

Mr. Speaker: I do not know if the hon. Member wants that every report ought to be placed automatically on the Table of the House. I thought that with respect to serious accidents, it may be done. So far as the subject-matter of the present adjournment motion today is concerned,—of course even small injury is bad and it ought to be avoided—the question is whether it ought to be made an occasion for an adjournment here. Also, the question is whether, automatically, whenever small accidents arise, the reports about those accidents are to be placed on the Table of the House, and the time of the House taken for that purpose. But I expect that in all serious cases, the Minister could make a statement to the House when the House is in session, or, if the House is not in session, soon after it has assembled. The hon. Minister will consider the desirability of informing the House of all those cases where there are serious losses of life and so on, and make the statement or the report available to the House. In other cases, everyone of those reports need not be placed on the Table of the House unless the hon. Minister wants to draw the attention of the House or wants it to be placed on the Table of the House.

Shri Jagjivan Ram: I readily agree to your suggestion that whenever there is a major accident, we need not wait for an adjournment motion or any other motion, but a statement should be made before the House by the Minister, and when the House is not in session, as soon as the House meets, a statement regarding any major accident will be made to the House.

Shri S. V. Ramaswami (Salem): The report of the Cuddapah accident, where a goods train with a double engine rolled back six miles.....

Mr. Speaker: We need not go into the details of all other accidents here. Every hon. Member wants to draw the attention of the House to an

accident. If they desire, they may send a notice or get the information from the hon. Minister.

Now, in view of the statement made by the hon. Minister I am not called upon to give my consent to this adjournment motion.

ALLEGED STARVATION DEATHS AND
DRAUGHT CONDITIONS IN VARIOUS
PARTS OF U.P., BIHAR, ETC.

Mr. Speaker: There is another adjournment motion about starvation deaths. I am disallowing it. There will be a food debate here and a number of questions could be asked, and the hon. Minister will certainly have a day for discussion on that matter. Therefore, I am disallowing that motion as well as the motion relating to deaths due to drought in various parts of Bihar and Uttar Pradesh.

DISTURBANCES IN RAMANATHAPURAM
DISTRICT

Mr. Speaker: There is one small matter—not a small matter—relating to the unfortunate incident in Ramanathapuram. The adjournment motion thereto has been tabled by Shri B. C. Kamble. It is certainly a matter of law and order for the State Government, but in view of the fact that a number of Harijans and others are concerned in it—it looks that in some portions it is a group communal clash—and we are in charge of Harijan welfare and the Scheduled Castes and Scheduled Tribes, the question is whether it can be admitted or not, and therefore, I had no time to consider whether it ought to be admitted. But anyhow, adjournment motion is not the proper way. A number of questions have been tabled. Let us have full answers so far as those questions are concerned and also as regards any suggestions that may be made by the House. What is the reaction of the hon. Minister?

The Minister of Home Affairs (Pandit G. B. Pant): I have no objection to the course suggested by you. Only, when those questions were sent to the Madras Government for draft answers, they wrote to us that the matter came exclusively within their jurisdiction and the Lok Sabha was not in any way concerned with it. It is for you to decide. I will certainly answer the questions and also try to give any information that is asked.

Shri T. K. Chaudhuri (Berhampore): May I also point out that the question of these riots was very fully discussed in the Madras Legislative Assembly. This is a very controversial question; this is not a question between Harijans and other communities alone. A good deal of political differences have been sought to be covered up by the allegation of so-called communal riots. So, if you permit, a discussion, I think there should be a full discussion here.

Mr. Speaker: I shall consider this matter. Sometimes serious matters with respect to which this House would naturally take some time to discuss or would like to have an opportunity to discuss are claimed as State matters. The margin is so thin. Having regard to the importance of a particular subject, I would like personally to allow a discussion in this House. But I would not like to entrench or trespass upon the exclusive jurisdiction of the State. I shall consider this matter as to how far we can proceed even with respect to a discussion when the State Government takes exception even to answering a question. I do not want to give any ruling off hand; I will consider this matter, consult the hon. Home Minister and others also if necessary and then come to a conclusion.

Shri T. K. Chaudhuri: I would like
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Mr. Speaker: To have a discussion at this stage?

Shri T. K. Chaudhuri: Not a discussion at this stage. When you consider this matter, I want to draw your

attention to another fact that the hon. Minister of State for Home Affairs, Shri Datar, went to that place and made a statement. So, this House should be given a full opportunity to discuss that statement also. And, an hon. Member of this House, Shri Thevar, has been arrested and kept in detention. All these things should be taken into consideration.

Shri A. C. Guha (Barasat): When a Minister of this House has to go to that place, it was not a small local riot. Is it open to the State Government to say, even when a question is sent, that it is within the exclusive jurisdiction of the State Government and to refuse to reply to the question? This is a point of privilege which has to be decided. We should know our rights and privileges in this matter.

Mr. Speaker: I shall invite the opinion of the hon. Minister, consult
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Shri A. C. Guha: It is a serious matter.

Mr. Speaker: I understand. It is a serious matter which appeared in the Press. Now the hon. Minister has given to us the information that with respect to the question, the State Government was not willing to answer the question on the ground that it is a State subject.

Pandit G. B. Pant: I do not say they are not willing to answer. But while sending their answers, they have written to us:

"The questions proposed to be asked in the Lok Sabha about the recent riots in Ramanathapuram District..... Public order is a subject to which the executive authority of the Union does not extend. It is, therefore, constitutionally improper for such topics to be raised on the floor of the Lok Sabha."

They only say that it is a matter which came within the jurisdiction of the State Government. If, considering all aspects of the question, you are pleased to direct that all these

[Pandit G. B. Pant]

questions will be answered and after that the matter should be discussed in some form or other—there are so many forms in which matters can be discussed in this House—of course, everyone here shall very gladly abide by your decision. So, there is no question of in any way thwarting a discussion here. But the constitutional position has to be considered. If in spite of that we feel that though constitutionally we have no jurisdiction, still as a responsible academic body we should sit together and talk about it, we can do that perhaps.

Mr. Speaker: This matter will stand over. It is a very important matter and a very delicate matter too. If we go on discussing what is exclusively within their jurisdiction, they will go on discussing likewise and there would not be Ministers to answer the points. We do not have another agency; law and order is exclusively a State subject. There we will have to depend on that. If we come to a different conclusion, are we to censure or applaud? These are all very delicate matters. Merely because some serious matter has arisen somewhere, which is not within our jurisdiction or in the Union List, however important it might be, we cannot have a discussion here as if there is no Assembly there. There are as good representatives of the people there as there are here. Possibly for smaller areas there are representatives there whereas our representatives represent larger areas. These are all matters to be taken into consideration.

Therefore, I would like to be very cautious in this matter and not take up a matter which is not within our jurisdiction. Therefore, there is no good having an argument here. I will consider this matter in detail what exactly the House is anxious to have, if it is some information which is not available to the House if that information can be given to the House, what limitations are there and so on. I will consider every aspect of it.

Shri B. S. Murthy (Kakinada—Reserved—Sch. Castes): Here is a case where the riots have attracted many Members of Parliament and also a Minister from the Centre. Are we not entitled at least to have the impressions of the Minister who has gone there to see the riot-affected areas? Where does the Madras State Government come in here?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): After Mr. Speaker has said that he is going to consider this matter, I do not see what room there is for further argument. Some Members seem to think that if a Minister or Government goes somewhere, that is an interference with the local Government's activities or its special subjects. If that is so, then it is a strange state; the Minister of the Central Government will have to live in the upper atmosphere!

Mr. Speaker: I am not going to allow any more discussion on this matter. I am sorry; hon. Members will kindly resume their seats.

ARREST AND CONVICTION OF A MEMBER

Mr. Speaker: I have to inform the House that I have received the following telegram dated the 8th November, 1957, from the Deputy Commissioner, Gauhati:

"Shri Hem Barua, Member, Lok Sabha, was arrested today by Gauhati Police for criminal trespass into Magistrate's Court, with others and for demonstrating in connection with oil refinery agitation; later tried and sentenced to imprisonment till the rising of Court under Section 443 I.P.C."