

FIRST
LEGISLATIVE ASSEMBLY
under the
British Guiana (Constitution) Order in Council 1961.

SECOND SESSION

1962 - 1963

ORDER PAPER

40TH SITTING

TUESDAY 28th MAY, 1963

AT 2.00 P.M

PRAYERS -

MESSAGES FROM THE GOVERNOR -

ANNOUNCEMENTS BY THE SPEAKER -

PRESENTATION OF PETITIONS -

PRESENTATION OF PAPERS AND REPORTS, ETC. -

QUESTIONS TO MINISTERS -

STATEMENTS BY MINISTERS -

PERSONAL EXPLANATIONS

REQUEST FOR LEAVE TO MOVE THE ADJOURNMENT OF THE ASSEMBLY

MATTERS OF URGENT PUBLIC IMPORTANCE -

QUESTIONS RELATING TO THE BUSINESS OR SITTINGS OF THE ASSEMBLY

QUESTIONS MOVED BY A MINISTER -

INTRODUCTION OF BILLS -

PUBLIC BUSINESS

QUESTIONS

Item 1. The Premier and Minister of Development and Planning to move the following motion

WHEREAS on the 22nd day of May, 1963, Proclamation No; 8 of 1963 was made by the Governor declaring a public emergency for the purpose of article 14 of the Constitution of British Guiana..

AND WHEREAS the said Proclamation was laid before both chambers of the Legislature in pursuance of the

FIRST LEGISLATIVE ASSEMBLY

SECOND SESSION

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MINUTES of the Proceedings of the 40th Sitting of the Legislative Assembly of the Colony of British Guiana under the British Guiana (Constitution) Order in Council, 1961, held in the Chamber of the Legislature at the Public Buildings, Georgetown, Demerara,

AT 2.20 P.M.
on
TUESDAY, 28TH MAY, 1963.

PRESENT:

His Honour the Speaker, Mr. R.B. Gajraj.

(a) Members of the Government
People's Progressive Party
(i) Ministers

Dr. the Honourable C.B. Jagan,
Premier and Minister of Development and Planning.
The Honourable B.H. Benn,
Minister of Agriculture, Forests and Lands.
The Honourable Ram Karran,
Minister of Works and Hydraulics.
The Honourable R. Chandisingh,
Minister of Labour, Health and Housing.
Dr. the Honourable Charles Jacob, Jr.,
Minister of Finance.
Dr. the Honourable F.H.W. Ramsahoye,
Attorney-General.
The Honourable E.M.G. Wilson,
Minister of Communications.

(ii) Parliamentary Secretaries

Mr. G. Bowman, Parliamentary Secretary to the
Ministry of Home Affairs.
Mr. L.E.M. Mann, Parliamentary Secretary to the
Ministry of Education and Social Development.
Mr. S.M. Saffee, Parliamentary Secretary to the
Ministry of Agriculture, Forests and Lands.

(iii) Other Members

Mr. M. Bhagwan
Mr. J.B. Caldeira
Mr. V. Downer
Mr. M. Hamid
Mr. D.C. Jagan
Mr. H. Lal
Mr. M. Shakoor

(b) Members Constituting the Minority

(i) People's National Congress

Mr. L.F.S. Burnham, Q.C.
Mr. W.O.R. Kendall, Deputy Speaker.
Mr. J. Carter, Q.C.
Mr. E.F. Correia
Mr. N.J. Bissember
Mr. W.A. Blair
Mr. R.S.S. Hugh
Mr. J.G. Joaquin

Mr. R.J. Jordan
Mr. C.A. Merriman
Mr. H.M.S. Wharton

(ii) United Force
Mr. P.S. d'Aguiar
Mr. S. Campbell
Mr. R.E. Cheeks
Mr. E.E. Melville

Clerk of the Legislature - Mr. E.V. Viapree (Ag.)
Senior Clerk - Mr. B.M. Viapree.

Absent:

Mr. G.L. Robertson - leave due to illness.
Mr. B.S. Rai.

PRAYERS

The Clerk read prayers.

PRIVILEGE

His Honour the Speaker referred to the previous sitting of the 24th May when Mr. d'Aguiar had drawn attention to a breach of privilege by certain Members which had occurred in the closing stages of the sitting of the 21st May and had indicated his intention to move a substantive motion on the matter under Standing Order 26.

In reply to objections against Mr. d'Aguiar being allowed to raise the question, he had ruled that any Member had "the right to bring it to the attention of the Chair by way of complaint as soon as possible after its occurrence."

His Honour the Speaker said he considered that the acts, conduct and behaviour of the Members concerned were, to say the least, disgraceful and shameful and he had hoped that over the week-end, when tempers had cooled, the Members themselves would have realized their error and indicated a desire to close the incident by making a voluntary apology. As that had not been done, His Honour named the hon. the Premier (Dr. Jagan), the hon. Parliamentary Secretary to the Ministry of Agriculture, Forests and Lands (Mr. Saffee), the hon. Member for Berbice East (Mr. Downer), and the hon. Member for Suddie (Mr. D. Jagan), as the Members accused.

His Honour added that he would have liked to have forgotten the incident but since the Office of Speaker had been dragged into contempt, since insults had been hurled at the Speaker, since obscenity had been committed, since the integrity of the Chair had been impugned and its impartiality questioned, since all these had added up to intimidation, he could not, in fairness to the institution of Parliament and the high Office of Speaker, permit such an unfortunate episode to remain open in the records.

His Honour also stated that there were many references in Erskine May's "Parliamentary Practice" showing the seriousness with which such matters were viewed by Parliament and called upon the Members concerned to purge themselves of the contempt by making an unqualified apology.

The hon. the Premier replied that what His Honour had said did not seem fit and proper under the item "Announcements by the Speaker".

His Honour the Speaker replied that he had done that immediately after "Prayers" since it was the first opportunity that should be taken to raise a question of breach of privilege, that is, before any other business was transacted; it was not a question as to whether the right part of the Agenda was reached, and he called upon the hon. the Premier and the other hon. Members to inform him of their decision.

The hon. the Premier replied that he did not consider what he had done to be in contempt of the high Office of the Speaker, that he had tabled a motion on the question of the Speaker and that when it came up for discussion he would express his views on the Speaker; until then, he did not wish to say anything. In a further reply to the Speaker, the hon. the Premier intimated that he did not consider himself as having committed any breach of privilege which required an apology.

Mr. Saffee and Mr. Downer declined to apologise to the Speaker.

Mr. D. Jagan also declined, but pointed out that the Speaker could not question the conduct of a Member under Standing Order 41 if the act had taken place outside the Chamber.

His Honour the Speaker replied that he did not agree with Mr. Jagan's observation and, after referring to what constituted disorderly conduct as indicated at page 199 of "An Introduction to the Procedure of the House of Commons" by Lord Campion, declared that the four hon. Members were guilty of gross disorderly conduct, and called upon them to withdraw from the remainder of the day's sitting. Upon the hon. Members failing so to do, His Honour called upon the senior Minister, the hon. Minister of Agriculture, Forests and Lands (Mr. Benn), to move a motion for the suspension of the Members from the service of the Assembly in terms of Standing Order 41(3)(a).

Mr. Benn replied that he was not aware of any offence, to which His Honour referred, having occurred in the Assembly, and until he had received further information on the matter, he could not say anything further.

His Honour the Speaker then said that as the hon. Minister had refused to carry out the orders of the Chair, he would leave it to any other Member of the Assembly to move the motion, for while it was usual for a senior Minister to do so, it was not compulsory.

Thereupon, Mr. d'Aguiar moved and Mr. Cheeks seconded that the four Members named by the Speaker be suspended from the service of the House.

A division was demanded, but before that was taken, His Honour intimated that the Members named for suspension were not allowed to vote. The Division was as follows:-

AGAINST

Mr. Melville	Mr. Shakoor
Mr. Cheeks	Mr. Lall
Mr. Campbell	Mr. Hamid
Mr. d'Aguiar	Mr. Caldeira
Mr. Wharton	Mr. Bhagwan
Mr. Merriman	Mr. Mann
Mr. Jordan	Mr. Bowman
Mr. Joaquin	Mr. Wilson
Mr. Hugh	Dr. Ramsahoye
Mr. Blair	Dr. Jacob
Mr. Bissember	Mr. Chandisingh
Mr. Correia	Mr. Ram Karran
Mr. Carter	Mr. Benn
Mr. Kendall	
Mr. Burnham	

12

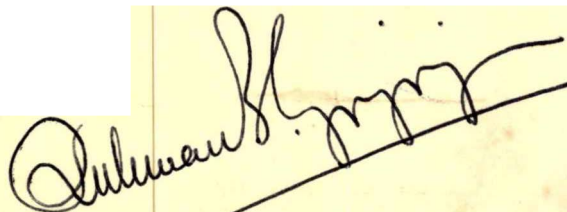
13

Mr. D. Jagan challenged the count on the ground that his vote was not taken by the Clerk, but His Honour ruled that it was not a point of order as an accused person could not be allowed to sit on the jury.

At this stage, the hon. Minister of Communications (Mr. Wilson), made certain remarks about "collusion and conspiracy" but withdrew them after being called upon to do so by the Chair.

His Honour the Speaker then announced that the motion was carried and called upon the four Members concerned to vacate their seats but they refused to do so. His Honour then declared that "grave disorder" existed in the Assembly and, at 2.50 p.m., in terms of Standing Order ~~41~~, adjourned the Assembly to a date to be notified.

41(a)



Speaker.

PUBLIC BUILDINGS,
Georgetown.

6th June, 1963.