

[Mr. Speaker] afraid, we are going astray completely.... (Interruption). You need not read the Constitution.

Shri E. K. Nayanar: The Constitution says:

"If the President, on receipt of a report from the Governor of a State or otherwise, is satisfied that a situation has arisen in which the government of the State cannot be carried on in accordance with the provisions of this Constitution, the President may by Proclamation...."

If there is a law and order problem, it is for the Governor to report.... (Interruption). Why should the Home Minister instigate the police? I want a categorical reply from him....

Shri Krishna Kumar Chatterjee: On a point of order, Sir. The General Secretary of the Communist Party, Marxist, Mr. Sundarayya made a statement in Darjeeling not about the Railways but about the gherao.... (Interruption).

Mr. Speaker: There is no point of order.

Shri Krishna Kumar Chatterjee: He said that it is certainly political motive which is originating a gherao in different States and he warned the State Ministers that it is merely law and order question.... (Interruptions).

Shri Nambiar: I want to know whether there is any connection between his bandage and the gherao? (Interruption).

Mr. Speaker: It is a railway accident; it has nothing to do with the gherao.... (Interruptions).

An hon. Member: On a point of order, Sir.

Mr. Speaker: Order, order. Everybody is raising a point of order which has no bearing on the subject. This

will lead to confusion.... (Interruptions).

Shri Krishna Kumar Chatterjee: He said that gheraos are for political purposes and, therefore, the hon. Member is not in order when he says it is a law and order question and should be left to the State concerned. (Interruption).

Shri Y. B. Chavan: There is nothing about the constitutional aspect. The hon. Member went on saying that I instigated the police. That is a very absurd statement.

Shri K. M. Abraham (Kottayam): The reality is this. When the Home Minister went to Calcutta, in the Conference and to the press, he denounced the gherao form of struggle. The gherao form of struggle is a lawful form of struggle as strike or satyagrah or picketing. But by denouncing this form of struggle, he is rallying the managements behind him and also instigating the police to act against the Government. Is he intending thereby to start a liberation struggle as was done in Kerala?

Shri Y. B. Chavan: I think, I have answered most of the points. The other point is a hypothetical question.

Mr. Speaker: That is all. We now go to the next item. Shri Hardayal Devgun.

24.49 hrs.

MATTER UNDER RULE 377 RE.  
ALLEGATIONS AGAINST MINISTERS  
BEING IN PAY OF THE BIRLAS

Shri H. N. Mukerjee (Calcutta North-East): Sir, before you proceed, may I make a submission? I had given notice under Rule 377 regarding the report that a member or more of the Cabinet is in the pay-roll of the Birla house. A great deal of comment has already been made on the report that appeared in the papers.

**Mr. Speaker:** I have seen it. Mr. Madhu Limaye also wrote to me yesterday or day before yesterday. Some other Members also—I do not remember all the names of other Members—have given notice of adjournment motions and so many other things to find out whether anything has been done, as to who is in the pay-roll of Birlas and all that. I cannot give a decision off-hand. I am allowing a Call Attention Notice tomorrow and, I think, they will be able to give some information.

**Shri H. N. Mukerjee:** We have the right to have a full-fledged discussion.

**Mr. Speaker:** That is a different matter. If you want to have a full-fledged discussion, you will have to adopt some other method. The Call Attention Notice gives only the privilege of putting a question to a few Members. I can call only those whose names have been put on the list. But, for the present, I have admitted it as a call-attention because it cannot be a privilege motion.

**Shri H. N. Mukerjee:** My submission is....

**Mr. Speaker:** It is now done. Tomorrow, we shall discuss, not now. I have called Mr. Devgun.

**श्री मधु लिमये (मुंबई) :** मैं प्रिविलेज के बारे में धर्ज कर रहा हूँ।

**Mr. Speaker:** I would not allow anything on that subject. That is a subject which I have taken a decision now.

**श्री मधु लिमये :** धरानाकरण-प्रस्ताव तो प्रत्यक्ष बात है न।

**Mr. Speaker:** He can discuss in the chamber, not here.

**Shri S. M. Banerjee (Kanpur):** I have another submission to make. I am not saying anything about that  
436 (A) LS-5.

call-attention; this has nothing to do with that call-attention. My submission is that you agreed in this House.

**Mr. Speaker:** I have called Mr. Devgun and he is on his legs. How can Mr. Banerjee say now that he wants to raise something else?

Mr. Devgun.

12.52 hrs.

MOTION RE, FIRST REPORT OF  
COMMITTEE OF PRIVILEGES

**श्री हरबहाल देवगुन (पुणे दिवसी) :**  
घायल महादेव, श्रीमन्, मे प्रस्ताव करता हूँ—

‘कि विज्ञेयाधिकार समिति के पहले प्रतिवेदन पर, जो 12 मई, 1957 को सभा में पेश किया गया था, विचार किया जाये।’

**Mr. Speaker:** Just a minute. Only half an hour is allowed for this. We should finish it within half an hour—ten minutes now and about fifteen minutes after Lunch.

**श्री हरबहाल देवगुन :** घायल महादेव, जैसाकि घायल को श्रीर इम सदन को मान्य है, इन सदन के एक माननीय सदस्य स्वामी ब्रह्मानन्द जी, जो 7 अप्रैल को संसद सदन के सामने गिरफ्तार किया गया, परन्तु उस की सूचना जिला अधिकारियों ने घायल को श्रीर इम सदन को नहीं दी। सदन के नियम 229 और 230 के अनुसार इन बारे में इन सदन को घायल को इस की सूचना मिलनी चाहिए थी, परन्तु यहां के जिला अधिकारी इन कर्तव्य में असफल रहे। इसलिए 7 अप्रैल को यहां पर विज्ञेयाधिकार का प्रश्न उठाया गया।

उस सभसर पर बसतव्य देते हुए, गृह-मंत्री जी ने कहा कि स्वामी जी को गिरफ्तार नहीं किया गया, बल्कि वह स्वयं गिरफ्तार हुए। उन्होंने यह भी कहा कि वह जो बसतव्य है