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PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)  
OFFICIAL REPORT

1471

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HOUSE OF THE PEOPLE

Thursday, 5th March, 1953.

The House met at Two of the Clock.

[MR. DEPUTY-SPEAKER in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

3 P.M.

\* \* \* \*

MOTIONS FOR ADJOURNMENT

EVICION OF SOME M.P.'S FROM  
WINDSOR PLACE

**Mr. Deputy-Speaker:** I have received notice of an Adjournment Motion from Shri H. N. Mukerjee; the eviction on 4th March 1953 of several Communist Members of Parliament and their staff from No. 1, Windsor Place, New Delhi.

May I ask the hon. Member who is the Member to whom this house was allotted? I only want some more information.

**Shri H. N. Mukerjee** (Calcutta North-East): This bungalow was originally allotted, if you want to know the whole story,.....

**Mr. Deputy-Speaker:** It is not the whole story. Just the hon. Member will kindly enlighten me with respect to the points that I ask.

**Shri H. N. Mukerjee:** It was the residence of Mr. A. K. Gopalan who was the Leader of the Communist Parliamentary party.

**Mr. Deputy-Speaker:** Was it allotted to him?

**Some Hon. Members:** We have been there for 10 months.....(Interruption).

**Mr. Deputy-Speaker:** The hon. Member is there sufficiently able to take care of himself and inform the House as to what happened. He happens to be the Deputy-Leader of his Party. Let there be no interruption.

**Shri H. N. Mukerjee:** The original allotment to Mr. R. Velayudhan was sought to be altered by an arrangement in regard to mutual exchange. That arrangement could not be pushed to a successful conclusion. But, the efforts for a successful conclusion of the exchange arrangement were continuing when by an unprecedented exercise of whatever powers they have got or they have not got, the Estate Officer and his people have evicted the MP's who were living there, have thrown out their belongings, books, documents.....

**Mr. Deputy-Speaker:** First of all, I must give my consent, understanding the material facts. Then the hon. Member will certainly have an opportunity if it is admitted. Now, it was allotted to Mr. Velayudhan. Was Mr. Velayudhan evicted from there?

**Shri H. N. Mukerjee:** As I have told you, Sir,.....

**Mr. Deputy-Speaker:** The hon. Member will kindly give an answer. It is said here, "several Communist Members of Parliament and their staff." Was it allotted to any Communist Member who is represented by the hon. Member's party, who was living there?

**Shri H. N. Mukerjee:** Originally it was allotted to a Member of the Communist Parliamentary Group, who later when he left the Communist Parliamentary Group participated in an effort to secure.....

\* Expunged as ordered by the Chair.

**Mr. Deputy-Speaker:** Did he surrender that?

**Some Hon. Members:** No, no.

**Mr. Deputy-Speaker:** Was the exchange accepted by the House Committee?

**Shri H. N. Mukerjee:** No. The whole matter never came before the House Committee.

**Mr. Deputy-Speaker:** The hon. Member will kindly give a simple answer to a simple question.

**Shri H. N. Mukerjee:** The House Committee never took cognisance of this matter because it was never put up to them. Certain other people, I do not know who, took certain decisions.

**Mr. Deputy-Speaker:** Representations were made to the Speaker also?

**Shri H. N. Mukerjee:** As far as the House Committee is concerned, I can speak, if you will permit me. I am a Member of the House Committee. This matter never came up before the House Committee.

**Mr. Deputy-Speaker:** I am speaking of the Accommodation Sub-Committee of the House Committee.

**Shri H. N. Mukerjee:** I am not in a position to speak about the Accommodation Sub-Committee of the House Committee. I know that the House Committee in the last session passed a resolution unambiguously that there should be no eviction of MPs living in quarters though there be reason for the same and that eviction might be practised in suitable cases against those who are not MPs who are trespassing on MPs quarters. There is a resolution to that effect which was passed in the last session by the House Committee.

**Mr. Deputy-Speaker:** That means that if unauthorisedly MPs occupy any house not allotted to them but allotted to another Member, this Member must continue and the other Member must go out in the street.

**Shri H. N. Mukerjee:** It is, unfortunately, the resolution of the House Committee.

**Mr. Deputy-Speaker:** I did not know that. So far as this is concerned, was the Speaker approached?

**Shri H. N. Mukerjee:** Yes, Sir. The Speaker was approached several times and the last occasion on which the

Speaker was approached was, as far as I know, by myself over the telephone. The Speaker had said that we could make fresh efforts for having a settlement of this matter which is hanging fire for some time. But before we had an opportunity of pushing the settlement efforts to a successful conclusion these people have come and behaved in the manner I have already indicated.

**Mr. Deputy-Speaker:** This is a matter that was brought to my notice, not now, but some time ago, about two or three months ago. This matter has been pending for nearly four or five months. This house was allotted to Mr. Velayudhan. Subsequently the exchange was not intimated to the Accommodation Sub-Committee of the House Committee. (*Some Hon. Members:* It was). Nor was it regularised by them. The same house was allotted—you cannot go on interrupting—to three other Members of this House and one Member of the Council of States. Now, these four Members want to occupy the house. Personally Mr. Velayudhan wrote to the House Committee that he does not want that house. Under these circumstances none of these hon. Members, whoever they may be,—neither the Communist Members of Parliament nor their staff—were entitled to occupy the house. The Speaker has ratified the resolutions or discussions of the Accommodation Sub-Committee of the House Committee. This is a Committee of Parliament. Any order given by this Sub-Committee the Estate Officer is bound to carry out. Under these circumstances, I do not find that any officer of Government or any department of Government went out of their way in carrying out the orders. They were merely carrying out the orders of the Accommodation Sub-Committee. I do not see how any Adjournment Motion can lie.

**Shri H. N. Mukerjee:** Before you decide, I must say that your information is inadequate and inaccurate. I am sorry we have to say so, but I do so with respect. I can tell you, in regard to the allotment to the four MP's, three Members of this House and one of the Council of States, here are documents and records which are filed with the Estate Office which will show that the Chairman of the House Committee had intimated his desire that if there was agreement on the part of these four MP's to exchange

No. 1 for No. 4 Windsor Place, he had no objection. So far as three Members of this House were concerned, they signed a statement themselves saying that they have no objection to the exchange. The fourth Member said that he had personally no objection to exchange. But he was being told by people higher up in his Party that he should not agree to the exchange...  
(interruptions)

**Mr. Deputy-Speaker:** Order, order. This is not necessary. We are going into unnecessary matters. There may be allegations and counter allegations. So far as this matter is concerned.....

**Dr. S. P. Mookerjee** (Calcutta South-East): May I make a submission, Sir, before you give your ruling, whatever may be your ruling.

**Mr. Deputy-Speaker:** I am now on the Adjournment Motion.

**Dr. S. P. Mookerjee:** I am referring to that matter and matters arising out of that. I am not going into the merits of the case. Since you yourself asked some questions, just now, that shows obviously that you are not aware of all the facts. It is desirable that on a matter like this, whether it affects the Communist Party or others, affecting the privileges of the Members of the House, the matter should be gone into. I would appeal to you and through you to the Prime Minister that the matter may be gone into by the House Committee, whether there was any justification on the part of the Estate Officer to evict some Members of Parliament. It is not a legal matter which I am raising. Surely it is not desirable that MPs should be driven out of the houses, which they are occupying, by the police unless there are very special circumstances. Unless there are very special circumstances, what I am suggesting is that the matter may be gone into by the House Committee, if the Prime Minister so agrees, and all the facts may be examined. Meanwhile the Members of Parliament driven out of the building should be allowed to re-occupy the house, subject to their agreeing to abide by the decision of the House Committee, whatever it may be. (Some Hon. Members: No No). If that assurance is given by the Deputy Leader of the Communist Party, I think we should be able to accept a procedure which will be in keeping with the dignity of this House. Let us not think in terms of party—whether it is the Communist Party.

or our Party or any other party—but in terms of the dignity of a Member of Parliament.

**The Prime Minister and the Leader of the House (Shri Jawaharlal Nehru):** May I say a word? I should like to remove a possible misunderstanding or misapprehension on this. Government have nothing to do with this matter. In fact, so far as I am personally concerned, I was totally ignorant, or almost totally ignorant of what had taken place in the last few months, till yesterday. I had vaguely heard that there was some dispute about a house which was being dealt with by the hon. Speaker, and by the Accommodation Sub-Committee of the House Committee, and I have nothing to do with the matter. It was only yesterday that some of the hon. Members opposite came to me and desired me to intervene in this matter. I found that the matter had been already dealt with by the hon. Speaker himself, and I felt that it would not be at all proper for me to intervene, when the hon. Speaker himself had gone into the matter and dealt with it. The Government as such has nothing to do with it, and as I said, till yesterday I knew nothing about it. The hon. Member suggested—and I agree with him—that any matter affecting a Member of Parliament should be dealt with with care, and nothing improper should be done in regard to it. But I confess I do not know what to suggest when the hon. Speaker himself has dealt with it.

**Dr. S. P. Mookerjee:** Was it done with the approval of the hon. Speaker? Did the hon. Speaker suggest that the police should evict the hon. Member?  
(Interruptions).

**Mr. Deputy-Speaker:** I have heard sufficiently on this matter on both sides, and also what the suggestion made by Dr. Syama Prasad Mookerjee was. Hon. Members will kindly recollect that so far as accommodation for Members of Parliament is concerned, the Government allots so much and places it at the disposal of Parliament, and an Accommodation Sub-Committee of the Parliament takes the full responsibility of allotting them. If there is any irregularity in the procedure, the matter is taken up to the hon. Speaker, for revising that decision. Ultimately, if there is a breach of privilege—and there is no breach of privilege so far as this matter is concerned, however.—the Parliament is supreme, and there is no doubt about

[Mr. Deputy-Speaker]

that. So far as this matter is concerned, the Government has absolutely no say in the matter. (*Interruptions*). There is no good interrupting like this. If the hon. Speaker or the House Committee allots a house for one Member and does not allot it to another Member, then between them, the entire responsibility is for the House Committee to decide. It has decided; a revision has also been taken to the hon. Speaker, who has confirmed that decision. It is not a matter which arose yesterday or today, but the effect of it has been given now. This very house has been allotted to four Members of Parliament. As the hon. Deputy Leader of the Communist Party has said, three of them are willing, while another hon. Member says 'No, no, I am sorry personally...'. But we are not concerned with that. He does not put his signature to that. Under these circumstances, it is a quarrel between or a question of privilege as between one Member to whom it has not been allotted and another Member to whom it has been allotted. (*Interruptions*). Order, order. It is the Sub-Committee that has ordered. The Sub-Committee has got the right. A Sub-Committee of the Parliament has got the right to allot, and if a house is not allotted to any hon. Member, it is open to him to make a representation to the Sub-Committee, or take it to the hon. Speaker, and the hon. Speaker's order is final. That is being enforced. Now, under these circumstances, merely because some help has been drawn from the police for the purpose of enforcing this order, I do not find how any hon. Member or any department of the Government of India is liable to blame. On the other hand, there may be cases where law and order has to be enforced in the matter. Then we will be saying that this is wrong.

So far as the Adjournment Motion is concerned, I do not find that the Government is responsible for any of these things. It is the Sub-Committee that passed the order, and regular channels of appeals for revision have already been preferred. The matter has been pending for nearly four or five months, and the persons to whom it has been allotted have not been allowed the privilege of getting into that house. The Adjournment Motion, if allowed, would only mean that persons to whom it has not been allotted in the regular course, would enforce a right which they do not have, and try to get into the house. I refuse consent, so far as this adjournment motion is concerned.

**Shri H. N. Mukerjee:** So far as the revisionary jurisdiction of the hon. Speaker is concerned, the hon. Speaker has told us—I do not know whether the hon. Prime Minister will believe me—that he did not wish the eviction to happen, and he told me personally over the telephone that he wanted us to continue the negotiations for a settlement with the fourth Member concerned...

**Mr. Deputy-Speaker:** The hon. Speaker's order is there. I have got his order with me. He has found no irregularity in the order that has already been passed, and therefore he confirms that order. How can an adjournment motion with respect to that matter be brought in? (*Interruptions*). I am not going to enter into a discussion on this matter. (*Interruptions*). Order, order. This is not the way in which anything can be carried on in this House. I have got with me the order of the hon. Speaker here in writing. It only confirms the order passed by the House Committee, and if you read it, it will be clear.

**Dr. S. P. Mookerjee:** The question here is whether the hon. Speaker confirmed the decision of the House Committee. The whole question is about the procedure. If supposing the House Committee's order was confirmed by the hon. Speaker, was he consulted before the police was actually asked to intervene and turn out the Members from that house, even when the Members were in Parliament itself, and when the ladies protested to them and asked them to wait till the Members of Parliament returned? When the police intervened thus and turned them out of the house, I would like to know whether it was done with the approval of the House Committee or the hon. Speaker. That affects the question of privilege. (*Interruptions*).

**Mr. Deputy-Speaker:** Order, order. This is too technical. The order is here, and there is no good...

**An Hon. Member:** It is a political game.

**Mr. Deputy-Speaker:** There is no good bringing in the point that it was done merely because it was communist and all that. It does not appear to be so. But referring to the word 'communist', it has been used out of place. But some hon. Member, whoever he might be, if he is not put in a house, has got a grievance. I am only stating to the House that the hon. Member has raised this debate through the normal

channels, and they have looked into this matter, and ultimately when the reference was made to the hon. Speaker, as I said earlier, he also has confirmed that order.

**Dr. S. P. Mookerjee:** Why was not a different procedure followed? When the House Committee wanted to employ the police, a final notice should have been given to this effect 'You should vacate within 24 hours, otherwise the order of the House Committee is going to be enforced with police intervention'.

**Mr. Deputy-Speaker:** All that was done.

**Some Hon. Members:** No, Sir.

**Mr. Deputy-Speaker:** They gave them seven days' time, which was sufficient, and there are other such things. I am not going into...*(Interruptions)*.

**Shri K. K. Basu (Diamond Harbour):** You should hear our point of view also...*(Interruptions)*.

**Shri Jawaharlal Nehru:** May I say a word, Sir? If I may say so with all respect, as you yourself decided, the question cannot be raised as a matter of adjournment. But apart from that, the matter has been dealt with by the hon. Speaker. So if it is to be considered again, it can only be done by the hon. Speaker. Of course, the whole Parliament can always consider anything, but I do not see why the normal procedure should not be followed. Government certainly have nothing to do about this. But if any facts are brought to your notice, you can bring them to the notice of the hon. Speaker, and ask him to consider it.

**Dr. S. P. Mookerjee:** Refer the matter to the hon. Speaker, as to what should have been done.

**Mr. Deputy-Speaker:** I have already decided it. Anyhow, for the vacation of Bungalow No. 1 of Windsor Place, this is the order of the hon. Speaker:

"With reference to your letter dated the 25th February 1953, on the subject mentioned above, I am directed to state that after examining all the facts of the case, the Speaker has withdrawn the stay order passed by him in regard to the vacation of Bungalow No. 1, Windsor Place, New Delhi, by unauthorised occupants, and has decided that the orders of the Chairman of the House Committee of

the House of the People, in this regard, should be carried out. I am therefore to request you to kindly arrange to give vacant possession of Bungalow No. 1, Windsor Place, New Delhi, to the Central Public Works Department immediately."

After this, it has been...*(Interruptions)*.

**Shri H. N. Mukerjee:** This was on the 2nd of March 1953.

**Mr. Deputy-Speaker:** Before that, a similar notice was given. *(Interruptions)*. I am not going to allow a virtual debate on this matter. These are all matters which have been hanging for a long time. The Speaker was approached from time to time. This is the final order of the Speaker, and thereafter notice has been given.

**Dr. S. P. Mookerjee:** If what the hon. Member said is correct, let the matter be referred to the Speaker. We must know the truth, because this goes against the direction of the Speaker.

**Mr. Deputy-Speaker:** The Speaker has not given any direction subsequent to this. Therefore, so far as the office is concerned or I am concerned, the Speaker has not given any such directions. This is a direction not 20 or 30 days old, but it was issued on the 2nd of March 1953. Under these circumstances, I do not think it right that I should change my mind regarding the admission of this Adjournment Motion.

**Shri K. K. Basu:** Eviction notice was served...

**Mr. Deputy-Speaker:** Order, order.

**Shri H. N. Mukerjee rose—**

**Mr. Deputy-Speaker:** Order, order. I will not allow any further statements to be made on this.

**Shri H. N. Mukerjee:** I am sorry, Sir, that you are letting yourself in for support to a kind of...*(interruptions)*.

**Mr. Deputy-Speaker:** Order, order. I will not allow any more statement to be made on this.

**Shri H. N. Mukerjee:** Then we withdraw from the House.

**Shri Nanadas (Ongole—Reserved—Sch. Castes):** This kind of action cannot be tolerated. *(Interruption)*.

**Shri G. H. Deshpande** (Nasik—Central): Can any hon. Member of the House behave in a way in which the Communist Members have behaved just now? And they want the privileges of the Members of the House to be defended! Is this the way that they expect others to defend the privileges of the House?

**Mr. Deputy-Speaker:** Yes. I really am exceedingly sorry at this. Ultimately the ruling of the Chair must be obeyed. If this is the temper that is exhibited, I would take very serious notice of the conduct of the Members.

I excuse them because they are in temper over the loss of a house.

**Several Hon. Members:** No, no.

**Mr. Deputy-Speaker:** This is regrettable. This cannot be condemned in too severe terms. So far as their conduct is concerned and the aspersions on the Chair and the manner in which they have behaved here, I am sure that if they do the same on coming back tomorrow, I will take very serious notice of it.

**Shri N. M. Lingam** (Coimbatore): This is not the first time, Sir. They behave like this.

#### SUSPENSION OF THE CONSTITUTION IN PEPSU.

**Mr. Deputy-Speaker:** so far as the other adjournment motion relating to suspension of the Constitution in PEPSU is concerned, I learn that Dr. Katju, the hon. Minister for Home Affairs and States is laying a copy of the Proclamation on the Table and to give effect to the Proclamation some Resolution will have to be passed by this House. All matters relevant thereto may be discussed at length on that Resolution.

**Sardar Hukam Singh** (Kapurthala-Bhatinda): When will that opportunity come, Sir, when we can discuss it?

**Mr. Deputy-Speaker:** Very early.

#### PAPERS LAID ON THE TABLE

##### PROCLAMATION *re.* PEPSU

**The Minister of Home Affairs and States (Dr. Katju):** In pursuance of clause (3) of article 356 of the Constitution, I beg to lay on the Table a copy of the Proclamation issued by the

President on the 4th March, 1953, under clause (1) of article 356 of the Constitution assuming to himself all functions of the Government of Patiala and East Punjab States Union.

I also lay on the Table a copy of the Order made by the President under sub-clause (1) of clause (c) of the said Proclamation. [Placed in Library.] See No. S-11/53.]

May I, with your permission, Sir, read a short statement? Conditions in Patiala and East Punjab States Union have been extremely unstable since the general elections. No political party emerged with a stable majority; the Congress Party was the largest single group with a membership of 26 in a House of 60 and its leader, Col. Raghbir Singh formed a Ministry on the 19th March 1952. In April about the time of the meeting of the Legislative Assembly there were some defections from the Congress ranks. Thereupon Col. Raghbir Singh resigned and Sardar Gyan Singh Karewala formed a Ministry on the 22nd April 1952.

Ever since then, political activity in Patiala and East Punjab States Union has been confined to manoeuvring for position by each party by securing adherents from the opposite camp. After the budget meeting, that is from the beginning of May up to date, the Assembly has not remained in session for more than seven days altogether. This is because with the shifting allegiance of members, the Legislature could not settle down to serious business. The second session of the Assembly was summoned for the 19th November 1952 just before the expiration of the statutory period of six months under Article 174 of the Constitution. It was scheduled to last ten days, but was abruptly adjourned on the 23rd November 1952 at the request of the Leader of the House conveyed privately to the Speaker by a short note. The adjourned session was summoned by the Speaker without consultation with the Leader on the 22nd December. On the eve of the meeting two members of the opposition crossed over and were sworn in as Minister and Deputy Minister and a 'no confidence' motion against the Government was rejected. Thereupon the House was adjourned after that day's meeting. It was subsequently prorogued without transacting any business on the agenda. Very little legislative business has been transacted throughout the year, even though important legislation has been pending for some time and demanded attention.