

**Mr. Speaker:** The question is:

"That leave be granted to introduce a Bill further to amend the Insurance Act, 1938."

*The motion was adopted.*

**Shri M. C. Shah:** I introduce the Bill.

PAPER LAID ON THE TABLE  
STATEMENT RE LEGISLATION BY  
ORDINANCE

**The Minister of Revenue and Civil Expenditure (Shri M. C. Shah):** I beg to lay on the Table a copy of the Explanatory Statement giving reasons for promulgation of the Insurance (Amendment) Ordinance 1955 as required under Rule 89(1) of the Rules of Procedure and conduct of Business of the Lok Sabha. [See Appendix III, annexure No. 14-15].

POINT OF ORDER RE USE OF  
OBJECTIONABLE EXPRES-  
SION

**Mr. Speaker:** What is the point of order?

**Shri M. L. Dwivedi (Hamirpur Dist.):** Yesterday, during the course of the debate on the Constitution (Amendment) Bill, an hon. Member referred to another Member by a word which, in Hindi, is very bad. I raised this point of order then. But, the Deputy-Speaker who was in the Chair said that he did not know the meaning of it and asked the hon. Member to withdraw it. But, the hon. Member did not withdraw it. I seek your ruling on this. That word is highly objectionable and I think it should not be in the vocabulary of the Parliament's debates. Therefore, I seek your ruling.

**Mr. Speaker:** I shall examine the whole thing, and try to know the

exact meaning and implication of the word that is objected to and then I will decide.\*

POINT RE VOTING ON CONSTITU-  
TION (SEVENTH AMENDMENT)  
BILL

**Mr. Speaker:** Before we proceed further with the Manipur (Courts) Bill, I have to say that I have got an intimation. I have not read it. The hon. Member left it on my table. I am reading it. It is with reference to the Constitution (Seventh Amendment) Bill. The point raised is:

"Though I was present in the Lobby of the House, I was prevented from casting my vote as the inner doors of the Lobby were locked instead of the outer doors. I wish to raise this point after the Question Hour today and I hope you will give me permission to do so. According to your orders, the Lobby of Parliament constitutes both the outer, as well as the inner enclosures and, therefore, I feel that I was perfectly entitled to cast my vote which I was prevented from doing."

I think the hon. Member will perhaps read the rules.

The Member was present in the Lobby, outer, I believe.

This para in the Bulletin is pointed out to me:

"In order to save time and facilitate the recording of votes during divisions in connection with the Constitution (Seventh Amendment) Bill (set down in the List of Business for the 30th November, 1955 for reference to a Select Committee) it has been decided that out of the existing eight division booths, six booths will be utilized for the 'Ayes' and two booths for the 'Noes'. The two booths

\*See Lok Sabha Debates Part II, dated 30-11-55, col. 880.

[Mr. Speaker]

for the 'Noes' will be located in the 'Noes' Lobby enclosed by the wooden partition to the extreme left and the six booths for the 'Ayes' will be located in their usual positions."

To be in the lobby is not to be in the Chamber. From the rules I believe—I am speaking on impression—it is clear, when the division bells are rung for two minutes, after the expiry of that period, the doors of the Chamber are locked. Members who are inside the Chamber for the purpose of recording their votes will only be entitled to vote; not others.

There is also reference to this subject in the Handbook for the Members. It is said:

"Immediately after the bells stop ringing, all the outer doors of the Members' Lobby are closed and the Watch and Ward Staff are posted at each door with standing instructions to prevent any entry through these doors until the division is concluded. Then the person presiding... etc."

**Shri Feroze Gandhi** (Pratapgarh Distt.—West cum Rae Bareli Distt.—East): This is what I was relying upon. I am very glad you have read it. It says, the outer doors will be closed, not the inner doors.

**Mr. Speaker:** I think he will have to re-read the language of the handbook. The inner doors are what you see from here. The outer doors are the other ones. The hon. Member confounds the loose expression outer lobby with the exact technical expression of lobby for the Members. That is the difficulty. I do not think this point arises. Anyway, it should have been taken immediately thereafter. Now, after the result of the division is declared, I do not think I can revise that.

**Shri Feroze Gandhi:** How can I do it then?

**The Minister of Defence (Dr. Katju):** What exactly is the result of the divi-

sion? Does the motion for reference to the Select Committee fail? Does the Bill disappear altogether?

**Some Hon. Members:** Yes.

**Some Hon. Members:** No.

**Mr. Speaker:** *Prima facie*, I may say, it appears to me that a similar or any other motion on the Bill cannot come. That is what I feel. It has to be examined. After examination, if I feel any doubt about it I shall refer the point to the House. It may be argued for and against. Then I will decide.

**Dr. Katju:** The Bill is not rejected at all.

**Some Hon. Member:** Yes.

**Mr. Speaker:** Order, order. That particular motion is not passed. That is all.

**Shri T. N. Singh:** There is one point on which I require clarification in view of what you have just said. You have said that the right moment for raising the point would have been when this question was before the House yesterday when the result was declared. This may be another case. Supposing a Member is kept out for some mistake or some high-handedness of the people there. And I have to raise the point about my being kept out. When the results have been declared you say we cannot raise that point. In that case, what is the remedy left to us? Apparently such points will have to be raised after the declaration has been made. So, for future guidance, I would like to have clarification.

**Mr. Speaker:** I should say that this question of future guidance is a problematical one. I need not decide it just now, but I shall see on each occasion as the question arises. But when the result is declared, it is a final declaration of the decision of the House, and it will require a lot of consideration before the result can be revised by subsequent representation by a Member that he was kept out by fraud or

force or any other circumstances. There is no such allegation here.

**Shri Feroze Gandhi:** You say that this should have been raised immediately after the result was declared yesterday. For about half an hour we did not know what was happening here and we were outside. After the result was declared, the doors were kept locked for a long time.

**Mr. Speaker:** Order, order. Assuming that the point could be raised after the result was declared, it was open to the hon. Member immediately to come to the House and straight to the Chair. In such circumstances, it is very difficult to decide what the truth is, what the true circumstances were after a long lapse of time.

**The Minister of Revenue and Defence Expenditure (Shri A. C. Guha):** Before the Chair announced the result a chit was sent to him—I think, it was carried by one of the deputy whips—that 15 Members were standing outside. That was before the result was announced.

**Mr. Speaker:** That really does not touch the point at issue. The point of enquiry is as to why they were out. The *prima facie* reason was that they could not enter in. They should have come in in time.

**Shri A. C. Guha:** That was the point. They might be allowed to come in.

**Mr. Speaker:** They could not be allowed. They did not claim any exceptional circumstances, fraud force or any such thing. I have not the chit before me, but *prima facie* their point was that they were late for some reason or other and they should be allowed to come in. How can the Chair go against the rules and open the doors?

**Pandit K. C. Sharma (Meerut Dist.-south):** I raised the point yesterday.

**Mr. Speaker:** Now, yesterday's business is closed. We will proceed to the next business.

**Dr. Gangadhar Siva (Chittoor—Reserved—Sch. Castes):** Yesterday, an old Member who was engaged in the post office was not able to reach this House within two minutes. That is the case....

**Mr. Speaker:** We shall think of revising the rules to enable Members from all over the country to come for a division.

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#### MAINPUR (COURTS) BILL

**Mr. Speaker:** The House will now proceed with the further consideration of the following motion moved by Shri Datar yesterday:

“That the Bill to provide for the establishment of a Judicial Commissioner's Court and other Courts in Mainpur, be taken into consideration.”

I may inform the House that 28 minutes have been taken and 32 minutes are now available for this measure to be put through.

[MR. DEPUTY-SPEAKER in the Chair]

**Shri L. Jogeswar Singh (Inner Manipur):** Yesterday I was pointing out that it is necessary for the judicial officers to be conversant with Manipuri language. The original court must necessarily know Manipuri language. If the Judge carries on his business as presiding officer of the court without this knowledge, the efficiency of the administration of justice will not be up to the mark.

The Bill envisages that the administrative officers who are going to be posted in the hilly areas will be vested with the powers of a civil court. If an administrative officer posted in the hilly areas is vested with the powers of a civil court, he must necessarily know the local customs and the customary laws prevalent in those hilly areas. Otherwise, he will not be in a position to discharge his duty effectively and successfully. The only