

Indian territory as part of China, recommends to the Government to ban or suitably black out all such maps published by foreign countries wherein any Indian territory has been shown as either disputed or in China or Pakistan."

The motion was adopted.

19.12 hrs.

RE: VOTING ON CONSTITUTION
(TWENTY-FOURTH AMENDMENT)
BILL—contd.

DR. RAM SUBHAG SINGH (Buxar): Sir, since the beginning of the constitution of the Lok Sabha, at no time during this long history of the Lok Sabha there has been any dispute regarding voting or regarding any impersonation. Once a Member of the House, Mr. Mudgal misused his position as a Member of Parliament and this House took a decision to forfeit his membership.

Here is a grave matter which you can have enquired into. It may be a matter of privilege. You can constitute a committee of the Members of Parliament to go into the matter. On an enquiry, we find that Dr. P. Mandal whose division No. is 50 has been staying away from the House for the last four or five days and was not present in the Lok Sabha yesterday during the voting time and his vote has been found recorded as "Aye" in photo No. 620970/016 in the vote recording machines.

SOME MEMBERS: Shame, shame.

DR. RAM SUBHAG SINGH: In respect of another Member, Shri R. S. P. Singh whose division No. is 51 which is adjacent to that seat, it has been found from the record that although Shri R. S. P. Singh was present, his own vote had been recorded through the teller. This is a very grave matter which should be enquired into.

In the morning, we also raised the matter about the bulletin as well as the corrected chart. This thing is on record. Further, about the correction slips, the tellers had five votes as "Ayes" whose votes had already been recorded. The chart shows the final figure of voting as, Ayes—331; Noes—154. There also, an irregularity has been pointed out by the official record. It is not our record. It is your record. Sir. Therefore, I request you that this matter must be gone into either by a committee of the House or you may straightway refer it to the Privileges Committee. And the final corrected figure may be announced to the House.

As you know, Sir, I am not at all interested as to who wins and who loses. But this is a matter which will bring disgrace to this Parliament. Take, for instance, I am sitting here and the Deputy-Speaker is sitting here and I press his button and cast his vote on the machine or on the chart and get my vote recorded by telling it to the teller. This is something which was unknown to this Parliament. This will bring disgrace to this Parliament. This must be enquired into.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, यह मामला बहुत गम्भीर है। कल जो निर्णय हुआ, जिस की आपने घोषणा की, जिस की आज आप ने पुष्टि की, उस को हम चुनौती नहीं दे रहे हैं। लेकिन संसद में मतदान के बारे में सन्देह पदा हो और इस तरह की घटनाय प्रकाश में आय, इस से लोकतंत्र में लोगों का विश्वास नहीं रहेगा। यह तो मक्का में कुफ़ करने जसी बात है इस को बर्दाश्त नहीं किया जा सकता है।

SHRI RANGA (Srikakulam): rose—

MR. SPEAKER: No debate on it please. I would request you—no debate please.

SHRI RANGA: Yesterday, not one—I requested you, Mr. P. K. Deo re-

quested you and then Dr. Ram Subhag Singhji also supported us. (*Interruptions*) What we said was not recorded there. We requested you repeatedly. But, in your wisdom you chose not to heed our advice at all, not to heed our appeals at all. I wanted to protest yesterday. I protest today. We have already written to you and we would like you to order this inquiry into this matter and also allow us to put our signatures on that photo which you have displayed there and also the tellers note. Later on when the inquiry is made, we would have the papers properly adjusted before them. By your persistent or consistent refusal to listen to us, you have shaken our confidence. But we have not lost confidence yet.

SHRI JYOTIRMOY BASU (Diamond Harbour): Sir, a section of the Press . . .

MR. SPEAKER: I am not going to allow. Please don't make it a debate.

SHRI P. K. DEO (Kalahandi): I would like to submit. . .

MR. SPEAKER: Maharaja Saheb, kindly sit down. Your leader has already spoken.

SHRI P. K. DEO: Yesterday we expressed our doubt regarding the proper functioning of the machine and we made a persistent demand for the physical division of the House into 'Ayes' lobby and 'Noes' lobby. In spite of our persistent demand—hon. Deputy Speaker Mr. Swell was there and he is here now—it has not gone into record. So we feel that it was deliberately omitted from the record lest it may be prejudicial to further inquiry. In this regard I beg to submit that you kindly hear the tape-recording. Whatever we speak here is recorded on the tape and that should be compared with the proceedings which are jotted down by the reporters.

SHRI KAMALNAYAN BAJAJ (Wardha): The tape-record should not be wiped out.

SHRI P. K. DEO: The tape-record should not be wiped out.

SHRI SHIVAJIRAO S. DESHMUKH rose—

MR. SPEAKER: Are you on a point of order?

SHRI JYOTIRMOY BASU: It is said in the Press that from my Party 18 Members voted. It is not correct. 19 out of 19 members of my Party voted yesterday here in support of the Bill.

SHRI SHIVAJIRAO S. DESHMUKH (Parbhani): Sir, the Rules of Procedure and the Directions of the Speaker as regards division and the use of the mechanical device are clear on two counts. One is that the moment you press the knob and press the button there is a light which should light at the desk itself and that light should tally with the light on the board. Now this device is dependent on electrical bulbs. There are certain occasions when the bulbs may fail. (*Interruptions*) I press the button. It may not work. Am I not entitled to say that my vote has not been recorded? The machine may not actually record my vote. In the past whenever there has been any division, when the mechanical device has failed, the Speaker has always held that the statement of the Member to the effect that it has failed shall be recorded and there is an end of the matter. Once you have given a finding, under whatever pretext is it in order for a member to circumvent and say and challenge your ruling on the issue of division and thereby create doubts about the integrity of the Speaker? I want your ruling specifically on this. Is it in order for a member to indirectly allege and challenge the integrity of the Presiding Officer? It has failed in the past and it may fail in future unless proper precaution is taken.

SHRI RANDHIR SINGH (Rohtak): He is right, Sir.

श्री मधु लिखये (मुंगेर) : अध्यक्ष महोदय, सब से पहले मैं हाथ जोड़ कर इन सभी लोगों से निवेदन करना चाहता हूँ कि चूँकि सभी लोक सभा का सत्र स्थगित होने जा रहा है, यहाँ पर आपने जो निर्णय दिया कि बिल आवश्यक बहुमत से पास हुआ है...

SHRI RANGA: We have not asked him to upset the decision.

श्री मधु लिखये : मुझे कहने दीजिए । उस को कोई भी चुनौती न दे और यदि इस के बारे में एक राय है और इस निर्णय को यदि कोई चुनौती नहीं देता है, यह मैं मान कर चलता हूँ तो मेरी यह राय है कि एक ही बात के बारे में जाँच हो सकती है । पाँच लोगों के डबल वोट का कोई मामला नहीं है । ख़ात के समय भी हुआ था । एक ही बात के बारे में जाँच हो सकती है कि कोई संज्ञक अंगर यहाँ पर अनुपस्थित थे, और हाजिर थे और कहीं दूसरी जगह थे, कलकत्ते में या दूसरी जगह और उन के नाम पर अंगर वोट दिया गया है तो सिर्फ इसी मामले की जाँच हो क्योंकि तीसरे वाचन के बारे में सारे भीकड़ों को रखने के बाद मैं आप से कहना चाहता हूँ कि 320 वोट की जरूरत थी... (व्यवधान) ... आप सुनिए न जरा मैं क्या कह रहा हूँ । आप को बुरा लग रहा है कि चार वोट हम को ज्यादा मिले । हम लोगों को 324 वोट मिले हैं । मैं पशुपति मंडल का वोट उस में से काट रहा हूँ । तो यह बात मुल्क में फैले कि आवश्यक बहुमत से यह बिल पास हुआ है । अध्यक्ष महोदय का निर्णय अन्तिम है ।

कह कहने के बाद भविष्य में लोकतंत्र की प्रक्रिया की पवित्रता के बारे में कोई शक व शंका न रहे इस के लिए मेरी राय है कि क्या आपको पशुपति मंडल और हाजिर थे ? और अंगर उन का वोट गलत ढंग से दिया गया तो सिर्फ इस मामले की जाँच हो । इस से मेरा खयाल है कि इस लोक सभा की कार्यवाही के बारे में मुल्क में कोई गलतफहमी नहीं रहेगी । यही मैं कहना चाहता हूँ ।

SHRI BALRAJ MADHOK (South Delhi): Double voting is as serious a malpractice as this. Therefore, there should be enquiry both in regard to double voting and also impersonation.

श्री मनुभाई पटेल (डभोई) : अध्यक्ष महोदय, मेरी प्रार्थना है कि एक मिनट मुझे भी सुन लीजिए । मैंने कल जब प्रार्थना की थी तो इसलिए नहीं की थी कि कौन जीते कौन हारे? लेकिन जब कि रेफंड गलत हो रहा था और हर बार 15 या 18 वोट उस बाजू से या इस बाजू से उस में एंड करने पड़ते थे तो मैंने प्रार्थना की थी कि यह गलत हो रहा है । इसलिए डिवीजन का मांग मैंने की । लेकिन उसके बावजूद मैंने देखा कि प्रोसीडिंग्स में वह शामिल नहीं किया गया । तो मैंने कल प्रार्थना की थी कि प्रोसीडिंग्स में शामिल किया जाना चाहिए । मैंने कल कहा था फिर भी प्रोसीडिंग्स में वह नहीं आया है और मुझे आज ख़ुशी है कि जो गलती मैंने कल बताई वह चीज आज सामने आ रहा है । मैंने इसलिए कहा था कि किसी के दिल में शंका पैदा हो जाय ऐसी परिस्थिति निर्माण नहीं होनी चाहिए और हमारे यहाँ जो कारोबार लोकतांत्रिक चलता है वह ठीक ढंग से चलता है ऐसा विश्वास देश में और सब के दिलों के अन्दर पैदा होना चाहिए । इस दृष्टि से मैंने कल कहा था । तो मैं आज फिर से प्रार्थना करूँगा कि मैंने जो इस के बारे में बात कही थी कल की प्रोसीडिंग्स में वह बात रहनी चाहिए ।

SHRI HEM BARUA (Mangaldai): I want to say a few words. If what Dr. Ram Subhag Singh has said is correct, Sir, I think, you will agree with me that it is a very deserving matter and this shows that some of our Members of Parliament are corrupt people. We indulge in pressing buttons when we are absent. That is a corrupt practice. The fact remains that we are a corrupt people. There is no doubt about it. (Interruptions)

AN HON. MEMBER: We are not. (Interruptions).

SEVERAL HON. MEMBERS: rose.

MR. SPEAKER: May I request all of you to sit down? This matter was raised yesterday. This was raised this morning. And, this is again being raised today just now. I am sorry that I have to get up again and again. When the division goes,— I would only request hon. Members to listen to me carefully—the Speaker keeps sitting in the chair; the counting goes on; the counting officers gave me the slip, and I read it. The Speaker does not leave the Chair and go into that or manipulate the figures. That is absolutely impossible....

SOME HON. MEMBERS: Nobody said that.

SHRI HEM BARUA: We are confident that you will never do that.

SHRI M. L. SONDHI (New Delhi): You cannot do it physically.

MR. SPEAKER: That is correct; I cannot do it mentally also. When the officers send me the slip, I announce it. There is a certain procedure. I have been enquiring into it since yesterday; I did not go for lunch today. I made still more enquires into it, and I can lay the position again before you.

I again went into the background since this automatic voting system was installed in this House since the last fifteen years. Unless the engineer himself reported that this is not correct, this has always been followed.

SHRI P. K. DEO (Kalahandi): Question. Not always.

AN HON. MEMBER: It has been followed so many times.

MR. SPEAKER: I shall cover all the points. I shall mention also his point, if only he has the patience to listen.

The procedure is that when the buttons are pressed, after all, both the hands are occupied, and unless the other gong goes, he cannot leave his hands; otherwise, the vote will not be recorded. Sometimes, some Member may make a mistake and may press the wrong button or he may press it on the wrong seat. But that number is.... (Interruptions) I would request hon. Members to listen to the other part also. But the Member who has pressed the button can have only one vote recorded either from his seat or from another seat. But in case he says that he did not record his vote, our tellers are there, and he tells them 'I did not record the vote; please note it down'. After those votes which are the tellers' votes are brought to this Table, the process here is that the tellers' votes are added or deducted as the case may be and it is found out what the result will be if they are added and what the result will be if they are deducted. In both the cases, if the result will be all right, even with or without them, naturally in that case, the result is announced. This has been done in the past. But the corrections, if any, later on,—making sure that the tellers' figures do not make any difference—in the result are announced. If the tellers' figures make any difference, the Speaker does not announce it. Then, in the evening after everything is processed, that figure which is arrived at, after the tellers' totalling is put on the notice-board the very next day.

Yesterday, all the figures that came through the tellers went through the same process. After taking them even into account, the result did not make any difference, and I made an observation 'This is the result; if any corrections are there, as normally, they will come'. Dr Sushila Nayar wrote to me 'You announced yesterday that the corrections will be announced. So, what is the difficulty?'. There was no difficulty. They were put on the board, as normally as always.

[Mr. Speaker]

Now Shri P. K. Deo says that he asked me for physical voting. Shri Swell was present. He told me that I had asked that the Lobbies be cleared and vote was already ordered. But I had no report that the machine is at fault. Sometimes the human agency is at fault.

What happened was this. When I announced the figure, 336,—what was the other figure, 155—five figures from this side and one from the other side were duplicate. But after the process, even counting those tellers' figures, I found there was no difference in the result. It did not make any difference of result. So as normally, as it has always happened, these corrections and the photographic pictures were put on the board this morning. This was not something of a new discovery. It had been done like this always in the past and this will go on.

AN HON. MEMBER: Not always.

MR. SPEAKER: As for the member who was not present, I find he has not voted on any occasion except in respect of one of the clauses where he is shown as present. I am going to make an inquiry how it happened. In one case, I am making this inquiry, because there is only one.

श्री मधु लिमये : उनका वोट सिर्फ एक क्लज पर पड़ा है ?

अध्यक्ष महोदय : एक क्लज पर ।

श्री मधु लिमये : यह भी हाउस नोट करे । हमारी तो पहिले ही राय है कि तीसरे वाचन का वोट हो महत्वपूर्ण है . . . (ब्यवधान) . .

MR. SPEAKER: Let this position be clear.

He has not voted on three or four occasions. The question arises: Out of the voting ordered a number of times, how is it that in the voting on one clause he is shown as present.

Was it a mistake or was it a deliberate act, and if so who used that? I am going to make an inquiry.

SHRI SHIVAJI RAO S. DESHMUKH: What about the lights?

MR. SPEAKER: May I request him to keep sitting? I have all respect for his keenness and knowledge, but after all, I have to perform my functions in the Chair.

As for this requisition by Dr. Ram Subhag Singh, Shri Vajpayee and others that want to sign these photographic pictures, we have never had any such occasion to sign photographic pictures.

AN HON. MEMBER: There was no occasion like this also before.

MR. SPEAKER: If they like, we can give a signed copy of the voting. But even then if they are not satisfied, in spite of the advice given to me by the Secretary, I shall ignore his advice, and I am prepared even to get these photographic pictures signed, if that satisfies them.

DR. RAM SUBHAG SINGH: Whatever you say, we accept.

MR. SPEAKER: Then in the matter of the observations by my most respected seniormost colleagues, with whom I have worked for the last 30 years, this is the only occasion in all my life where something has been said that hurt me. I may tell you that the practice and procedure followed was exactly what was followed in the past, and the result announced. But if you think that this system needs scrutiny, in future, as suggested by certain friends, I am prepared to do it. We are prepared to examine it in future and associate with it any type of membership you may have in mind. You may discuss it. You may depute some members to study the procedure since the last ten years and also what was followed yesterday and let me know where the

lacuna was observed. For the future, either through the Rules Committee or any other Committee, let it be examined. After all, it is a machine worked through human agency.

I know there was a computer in England. I happened to be there. I was coming. A friend of mine said: "I have written for a certain medicine, the patient is very seriously ill. You better bring it." I went to that medicine shop. They said they had only one and they had sent it to the ship. When I went there, that thing was pushed into by the computer and the computer refused to give that medicine back to the shop keeper or medicine dealer. I came six days earlier and the computer gave that medicine in Delhi only after seven days.

We see this is a machine which has its own ways. Some-times by a touch of the fist, by many other processes the lighting fails and we see the vote recorded in such cases. In that case the tellers come in. But I am prepared to make any enquiry into it. I am prepared to associate, let any seniormost Member come and go through the process, I am prepared for that.

As for the result that was announced yesterday, that I did in my bona fide belief, and that is already there.

SHRI JUGAL MONDAL (Uluberia): Are you including these duplicate votes in your enquiry?

MR. SPEAKER: I have made an enquiry myself. I have already explained.

The Bill was duly passed and has already gone to the Upper House.

19.37 hrs.

**COMMITTEE ON SUBORDINATE LEGISLATION
SIXTH REPORT**

SHRI SHRI CHAND GOYAL (Chandigarh): I beg to present the Sixth Report of the Committee on Subordinate Legislation.

ANNOUNCEMENT RE. RELEASE OF MEMBERS

(*Sarvashri Sarjoo Pandey and Ram Sewak Yadav*)

MR. SPEAKER: I have to inform the House that I have received the following wireless message and telegram, dated the 2nd September, 1970, from the Sub-Divisional Judge, Jaunpur, and District Magistrate, Barabanki, respectively:—

(1) "Shri Sarjoo Pandey, Member, Lok Sabha released from Jail on the 2nd September, 1970."

(2) "Shri Ram Sewak Yadav, Member, Lok Sabha, was sentenced till rising of the court under Section 188, Indian Penal Code, read with Section 144, Criminal Procedure Code, on the 2nd September, 1970, and was released after undergoing the same."

19.39 hrs.

CENTRAL SALES TAX (AMENDMENT) BILL

MR. SPEAKER: Item No. 15, motion for reference to Select Committee.

श्री प्रेम चन्द वर्मा (हमीरपुर): अध्यक्ष महोदय, आपने एन्वायरी के लिये कहा, वह ठीक है, हम ने मान लिया, लेकिन आप यह भी कहें कि जो रिजल्ट आपने डिक्लेअर किया है, वह ठीक है, ताकि राज्य सभा के अन्दर किसी प्रकार की दिक्कत न आये।

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI VIDYA CHARAN SHUKLA): I beg to move:

"That the Bill further to amend the Central Sales Tax Act, 1956, be referred to a Select Committee consisting of 30 members.."

The names of the Members have been circulated in the Order Paper of the day. There are two changes that