs belonging to the Jayalalitha faction. Most of the affected members were from the Congress party. I would like to know from the Home Minister, on what basis the police could enter the premises and attack the members? Can the Speaker ask the police force to come in the Assembly and attack the Congress-I MLAs? They lathi-charged them. Like the Watch and Ward officers they were asked to stand in the well of the House. Is there any psychological thinking? How can the Congressmen with arms be beaten up and get injured?

AN HON. MEMBER: 32 Members from our side were also injured.

SHRI N. SUNDARARAJ: I would like the Government of India to institute an enquiry on the action taken by the Speaker and the police officials who encroached the Constitutional authority and entered the well of the Assembly and beat the Congress MLAs. And I think it should be headed by the Supreme Court judge. It should be a lesson for the future speakers. I should not happen in future. They should not say that the powers are sky high and there is no limit to it.

As far as the political aspect of Congress-I is concerned, some people say that we are inclined or bound to support the Janaki faction. But I do not see any reason for it. We supported the MGR's Government because we had an alliance with him in 1984. We supported him, but that does not mean that we are slaves to AIADMK or we are bound by some treaty or accord to support them. That is not the thing. We have said

[Sh. N. Sundararaj]

that we will support the united AIADMK. We have stated that very clearly but the Janaki faction was not able to reconcile themselves in the form of a single group. Furthermore, on the night of 27, they tried to buy 5 MLAs from the Congress-I party. Our great actor who has now left the party and for whom some people said that he was the master mind behind it, took something from them and was able to buy 5 MLAs from the Congress-I Party to support the Janaki faction. So, in this position can we support them. They tried to break our party by giving money. So, we decided to vote against them. It is our party and we are free to take our own decisions. We are not bound by any outside force. There is a feeling among the Opposition parties that the Congress-I wanted to come in power and that is why it is playing such kind of roles. I would like to categorically say that they are all mistakes. They say it is the Congress (I) which made the mistakes. They wanted to come to power through back door. They are not prepared to come to power through the front door. If something good has happened, the Opposition will say we have won the race. Democracy has been restored. But as far as the position of that particular day is concerned, the Governor only stated that if the 97 MLAs of the Janaki group could not form a Government, I will call the Congress (I) which is the next biggest party in the Assembly. The Congress (I) was having 64 Members in the Assembly. But we on our part on the 28th itself said that after 12 'o' clock, if they are not able to prove the majority, we will have fresh elections. Our AICC(I) General Secretary Shri K.N. Singh had categorically stated that dissolve the Assembly and we will go in for elections. We are not prepared to form a Government. So where is the question of coming through the back door or through manipulation. This is not wise at all.

At the present moment, Tamil Nadu is having the President's rule. But there are

persons who have been politically appointed, and are still continuing. They are continuing as Chairmen of some public undertaking, temples, milk societies, etc.

I would request the Government to dismiss all of them immediately, and bring in good people to run a clean administration till fresh elections are conducted. One of our hon. Members had mentioned about bogus voting in Tamil Nadu. That is quite true. So I would request the Government to issue Photo Identity Cards to all the voters so that the bogus voting can be stopped.

SOME HON. MEMBERS: It should be done throughout India.

SHRIN. SUNDARARAJ: Okay. One of our hon. Members mentioned that we are going to reach the hundred mark as far as the proclamation of President's rule is concerned. I would say that his party was the major partner who sought the Central Government's intervention in dissolving 80 Member MGR's Government in Tamil Nadu. He came down to Delhi and pleaded with the Central Government leaders for the dissolution of the Government there. After the dissolution — at the instance of Mr. Karunanidhi — he came down to Madras. He was accorded a heroic reception. He masterminded the dissolution of the State Assembly. Now he is shedding crocodile tears like his leader Karunanidhi.

SHRI N.V.N. SOMU: I strongly object. What I said was the Congress made to believe Mrs. Janaki Ramachandran that they will support her and stabbed at her back.

SHRI N. SUNDARARAJ: Never. It is not your business. It is our party. Congress (I) is our own party. We take our own decisions. We take decisions on the merits of the situation. They are not our bosses to tell us whom to support and to which party.

What about DMK. Out of the 10 or 12 Members in the Assembly only 8 turned up and rest of them were missing. I do not know the reasons. It is best known to them. Four of them had absconded, for reasons best known to them. As far as DMK is concerned, they are trying to fish in troubled waters.

16.00 hrs.

[SHRI VAKKOM PURUSHOTHAMAN in
the Chair]

One more thing : they have said that the Congress will like to ride on the back of DMK or AIADMK. I would like categorically to state that the Congress alone, without any partnership, except for a minor partnership with CPI fought the elections in 1977 and won 27 seats; and out of the 27, I was also there among the elected persons.

DR. S. JAGATHRAKSHAKAN: 27 out of 242.

SHRI N.V.N. SOMU: DMK stood alone and got 48 seats.

SHRI N. SUNDARARAJ: We are prepared for it. Next, in 1980 they came to Delhi. They stood in waiting at Mrs. Gandhi's residence, to get some seats, to have some alliance with Congress for Tamil Nadu's parliamentary elections, and thereafter elections for the Assembly in Tamil Nadu. So, it is not a question of our going towards them. They come to us. Even now I understand that Mr. Karunanidhi and the DMK are sending feelers...

SHRI N.V.N. SOMU: No, Sir. Mrs. Gandhi had apologized for what she had done to the DMK Government during the emergency. Only then the alliance was concluded.

(Interruptions)

MR. CHAIRMAN: You cannot intervene like this. Whatever you say will not be recorded.

**
(Interruptions)

SHRI N. SUNDARARAJ: Even now I understand that DMK is trying to have, if possible, an alliance with the Congress. I will certainly say that we are not prepared for it.

SHRI N.V.N. SOMU: Our leader has categorically said that there will be no alliance with Congress party.

SHRI N. SUNDARARAJ: My last submission is that the Speaker of the Tamil Nadu Assembly should be dismissed immediately. Next, the Government should institute an Inquiry Commission under the chairmanship of a sitting Supreme Court Judge, to inquire into the incidents of the Black Thursday of January 28. Thirdly, all the political appoints made in Tamil Nadu should be cancelled, i.e. all those who are still in position should be forthwith dismissed. Next, elections should be conducted in the best and easier manner, by providing photo identity cards to the voters.

MR. CHAIRMAN: Dr. Vallal Peruman is not here. Now Dr. Rajeswaran.

DR. V. RAJESHWARAN (Ramanathapuram): Hon. Chairman, Sir, Shri Rajiv Gandhi, our Prime Minister had a friendly relationship with the late Shri M.G. Ramachandran. MGR's popularity and his ideology attracted our Prime Minister Shri Rajiv Gandhi. Our Prime Minister had respect and affection towards MGR. To show his gratitude, our hon. Prime Minister paid a visit to Madras and paid his homage to the late Chief Minister of Tamil Nadu, and an-

[Dr. V. Rajeshwaran]

nounced the most prestigious award of the nation, viz. Bharat Ratna to him. The whole nation paid its respect to the departed leader of Tamil Nadu. This is all there because of MGR's close association with the Central Government, accepting all its good ideologies and principles. He was the only Chief Minister — among the entire Opposition leaders — who took an active part in bringing the State of Tamil Nadu into the national mainstream.

Sri Lankan accord between the two countries was wholeheartedly welcomed by late MGR and he supported the main policies of the Government headed by our dynamic Prime Minister.

The recent past incidents in Tamilnadu that took place made permanent scare in the history of Tamilnadu, killing the democracy not only in Tamilnadu but throughout the country. I hope it is only in Tamilnadu and the only one Speaker who claims himself that his power is limited to sky in the history of the Assembly in the whole country who gave importance to the telephonic calls as the authenticated information and adjourned the House. The Speaker supposed to be as non-political, neutral and God father of the democracy in the House behaved as a third class citizen not even as second class citizen that is Sri P.H. Pandian the Tamilnadu Speaker (acting in a goondaism manner). I want as most of my friends want, his dismissal. I hope the government will take an appropriate action against the Speaker.

The mincristy government headed by Mrs. Janaki Ramachandran tried their level best in all possible, illegal ways using the Speaker as a via media to establish their majority in the Assembly. Even in their 23 days government they have done Himalayan blunders. Smt. Janaki Ramachandran's Government issued permission to start five engineering colleges in

the State. As per information they kept their supporting MLAs in posh hotels with big suitcases full of money and with false promises. During the short regime in the government money flowed like water throughout Tamilnadu especially at Madras. How have they got so much of money? It is only through illegal practice and corruptive ways. I have my own doubts if this Ministry would have been allowed to continue, I would rather like to impress you, that they would have sold the whole State. Even before testing the act of breach of five ex-Ministers of Tamilnadu, the Speaker dismissed them from the Assembly under anti-defection law. The Speaker allowed *goondas* inside the Assembly Hall and many of the MLAs were beaten seriously by them.

Instead of adding feather to MGR's image and his fame, the Janaki faction killed the popularity of MGR. In these circumstances, I would like to ask one question, who is the real heir of MGR in Tamilnadu? Is it Mrs. Janaki Ramachandran faction of AIADMK who destroyed the popular image of Sri MGR, or the Congress Party and Rajiv Gandhi, who respected the acts of good of MGR and conferred the Bharat Ratna Award, the highest in our country to MGR.

With these few words, I welcome the resolution of proclamation of President's Rule in Tamilnadu and I thank Shri Rajiv Gandhi, who took appropriate action, when the country is in need of such a decision. The people of Tamilnadu want non-corruptive, popular and stable government to be in the national main stream. I hope the President's Rule and future government will fulfil the desire of the people of Tamilnadu.

On this occasion, I like to thank Shri Kolandaivelu for his compliments towards the Central Government. I hope he will retain the same strategy inside Tamilnadu also?

I must also thank the government, be-

cause I had an opportunity to know most of the facts which were brought to light from darkness through the debate.

MR. CHAIRMAN: Shri Buta Singh.

SHRIP. SELVENDRAN (Periyakulam): Sir, I have given my name. Kindly permit me. I am the affected party.

(Interruptions)

MR. CHAIRMAN: Till the Speaker takes a decision, on this issue, I cannot permit you.

SHRI BASUDEB ACHARIA (Bankura): You can allow him five minutes. Permit him to speak. *(Interruptions)*

MR. CHAIRMAN: The Speaker will take a decision on this issue. Till then I cannot allow him. Nothing will go on record without the permission of the Chair.

(Interruptions)

MR. CHAIRMAN: Let the Minister speak. I told you to take it up with the Speaker and the Speaker will give a direction. Only after that, I can permit you. Whatever you say without the permission of the Chair will not be recorded as it is not a public event.

(Interruptions)

SHRI E. AYYAPU REDDY: Everybody knows that AIADMK has split. You are not permitting the other group to have their say. Certainly it is undemocratic. They must be permitted.

(Interruptions)

MR. CHAIRMAN: If there is a split in the party, the concerned Party first will have to

take it up to the Speaker and the Speaker will take appropriate decision. Before that I cannot permit them. As per the records of the House, there is only one AIADMK party and that party has taken more than the time allotted to that party. That is why, I cannot permit it.

(Interruptions)

SHRI E. AYYAPU REDDY: We appeal to Butaji. They must have their say.

(Interruptions)

MR. CHAIRMAN: If there is a new party, there is a procedure. We will have to follow that procedure and definitely your request will be heard by the Speaker and appropriate decision will be taken by the Speaker. There is no use in making noise before the House. You must take proper steps as per the rules.

(Interruptions)

MR. CHAIRMAN: Shri Buta Singh.

(Interruptions)

MR. CHAIRMAN: You are unnecessarily wasting your energy. It will not be recorded and it will not be published. *(Interruptions)* Do not make aspersions here. Please resume your seat. *(Interruptions)* I have already given my ruling.

SHRI BALWANT SINGH RAMOOWALIA (Sangrur): though we do not support them, we support that they should be given time to speak.

SHRI P. KOLANDAIVELU: On behalf of AIADMK I have already spoken...

(Interruptions)

SHRI E. AYYAPU REDDY: I am on a point of order. The base of President's rule was on account of split. How can you say that you do not know of that?

MR. CHAIRMAN: The hon. senior Member must know that the Governor reports to the Government and not to the Speaker.

(Interruptions)

THE MINISTER OF HOME AFFAIRS (S. BUTA SINGH): I am grateful to the hon. Members for having participated on the Resolution moved by me this morning, namely, that this House approves the Proclamation issued by the President on the 30th January 1988 under article 356 of the Constitution in relation to the State of Tamil Nadu.

The Members participated in the debate have not made any new points. All that they have done is to criticise the role of the Governor, the role of the Congress Party and the role of the Speaker of the Tamil Nadu Assembly. I will briefly touch upon all the three points and place before the House the exact position which prevailed on the fateful date of 28th January inside the Assembly of the State of Tamil Nadu. If there was any event in the political life of our country where all the parties have unanimously expressed themselves, it was the total condemnation by all the political parties of the events that took place inside the Tamil Nadu Assembly. I do not know with what face some of the Members of this august House today have tried to justify. If you look at the events in that House...

(Interruptions).

MR. CHAIRMAN: Mr. Selvendran, I will be forced to name you if you do not resume your seat...

(Interruptions)

MR. CHAIRMAN: Hon. Members, if you do not resume your seats, I will name you and I will ask you to withdraw from the House...

(Interruptions)

MR. CHAIRMAN: Please resume your seats...

(Interruptions)

DR. S. JAGATHRAKSHAKAN: This is not fair. We feel strongly about it and as a protest we are walking out.

[At this stage Dr. S. Jagathrakshakan and some other hon. Members left the House.]

SHRI E. AYYAPU REDDY: You must have permitted.... *(Interruptions).*

S. BUTA SINGH: Mr. Ayyapu Reddy, you know the rules of this House. It is the Chair.... *(Interruptions).*

SHRI E. AYYAPU REDDY: There were number of times when Jan Morcha people were permitted to speak. How are they recognised as a separate party? Have they been recognised as a separate party? No, they have not been recognised...

(Interruptions).

S. BUTA SINGH: You know it is the ruling of the Chair. I have no authority on regulating the business of the House, it is for the Chair to decide. Therefore, it is the Speaker's authority, and there is a procedure laid down. If there was a split in the party or if some of the Members leave a particular party, they have to come to the Speaker. The Speaker has to follow a procedure and then he has to lay certain norms in the House, and only then the hon. Members can speak. We

are not against anybody participating in the debate.

Mr. Chairman, Sir, I am grateful to the hon. Members for participating on the Resolution which has been the subject matter of discussion of this august House since this morning, namely, "That this House approves the Proclamation issued by the President on the 30th January, 1988 under article 356 of the Constitution in relation to the State of Tamil Nadu."

At the time of introduction, I had briefly summed up the circumstances described by the Governor of Tamil Nadu, leading to the situation under which he recommended to the President for the proclamation of this Ordinance.

The hon. Members who participated in the debate have made two-three points. One thing which has surprised me is that certain political parties who were participating in that high drama, today sought to give a different picture. Mr. Kurup's party was there, Janata Party was there, CPI was there, CPI (M) was there — all political parties — and if there was one event in our political life in which the entire political set up in Tamil Nadu agreed on that particular day, it was the condemnation of the conduct of the hon. Speaker in Tamil Nadu on that particular day. But now I find that certain hon. Members are trying to justify and lay the blame on the Congress Party here and the Governor there, and are trying to justify that what has happened cannot be upheld according to the Constitution of India. Shri Ayyappu Reddy, in the beginning, made some good points. He was quite right when he mentioned that what is at stake in Tamil Nadu is the national interest. We agree with him, the people of Tamil Nadu have realised the importance of the Indo-Sri Lanka accord, the importance of IPKF being present in Sri Lanka and the historic role that our valiant jawans are playing in maintaining the har-

mony and peace and trying to implement the accord which was signed between the leaders of India and Sri Lanka. I have seen the press reports, even the bitterest critic of Indo-Sri Lanka accord, the leader of the DMK, has suggested that the presence of IPKF in Sri Lanka is essential, although he has suggested certain things that this should be done and that should be done, even he has not objected to the presence of IPKF...

SHRI N.V.N. SOMU: He has not said that.

S. BUTA SINGH: Yes.

SHRI N.V.N. SOMU: No, no. Even now he is condemning the atrocities of IPKF.

S. BUTA SINGH: In 'The Hindu' report, he has said that the presence of..

SHRI N.V.N. SOMU: When I say that, 'The Hindu' has said this about IPKF and that, you will not believe?

(Interruptions)

MR. CHAIRMAN: Hon. Member, you please keep quiet.

SHRI N.V.N. SOMU: Mr. Chairman, the same Prime Minister, Mr. Rajiv Gandhi, when I cited from the "Hindu" that the IPKF is kept under Jayewardene, Dr. Pereira spoke like that in Parliament, the same Prime Minister did not accept "The Hindu". He said, 'Even Mr. Somu waives 'The Hindu' 10 times, I will not believe, that is not the official version. How can I believe it now?

(Interruptions)

S. BUTA SINGH: Now, you have not spelt out... (Interruptions). Even now, after this intervention, you have not been able to say what is your attitude towards the role of IPKF. Your leader has gone on record...

(Interruptions)

SHRI N.V.N. SOMU: It is not Indian Peace Keeping Force, it is the innocents' killing force.

S. BUTA SINGH: Your leader has gone on record to say that the presence of IPKF.....

SHRI N.V.N. SOMU: You first of all stop the atrocities there. *(Interruptions)*.

S. BUTA SINGH: I am sorry I can't have this kind of running debate.

(Interruptions)

MR. CHAIRMAN: Order, order. You cannot make noise like this. If you want, you can ask a question. But you cannot speak on this now.

SHRI N.V.N. SOMU: I want to know from the Minister..

MR. CHAIRMAN: If you want, you can ask a question, but you cannot speak. The Minister is on his legs.

SHRI N.V.N.SOMU: Sir, the IPKF people are doing all sorts of atrocities there.

MR. CHAIRMAN: That is a statement, that is not a question.

S. BUTA SINGH: I repudiate this allegation made by the hon. Member on the conduct of the IPKF. The people of India know the historic role of the IPKF and the valiant soldiers who are laying their lives to uphold the integrity of our country and the freedom and the accord that has been signed between India and Sri Lanka. What I was saying, and I still maintain is, now he puts the condition that we should talk to the leader of LTTE and then he justifies the presence of the IPKF there.

SHRI N.V.N. SOMU: No, no. I did not say that. The Prime Minister, Mr. Rajiv Gandhi, when I quoted "The Hindu" he refused to accept.

MR. CHAIRMAN: Mr. Somu, that is not the problem here.

SHRI N.V.N. SOMU: Now he is quoting from the same "Hindu"

S.BUTA SINGH : I do not know whether the hon. Member knows what his party stands for.

SHRI N.V.N. SOMU: Now there is a difference in what he said...*(Interruptions)*

S.BUTA SINGH: No, no. There is no difference. You are putting a condition that if we are able to talk to Mr. Prabhakaran, you don't object to the role of the IPKF.

SHRI N.V.N. SOMU: I did not say that. First of all, stop the killings of the LTTE people. Place call them to the discussion table. Sir.

(Interruptions)

S. BUTA SINGH: Let me make it clear, Sir, I had the privilege of associating myself with the process at the time when this accord was being worked out. I remember late Shri M.G.R. was in Delhi, Mr. Prabhakaran was in Delhi and everything which has been included in the agreement was okayed by Mr. Prabhakaran and by Mr. MGR. Mr. Prabhakaran has not so far repudiated this.

SHRI N.V.N. SOMU: Read "The Hindu" of August 5th.

(Interruptions)

MR. CHAIRMAN: Please resume your seat. You cannot intervene.

SHRI N.V.N. SOMU: He has categorically stated he has not given assent to the accord. He said that he did not know... even what are the conditions in the accord.

MR. CHAIRMAN: Please resume your seat.

(Interruptions)

SHRI N.V.N. SOMU: He was asked urgently to come to Delhi.. *(Interruptions)* . He was here only to receive a copy of the accord.

(Interruptions)

MR. CHAIRMAN: Please resume your seat.

S.BUTA SINGH: The only difference between then and now is that at that time Mr. Prabhakaran was near late Mr. MGR. Nowadays, perhaps your leader has got some magic on Mr. Prabhakaran and that is why perhaps he is saying this.

SHRI N.V.N. SOMU: Only Tamils are one problem — not Prabhakaran.

(Interruptions)

MR. CHAIRMAN: No, no, Mr. Somu. I was tolerating you too much. Now whatever you say will not go on record.

You are saying so much without the permission of the chair.

(Interruptions)

MR. CHAIRMAN: Please resume your seat. Please sit down.

(Interruptions)

S.BUTA SINGH: As I said, I was associated myself with it. At that time all the

demands and all the points raised by the LTTE leader were included and it was to the satisfaction of Mr. Prabhakaran, the agreement was hammered out.

SHRI H.A. DORA: Why was he not asked to sign?

S. BUTA SINGH: It was not required. It was an agreement between the two sovereign countries. He agreed with it and then this agreement was brought about. This is how it is being implemented.

The other criticism comes from the hon. Member from Kerala, Mr. Thampan Thomas. I cannot say much because his party is known for such things. They have no definite policy on any issue, whether national or regional or provincial.

SHRI THAMPAN THOMAS: You will have to substantiate that, when you say that my party does not have any policy.

S.BUTA SINGH: Look what happens in Tamil Nadu. Where were the Janata Party MLAs? Perhaps the hon. Member does not know what was their role. The Janata Party MLAs on that fateful day cooperated with all the Opposition Parties, including Congress.

SHRI THAMPAN THOMAS: That does not mean, you invoke President's rule there and impose a rule like this.

You ought to have explored the possibility of forming the Government of the people.

S. BUTA SINGH: Their MLAs were present at the time when the unfortunate thing happened. When the Speaker of the Assembly second time adjourned the House, some of the hon. Members who were not in agreement with the ruling of the chair, were there. Their Janata MLAs were also sitting in the House. They went to the extent

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of accepting another person, another hon. Member as Speaker of the House. Now, it is for my hon. friend to come here and say certain things to the extent of going back on everything that happened on that day, as if Janata Party is the only Party which commits no sin. It finds, on a second thought, whatever has been done in a particular given situation was not correct. Like Dandavate ji my distinguished friend, I can cite examples but I do not want to divert from the major issue. Otherwise, if you look at the role of the Janata Party leaders in your State, some of my distinguished colleagues are trying to describe their party's stance, their stand in the Assembly elections, Panchayat elections. What was the stand of your Party in Tripura? Mr. chairman, when I went to Tripura, their people met me and started complaining against the CPM Government. They said "You are the only saviour" they said, "You send the Central forces so that peaceful elections would be held in Tripura".

Now the hon. Member says "What you have done in Tripura, you are going to do in Madras". In Tripura, what has happened is, peaceful elections have been conducted, people have given their verdict and the present Government has come through the people's verdict.

SHRI SAIFUDDIN CHOWDHARY
(Katwa): Why are you talking about Tripura? Why are you replying to that?

S. BUTA SINGH: If I do not reply, I will be accused. I am trying to mention only the role of Janata Party in each and every situation. You go to Punjab. See what their role is. It is like a deserted monument — Janata Party of 1978 — where has it gone. All the elements have gone astray. (*Interruptions*)

That is why, I am saying that the hon. Member is misplaced. He is an intelligent Member. That is my problem. He under-

stands the situation. He understands the political situation in Tamilnadu. But, unfortunately today he is trying to put blame on me, on my party and on my Leader. My Leader made it very clear on 27th, a day before the Assembly was to meet. I got information that the then Chief Minister and her Party colleagues were trying to persuade the Members — I use the word 'persuade'. Some of the hon. Members have used other words and other terms. I will not go to that — They were trying to persuade even the Members of our Party who had committed; "We will not oppose you" When it came to me, I immediately contacted the hon. Chief Minister Smt. Janaki and I asked her; "Where is the necessity, Madam? why should you do all these things?" She said; I am not interested in this. Some over-enthusiastic Members of my Cabinet and some industrialists in their anxiety, they are trying to persuade some of your Party Members and other Party Members to collect as much support as we can". I said: "You don't require that thing because we have decided and there is a simple proposition that Members present and voting will decide and you have a clear majority. Why should you commit it? Why should you try to disturb the discipline of our Party which has pledged: "We will not interfere with the groups tomorrow and your Government has no danger". A little later, I contacted one of their party leaders here and he also promised to speak to the hon. Chief Minister. After speaking to the hon. Chief Minister he also confirmed that there was some move and have advised their leaders not to do this. May I know from the hon. Members who have just now walked out and some of the political party leaders sitting here now including Shri Ayyapu Reddy-Ji who are trying to lend their support to the Janaki Government now..

SHRI E. AYYAPU REDDY: Please don't misunderstand me and don't misinterpret me. I clearly made it that we are not supporting either group. I raised it on that simple

point that they must be given an opportunity of being heard. This is the basic right which you are denying.

S. BUTA SINGH: I am not saying here.

SHRI E.AYYAPU REDDY: Let me say, Buta Singh -ji that when the Janaki Government was being sworn-in you certainly should have been consulted by the Government and the governor should have ascertained whether there is commitment on part of the Congress Party to support her or not. Without even ascertaining whether the Congress Party, which is the next major party, is going to support her, the Government should not have sworn-in Mrs. Janaki.

S. BUTA SINGH: I think the best that we could do under the circumstances after the sudden death of late Shri M.G. Ramachandran was that we made it clear to the leadership of the AIADMK that the Congress Party will not side with anybody either coming out of the Party or trying to split the party. You have mentioned in your speech that it was our spiritual, constitutional, moral and legal duty to see that the AIADMK is not split. How. We could do it only by assuring our solid support.

SHRI E.AYYAPU REDDY: A charismatic leader like Shri Rajiv Gandhi and with you, manning the Home Ministry, do you say that it was not possible for you to get it done.

S. BUTA SINGH: Sorry, we do not have a wise person like you. We thought in our own way that the best way is to keep away from the factional fighting inside the AIADMK and assured the hon. Chief Minister of that time saying; "you should not be afraid of it. We will not side with any group. Our hon. Prime Minister made a statement that he had pledged to the undivided heritage left by Shri M.G. Ramachandran was a great champion of national unity and national integration. He had upheld national cause-whether it was in

Sri Lankan Accord's cause or it was a question of bringing the entire Tamil Nadu population into the mainstream of Indian life, he always viewed the issue from the nationalistic point of view. That is why, we were keen that this ideology, his policy should not be disturbed in the national interest. That is why he took that particular line. But unfortunately we got the disturbing information that this thing is going to happen. What happened the next day? Our party was to meet at 8. O' clock. We found that a good number of MLAs were coming to the party. Did it not prove what I had informed the previous day?

(Interruptions)

SHRI E.AYYAPU REDDY: They may not be in Madras.

S. BUTA SINGH: They were all in Madras. The Members were coming. Therefore, we were left with no option. We had to tell the Hon. Chief Minister that if that was the game, then sorry, we could not support you. You have started splitting our party. Therefore, there was no way left and we had to take the difficult decision.

Now what happens in the Assembly The report submitted by the Governor make it very clear. If you read the report which has been circulated to the Hon. Members, at page 6, he gives very clearly his views about what happened inside the Assembly. At page 9, he says.

"It was improper on the part of the Speaker to have adjourned the House at 10 O' Clock on the 20th January, 1988 instead of proceeding with the only item on the agenda, that is, taking up the Motion of Confidence in Srimati Janaki Ramachandran's Government".

What was the agenda? There was only one point in the agenda that Vote of Confi-

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dence was to be sought in the Assembly. And what happens? The Hon. Speaker comes to the Chair and he says, "I have received a telephone call". Will any Speaker entertain such a ridiculous proposition that somebody has rang him up that five members of the Congress Party have resigned from the membership of the House? You know the rules. Rules are very clear. There is a regular drill given. The letter has to come to the speaker; the Member has to present the letter; and then Speaker has to take a decision. How can the Speaker of Tamil Nadu Assembly entertain such a request on telephone? Even if that was so, the resignation of five members would not have made any difference because the Motion was for the Members present and voting. The Motion would have taken its fate. It would have been passed or defeated. But the five Members would not have made much difference. Suddenly after announcing this, he adjourns the House. And next when he comes at 12. O' clock, he, without any intimation to the House, starts dismissing some of the out-going ministers including the out-going Chief Minister. Was it ever heard in the history of our legislative assemblies that the Hon. Speaker starts action without any paper before him? Therefore, all these events indicated as to what will happen later on in this House. Suddenly, at 3. O' clock he comes and dismissed the entire section led by Shri Nedunchezhian thereby reducing the whole House to a mockery. Even one half of the House was not present when the so-called Motion was adopted. Is it not the break-down of the Constitution? Is it not a travesty on the rules and the conduct of business? What else is the constitutional position of the State if the Governor has come to this conclusion?

(Interruptions)

MR. CHAIRMAN: Order, order.

SHRI N.V.N.SOMU: I am not defending.

S.BUTA SINGH: I am not yielding.
(Interruptions)

SHRI N.V.N. SOMU: When the DMK Members were killed what was the Congress party doing?

S.BUTA SINGH: My information at that particular time was that we lodged our protest by walking out from the Assembly. We being the opposition party, you could not have expected much.

SHRI P. KOLANDAIVELU: They were anti-nationals. That is why they had been ousted from the House.

SHRI N.V.N. SOMU: We are not anti-nationals, we are anti only to Hindi imposition.

SHRI P. KOLANDAIVELU: They had burnt a copy of the Constitution.

MR. CHAIRMAN (SHRI VAKKOM PUJUSHOTHAMAN): Please resume your seats. I cannot permit this.

(Interruptions)

S. BUTA SINGH: Even then we lent our moral support by staging a walk-out from the Assembly.

The Hon. Member Shri Thampan Thomas said that the Governor is working as an agent of the Congress (I). In this case if you have gone through the report that the Governor has submitted, you would see that the Governor has acted purely according to the Constitution. He has discharged his functions strictly according to the provisions of the Constitution, under Article 356.

The DMK Member said that we are

hanging a Sword of Damocles. Well, it is the same Sword which is going to give them a chance to go to the people. Otherwise, if this was not to happen, the DMK which was being eliminated by the Hon. Speaker in instalments, by now would have been completely packed out. Who knows, by now not a single Member would have been there!

SHRI N.V.N. SOMU: You did not open your mouth then.

S. BUTA SINGH: The Governor has come to your rescue. You must thank him at least for once..(Interruptions)...You must thank the Governor for you are given at least some face to go to the people. You must praise the Governor for he is the one who gave you the opportunity to go to the people and seek their mandate.

Some Hon. Members objected to one of my distinguished colleagues, a very senior leader, going as PCC President. Well, he is our leader by his own right and there is nothing wrong if the congress Party goes, mobilises the people and tries to gather sufficient support to come back to the Assembly. What is wrong in that? It is our right under the Constitution. All political parties strive for that, we will definitely do that and I am sure that with the help of the people of Tamil Nadu, the secular forces, the nationalist forces, the progressive forces, we are obliged to uphold the great ideology of Mahatma Gandhi, lately followed by the late Shri MGR. We will see to it that the values that he held high in his life time are allowed to continue without any difficulty in Tamil Nadu.

With this hope, I am sure that this House will agree with me that we will expect the people of Tamil Nadu to bring back a Government which will serve the people of Tamil Nadu.

The DMK leader was trying to mention

about the Sarkaria Report. I don't know which Sarkaria Commission he was referring to. Was it 67 Sarkaria, or 87 Sarkaria?

SHRIP. KOLANDAIVELU: That is DMK Sarkaria Commission.

SHRI N.V.N. SOMU: By the same Sarkaria Commission you maligned the DMK. That is why we are sure that the President's Rule is used as a weapon of the Congress Party.

(Interruptions)

S. BUTA SINGH: If you are so keen about having the Sarkaria Commission Report published, the Sarkaria Commission report of 67 is very well referred to in the Assembly of Tamil Nadu. I have no objection if you want to have it published..... (Interruptions).....

The present Sarkaria Commission report is engaging the attention of the State Governments, this august House, the State Assemblies and we are willing to review and take a definite view on it as soon as we are able to get the opinion of all the concerned States, the Parliament and the Assemblies. Definitely we will come before this august House on positive lines that the Government of India would like to have on the Sarkaria Commission Report.

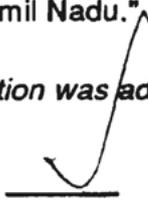
With these remarks I would commend to this Hon. House. There is a slight amendment which my dear friend, Shri Jeevarathinam wanted to highlight. I am sorry under the present circumstances this proclamation has to be passed as it is. If the hon. Member is really keen to press his point I can have it re-examined and then we may on a later occasion come to the House if there is substance in the point raised by the hon. Member. I will come back to the House if it is necessary but at the moment this proclamation as moved must be passed unanimously.

MR. CHAIRMAN: The question is:

India.

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

The motion was adopted.



16.51 hrs.

PARSI MARRIAGE AND DIVORCE
(AMENDMENT) BILL

[English]

MR. CHAIRMAN: Now the House will take up item No. 12 of the agenda. Shri H.R. Bhardwaj.....

THE MINISTER OF STATE IN THE
MINISTRY OF LAW AND JUSTICE (SHRI
H.R. BHARDWAJ): Sir, I beg to move:

"That the Bill further to amend the Parsi Marriage and Divorce Act, 1936, as passed by Rajya Sabha, be taken into consideration."

The law relating to Marriage and Divorce among Parsis is contained in Parsi Marriage and Divorce Act, 1936. Since the enactment of this Act no substantial amendments were carried out in view of the declared policy of the Government not to effect any changes in the personal laws of the minority communities unless the initiative therefor comes from the minority communities themselves. Such an initiative has now come from the Parsi community in the form of two sets of proposals: One from the Chairman, Board of Trustees of the Parsi Panchayat, Bombay and other from Mrs. Meher Master-Moos representing the Federation of Parsi Anjuman of

The Minorities Commission had also received both these proposals. The Minorities Commission had considered these two sets of proposals and had recommended that since the Bombay Parsi Panchayat is a representative body of the Parsi community and it has taken into consideration the opinions of similar other such Panchayats within the country, the amendments proposed by the Bombay Parsi Panchayat should be given preference and be adopted.

The proposals were also circulated among the State Governments and the Union territory administrations for their comments. The majority of the State Governments and Union territory administrations have recommended the acceptance of the proposed amendments. The Government has, therefore, decided to go ahead with the proposed amendments and as a result thereof has brought the present Bill.

The main purpose of the amendments incorporated in the Bill is to bring the provisions of the Parsi Marriage and Divorce Act, 1936 in line with the provisions contained in the Hindu Marriage Act, 1955 and the Special Marriage Act, 1954.

The Child Marriage Restraint Act, 1929 was amended in 1978 to provide therein that the marriageable age in the case of male shall be 21 years and in the case of female 18 years. It is proposed to bring the provisions of Parsi Marriage and Divorce Act, 1936 in tune with this amendment. Section 3 of the Act is therefore proposed to be amended for that purpose. It has also been proposed to provide therein that the children of marriages which are declared invalid under the Act shall be deemed to be legitimate children.

Sections 19 and 20 of the Principal Act