

MR. SPEAKER : I have read your letter. I would not allow any submissions now. It is good that my attention has been drawn to it. But no more submissions. (*Interruption*) I am on my legs. I am not allowing you. I have received your letter. You were kind enough to write to me.

SHRI SAMAR GUHA : I have a right to say. I have written a letter to you yesterday, but I have not received a reply. I have right to say. ....

MR. SPEAKER : You have no right to get up. I am passing on to the Calling Attention Notice.

SHRI SAMAR GUHA *rose --*

MR. SPEAKER : I have not accepted your proposal. If tomorrow, you send a Calling Attention Notice and if somebody else writes to me, "Do not allow it," and if I am to accept the latter, then there will be no Calling Attention Notices at all ! If tomorrow Shri Samar Guha sends a Calling Attention Notice and somebody else writes to me, "You do not allow it," then, there will be no end to it. (*Interruption*)

SHRI SAMAR GUHA *rose--*

MR. SPEAKER : Order, Order. You have no right. I am telling you that you have no right. It is not proper. If I have allowed a Calling Attention motion and if you say, "Do not allow it," then, if I concede your request, there will be no Calling Attention Notices any longer. I will be surrendering my right, and I will be denying the right of Hon. Members to send such notices. If the Calling Attention Motions are allowed, they will come up, whether you like it or not, and the Member will have it.

SHRI SAMAR GUHA : Sir, my submission is\*\*\*

MR. SPEAKER : Order, Order. Nothing will be recorded. His speech will not be recorded.

SHRI SAMAR GUHA *rose--*

MR. SPEAKER : You may say anything ; nothing will be recorded. Please sit down. I appeal to you. Will you kindly sit down ?

SHRI SAMAR GUHA : I humbly submit to you that I had written to you.

MR. SPEAKER : Will you kindly sit down ? Shri Jyotirmoy Basu.

SHRI JYOTIRMOY BASU *rose --*

SHRI NAREDRA SINGH MAHIDA (Anand) : Sir, I move under rule 225 a question of privilege. I am on a point of order ?

MR. SPEAKER : What is the point of order ?

SHRI NAREDRA SINGH MAHIDA : I raise a question of privilege.

MR. SPEAKER : About what ?

SHRI NARENRA SINGH MAHIDA : I request you.

MR. SPEAKER : What is it ?

SHRI NARENDRA SINGH MAHIDA : It is about--

MR. SPEAKER : About what ?

SHRI NARENDRA SINGH MAHIDA : Breach of privilege. (*Interruption*) If you want that it could be done later, I will raise it afterwards.

MR. SPEAKER : Calling Attention has been called. It is certainly unfortunate, because he is a senior member. I have taken up the Calling Attention.

SHRI NARENDRA SINGH MAHIDA : I will raise it afterwards.

12.30 hours.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

NEED TO RECALL THE GOVERNOR OF WEST BENGAL

SHRI JOTIRMOY BASU (Diamond Harbour) : Sir, I call the attention of the Minister of Home Affairs to the following matter of urgent public importance and I request that he may make a statement thereon :

"The immediate need to recall the Governor of West Bengal, Shri Dharam Vira."

SHRI Y. B. CHAVAN *rose --*

SHRI J. B. KRIPALANI (Guna) : Sir, this is an important issue. I do not usually intervene, but this is an important

\*\*\*Not recorded.

issue and therefore, it should not be disposed of through a calling attention notice. If there is to be a discussion, it is in your power to give more time.

MR. SPEAKER : It is an important matter, no doubt. Mr. N. P. C. Naidu also has given his name. He is totally against recalling the Governor. He came to me, but unfortunately he had to go somewhere on account of some urgent business. He told me that he is totally against of the Governor. So, it is not as if all people want that Mr. Dharma Vira should be recalled. All the names have been ballotted. It is not that the names of only those who want Mr. Dharma Vira to be recalled have been ballotted. It is an important question and that is why I admitted it out of 40 or 50 notices for calling attention I receive every day. Let it be answered. If Mr. Karipalani and others want to say something, the general discussion on the general budget is coming. So many discussions are coming and those who want to oppose this will have an opportunity.

THE MINISTER OF HOME AFFAIRS (SHRI Y. B. CHAVAN) : Mr. Speaker, Sir, Article 156 of the Constitution provides that the Governor of a State shall hold office during the pleasure of the president and that, subject to such pleasure, the Governor shall hold office for a term of five years from the date on which he enters upon his office. However, the present Governor of West Bengal had requested the Prime Minister towards the end of October, 1968 for a charge on personal grounds. He was persuaded to stay on in view of the mid-term elections which were to follow soon. The request made by the present Governor of West Bengal is under consideration.

SHRI JYOTIRMOY BASU : The champion of democracy, Mr. Yeshwant-  
rao Chavan and his Congress needed men to do dirty job. So they had to fall back upon old British bureaucrats...

MR. SPEAKER : This is completely out of the way. (*Interruptions*). Order, order. Don't make me helpless. From the Chair, I have to control the whole

House. Don't put me in an embarrassing position. Please put only a pertinent question.

SHRI JYOTIRMOY BASU : A man who was Secretary till the other day holding the thirtieth position in the Warrant of Precedence was kicked upstairs to the fourth position and installed on the top of the elected representatives of five crores of people in West Bengal and similarly in many other places.

They have ignored his past when he as Textile Commissioner made Government to lose Rs. 55 lakhs and deliberately kept Government in darkness. There is a report of the Public Accounts Committee. He was sent with the express purpose to destroy the the United Front and re-settle the Congress. All along he was opposed to the United Front.

MR. SPEAKER : Is Shri Basu going to read the whole thing, the question he prepared before he heard the reply of the Government ? I think it is not fair.

SHRI JYOTIRMOY BASU : Sir, I would not take more time than what you give to others.

SHRI BAL RAJ MADHOK (South Delhi) : Sir, would you permit similar attacks being made on the President or Governors of other States on the floor of this house ?

MR. SPEAKER : I will not allow Shri Basu to continue like this. There is no use his attacking a person who is not here. This is a Notice to call the attention of Government. The Government has already replied to it. If he continues to read his whole speech I will get it expunged. Will he kindly put a question and not make a speech ?

SHRI JYOTIRMOY BASU : I am only saying what the people of West Bengal have said.

MR. SPEAKER : Let him not attack an individual. Let him put a short question and not use abusive language.

SHRI JYOTIRMOY BASU : He ought to know the intrigues...

MR. SPEAKER : He may do anything he likes. He has not got the permission of the Chair (*Interruptions*).

**SHRI NAMBIAR** (Tiruchirappalli) : He is only prefacing the question.

**MR. SPEAKER** : He cannot make allegations and use abusive language in the name of making a preface to a question.

**SHRI JYOTIRMOY BASU** : When the question of Czechoslovakia came the need for generosity was felt.

**MR. SPEAKER** : Here is an individual who is being discussed and not a policy. The hon. Member has got everything written to abuse a person who is not in a position to reply here. He may abuse the Government, he may make allegations against the Government but he cannot abuse a person who is not here to defend himself.

**SHRI JYOTIRMOY BASU** : I am only saying what misery he had brought about in West Bengal and I am asking whether he should be allowed to remain in power.

**MR. SPEAKER** : Will you all kindly sit down ? I will read the rule also. If he feels like that he can see it. Rule 352 says :

"A member while speaking shall not—

- (v) reflect upon the conduct of persons in high authority unless the discussion is based on a substantive motion drawn in proper terms ;"

In the name of a Calling Attention Notice if you want to talk about anything you like, it is not proper. You referred to Czechoslovakia and other things. There it is criticism of the government and not of a particular person.

**SHRI M.L. SONDHI** (New Delhi) : Sir, on Czechoslovakia.....

**MR. SPEAKER** : Will Shri Sondhi kindly sit down ? Already, I am finding it difficult.

**SHRI VASUDEVAN NAIR** (Peer-made) : Sir, will you clarify one thing for the sake of the hon. Member and the House. You in your wisdom have admitted the Calling Attention Notice. The

notice or motion is specifically on the subject of the withdrawal of the Governor of West Bengal. Natural, his withdrawal or recall is sought for because there is something against his conduct.....  
(Interruptions)

**MR. SPEAKER** : When the hon. Member is asking me a question, why should hon. Members on the Congress side be worried about ?

**SHRI VASUDEVAN NAIR** : The admission of the motion implies that the conduct of the Governor is in question. So, as far as that goes, we have a right to question his conduct and functioning as Governor of West Bengal. If we criticise the conduct of Shri Dharma Vira as Governor of West Bengal, you cannot prevent it because you have admitted this motion.

**MR. SPEAKER** : Will he kindly sit down ? By Calling Attention Notice you call the attention of the government to give you information. It is not a regular discussion. If it is a regular discussion, you can criticise anybody ; you have the absolute right and I do not question that. In the Calling Attention Notice, government makes a statement. If that statement or answer is not satisfactory, he can ask for a clarification. He cannot make a speech on the basis of that answer. Now, does Shri Jyotirmoy Basu want to ask for some clarification or does he want to read the whole speech ? If, in spite of my request to him not to do so, he persists in reading it, I might tell him that I am going to expunge everything which is irrelevant. I am going to take a firm stand. Because I have admitted a motion it does not mean that he has complete freedom to abuse anybody.

**SHRI NAMBIAR** : Sir, he is not using any abusive language. He is reasoning out why the Governor has to be recalled.

**MR. SPEAKER** : No, I do not want the reason. The question must be based on the answer given by the hon. Minister. It can be only a clarification ; I do not want reasons or speeches.

SHRI JYOTIRMOY BASU : Sir, is that what you do when calling attention notices are given by the other side?... (*Interruptions*). I know your colour.

SHRI P. K. DEO (Kalahandi) : Sir, he is attributing motives to the their. Let him withdraw them... (*Interruptions*).

SHRI KANWAR LAL GUPTA (Delhi Sadar) : Yes, Sir. Let him withdraw those remarks.

SHRI JYOTIRMOY BASU : I wish to ask only two questions.

MR. SPEAKER : Let him ask the questions, if he wants, but no reasons.

SHRIMATI SUCHETA KRIPALANI (Gonda) : What did he say about the Chair? We want to hear the exact words. (*Interruptions*).

SHRI JYOTIRMOY BASU : Who are you to ask for that? (*Interruptions*).

SHRIMATI SUCHETA KRIPALANI : Let him repeat them... (*Interruptions*). They have no business to make a mockery of this House. We want business to be carried out in this House with decorum. We do not want this kind of indecorous behaviour in this House. We are pretty sick of this... (*Interruptions*).

SHRI VISWANATHA MENON (Ernakulam) : You have not come here to teach us... (*Interruption*).

SHRI JYOTIRMOY BASU : In view of the fact that the representative of Shri Chavan and the President here had conspired with Shri Ashok Sen and probably Naxalbari people for having some papers distributed to boycott elections, may I say ..... (*Interruption*).

SHRI HANUMANTHAIYA (Bangalore) : This is an allegation. This should not go on the record.

SHRI VASUDEVAN NAIR : Why are the Congress Members so agitated?

SHRI JYOTIRMOY BASU : In view of the fact that Shri Dharma Vira conspired with Shri Ashok Sen, took out a forged letter from Basumati Press and distributed it quite indecorously, will they recall the Governor before 6th March, before the joint session meets?

SHRIMATI SUCHETA KRIPALANI : We demand that he should be there up to the 6th March..... (*Interruption*).

SHRI J. M. BISWAS (Bankura) : Bureaucracy should be taught manners... (*Interruption*).

SHRI Y. B. CHAVAN : My answer is, "No".

SHRI JYOTIRMOY BASU : My second question is...

MR. SPEAKER : This is a call-attention; this is not Question Hour. On the call-attention, only one question is permitted.

SHRI H. N. MUKERJEE (Calcutta North-East) : I want to seek some clarification. You had permitted Shri Basu after long travail, to ask something in the way that he did and the hon. Minister gave a peremptory answer. Originally he had said that the Government was considering the matter of getting Shri Dharma Vira back. Therefore when a clarification is asked for on the basis of certain matters of knowledge, we have a right to expect of the hon. Minister to tell us something in regard to that and not merely, "I won't do that." I was a little disturbed when you said, "Answer only the second part and not the first."

MR. SPEAKER : It was a clear question whether the Governor was going to be called back before the 6th and the Home Minister said, "No". It is a hundred per cent complete answer.

श्री मधु लिमये (मुंगेर) : अध्यक्ष महोदय, पश्चिम बंगाल के गवर्नर ने जनता के द्वारा 1967 के चुनाव में जो राय दी गई थी, उसके बरखिलाफ जाकर और संविधान की धाराओं को तोड़कर, पश्चिम बंगाल की जो लोक-नियुक्त सरकार थी, उसको बर्खास्त करने का काम किया। ... (व्यवधान), इस बारे में पश्चिम बंगाल की विधान सभा के अध्यक्ष ने कहा कि विधान सभा की सम्मति के बिना गवर्नर किसी भी सरकार को बर्खास्त नहीं कर सकता है और बूक़ ऐसी

[श्री मधु लिमये]

घटना बंगाल में हुई है इस लिए मैं विधान सभा की बैठक को ही स्थगित कर रहा हूँ। ... (व्यवधान) — उसके बाद वहाँ पर राष्ट्रपति का शासन कायम किया गया। पश्चिम बंगाल की विधान सभा के अध्यक्ष ने जो राय व्यक्त की है, आप लोगों ने भी अपने सम्मेलन में उसका समर्थन किया है। आपने दो बातें कही हैं। गवर्नर बिना विधान सभा की सम्मति के किसी भी लोकतांत्रिक सरकार को बर्खास्त नहीं कर सकेगा, साथ साथ आपने यह भी कहा है कि विधान सभा की कार्यवाही में अध्यक्ष भी दखल नहीं देगा। तो सबसे पहला पाप गवर्नर और केन्द्रीय सरकार द्वारा हुआ है, इसका सभी लोग ब्याल रखें। चाहे यह सभा हो, हाई कोर्ट हो या सर्वोच्च न्यायालय हो, उनसे भी एक उच्चतर न्यायालय है, भारत और पश्चिम बंगाल की जनता।

अन्त में फंसला इस जनता के द्वारा दिया जाना चाहिए। पश्चिमी बंगाल में जनता के द्वारा यह निर्णय दिया गया है। पश्चिमी बंगाल के नये मंत्रिमंडल ने इन के पास मांग की है। लेकिन गृह मंत्री जी बहुत चतुर हैं, उस मांग के बारे में, जनता के द्वारा दुबारा चुनी हुई सरकार की मांग के बारे में यह कुछ नहीं कहते हैं और कहते हैं कि श्री धर्मवीर ने भक्तूबर महीने में व्यक्तिगत कारणों को लेकर उन को गवर्नर के पद से हटाने के लिए विनती की है जोकि उन के विचाराधीन है।

अध्यक्ष महोदय, संविधान की दो धाराओं की ओर मैं मंत्री महोदय का ध्यान दिलाऊंगा। 6 मार्च को विधान सभा की बैठक होने वाली है। हमारे संविधान में लिखा है कि विधानमंडल का जो पहला सत्र बुलाया जायेगा चुनाव के बाद उस में गवर्नर का अभिभाषण होगा। उस में गवर्नर की छूट नहीं है, वह मनेटैटरी प्राविजन है...

MR. SPEAKER : It is agreed ; nobody is disputing that.

श्री मधु लिमये : ठीक है नहीं पड़ता हूँ। "शैल एंड्स" कहाँ है ; गवर्नर को, विधायकों को क्यों बुलाया गया है, उसे उन के बुलावे का कारण भी बतलाना पड़ता है...

MR. SPEAKER : It is all accepted ; nobody is disputting that.

श्री मधु लिमये : मेरा प्रश्न आ रहा है। यह टाल नहीं सकते हैं सवाल। गवर्नर का या राष्ट्रपति का जो अभिभाषण होता है वह सरकार की नीति का इजहार करने वाला वक्तव्य होता है। वह मंत्रिमंडल के द्वारा लिखा जाता है। गवर्नर को कोई अधिकार नहीं है संविधान में—और केवल एक धारा पढ़ूँगा जो कि पढ़ना बहुत जरूरी है बाकी को मैं छोड़ देता हूँ। संविधान की एक धारा में यह दिया हुआ है :

"There shall be a Council of Ministers with the Chief Minister at the head..."

MR. SPEAKER : Why are you wasting the time of the House? It is a known provision and accepted by all. You need not read all that. What is your question ? What is the clarification that you want ?

श्री मधु लिमये : वह मैं नहीं कह रहा हूँ। यह पूरी धारा पढ़ना जरूरी है, लेकिन अब आप ही नहीं समझ रहे हैं इसकी आवश्यकता को तो मैं क्या करूँ ?

मैं यह कहना चाहता हूँ कि अभिभाषण में तबदीली करने का गवर्नर को कोई अधिकार नहीं है और 6 तारीख को वह भाषण उन्हें करना पड़ेगा। जब पश्चिमी बंगाल की सरकार अपने नीति वक्तव्य में विधायकों को बुलाने का कारण यह बतलायेगी कि गवर्नर के द्वारा जो प्रस-बंधांक कार्यवाही की गई उस को लेकर राष्ट्रपति शासन आया, चुनाव हुआ और

अब उन्हें बुलाया जा रहा है। तो मैं आप से जानना चाहता हूँ कि क्या गवर्नर को आप यह सलाह देंगे कि जो मंत्रिमंडल के द्वारा भाषण तैयार कर के दिया जायेगा उस को वह ह्रुबहू विधान मंडल के सामने कहें, या अगर आप इस संघर्ष और टकराव को टालना चाहते हैं तो क्या आप उन्हें यह सलाह देंगे कि वह छूट्टी पा जायें। जब तक वह छूट्टी पर हैं एक आफिशिएटिंग गवर्नर वहां पर नियुक्त कर दिया जाये। केन्द्र और राज्यों के सम्बन्धों में काफ़ी कटुता आई है। मैं आज चेतावनी के रूप में कहना चाहता हूँ कि केन्द्रीय सरकार इस को प्रतिष्ठा और इज्जत का सवाल न बनायें। पश्चिमी बंगाल की जनता का जो फैसला वॉडकट है उस के सामने आप भुंकिये और गवर्नर को यह सलाह दीजिये कि वह बीमारी को लेकर या और किन्हीं व्यक्तिगत कारणों को लेकर छूट्टी पर जायें और एक आफिशिएटिंग गवर्नर आये। जो पश्चिमी बंगाल का मंत्रिमंडल है वह उस को नीति वक्तव्य बना कर दे देगा और वह उस को पढ़ेगा।

**SHRI Y. B. CHAVAN :** He is asking me to give my opinion on constitutional issues. If he accepts me as a constitutional pundit, certainly, I will give him my opinion. But not here. Secondly, he is expecting me to give some advice to the Governor. The Government of India does not function as an adviser to the Governor.

**श्री मधु लिमये :** यह बिलकुल गलत बात कह रहे हैं क्योंकि यह हर कदम पर गवर्नर को ऐडवाइस निर्देश देते रहते हैं।

**श्री बेवेन सेन (भासनसोल) :** पश्चिमी बंगाल की जनता ने पिछले चुनावों के दौरान श्री धर्मवीर के खिलाफ़ अपनी राय का इजहार किया है या नहीं, अगर किया हो तो आम जनता की मांग के खिलाफ़ गवर्नर को सिर्फ़ संविधान के बहाने पर लादे रखना क्या उचित है ?

हमारी प्रधान मंत्री ने यहां पर कहा था कि मैं चाहती हूँ कि पश्चिमी बंगाल की सरकार वहां पर ठीक तरह शासन करे और हम उसे अपना सहयोग देंगे, यदि यह बात सच हो तो जो रास्ता यह गवर्नर को रिकॉल करने में देर करने के बारे में अपनाया जा रहा है वह क्या केन्द्र द्वारा पश्चिमी बंगाल की सरकार से सहयोग करने का रास्ता है ?

**SHRI Y. B. CHAVAN :** If I have understood the significance of the mid-term election, they have given the mandate to the United Front Government to govern West Bengal constitutionally.

12.56. hrs.

#### QUESTIONS OF PRIVILEGE

**MR. SPEAKER :** Mr. Mahida wanted to say something.

**SHRI NARENDRA SINGH MAHIDA (Anand) :** My motion is about breach of privilege. I had written a letter under rule 222...

**MR. SPEAKER :** Is he speaking about that letter ? I thought he wanted to say something else. I have not given him consent. Unless the speaker gives consent, it cannot be raised. I have not given him permission. He may read the rule.

**SHRI NARENDRA SINGH MAHIDA :** The second para of rule 225 reads as follows :—

“Provided that were the Speaker has refused his consent under rule 222 or is of opinion that the matter proposed to be discussed is not in order, he may, if he thinks it necessary; read the notice of question of privilege and state that he refuses consent or holds that the notice of question of privilege is not in order.”

**MR. SPEAKER :** The rule says : ‘... he may, if he thinks it necessary’. I have not thought it necessary. I shall tell you. It is in your own interest that I have done so...

**SHRI NAENRDRA SINGH MAHIDA :** I wanted to raise...