

**Mr. Speaker:** That does not matter. That is also on the agenda.

12.50 hrs.

MOTION RE: RESUMPTION OF DEBATE ON CONSTITUTION (TWENTY-FIRST) AMENDMENT BILL AND REPRESENTATION OF PEOPLE (AMENDMENT) BILL

**Mr. Speaker:** Now, the hon. Law Minister.

**The Minister of Law (Shri G. S. Pathak):** I beg to move:

That the debate . . .

**Shri Hari Vishnu Kamath (Hoshangabad):** Under what rule is he moving this motion? Let him quote the rule under which he is making the motion.

**Shri G. S. Pathak:** I am making a motion . . . . .

**Shri Hari Vishnu Kamath:** Under the Rules of Procedure, every motion has got to be made under some rule. Let him quote the rule under which this motion is being moved.

श्री मधु लिमये (मुंगेर) : उस नियम का नम्बर बतलाइये ।

**Shri Hari Vishnu Kamath:** That rule also must be mentioned.

**Mr. Speaker:** It is under rule 184. Now, he may make the motion.

**Shri Hari Vishnu Kamath:** You may help him out. We do not mind. But he should know the rules.

श्री मधु लिमये : कृपया प्राफ प्रॉसीजर पढ़ कर आओ ।

**Shri G. S. Pathak:** There is a rule and there is a practice and this was examined before it was tabled . . .

**Shri Hari Vishnu Kamath:** He is ignorant.

श्री मधु लिमये : कानून मंत्री तो नहीं बता सके ।

Bill

**Shri G. S. Pathak:** I beg to move:

"That the debate on the motions 'That the Bill further to amend the Constitution of India, be taken into consideration' and 'That the Bill further to amend the Representation of the People Act, 1950, and the Representation of the People Act, 1951, as reported by the Joint Committee, be taken into consideration', which was adjourned on the 15th November, 1966, be resumed now."

**Shri Hari Vishnu Kamath:** That was exactly the point I was making. Under what rule is he making this motion?

**Mr. Speaker:** It is rule 184.

**Shri Hari Vishnu Kamath:** That was what you said, not he.

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

"That the debate on the motions 'That the Bill further to amend the Constitution of India, be taken into consideration' and 'That the Bill further to amend the Representation of the People Act, 1950, and the Representation of the People Act, 1951, as reported by the Joint Committee, be taken into consideration', which was adjourned on the 15th November, 1966, be resumed now."

The motion was adopted.

12.52 hrs.

CONSTITUTION (TWENTY-FIRST AMENDMENT) BILL—Contd.

**Mr. Speaker:** The House will now take up further consideration of the following motions moved by Shri G. S. Pathak on the 8th November, 1966, namely:—

"That the Bill further to amend the Constitution of India, be taken into consideration".

"That the Bill further to amend the Representation of the People Act, 1950, and the Representation

of the People Act, 1951, as reported by the Joint Committee, be taken into consideration."

Now, the hon. Law Minister.

**The Minister of State in the Departments of Parliamentary Affairs and Communications (Shri Jaganatha Rao):** May I know when the voting on the Constitution (Twenty-first Amendment) Bill will take place?

**Mr. Speaker:** As soon as the hon. Minister finishes his reply.

**Shri Hari Vishnu Kamath (Hoshangabad):** How can that be known in advance?

**Mr. Speaker:** I have not told him any time. So, why should there be any objection?

**The Minister of Law (Shri G. S. Pathak):** I shall first take up the Constitution (Twenty-first Amendment) Bill. The discussion with regard to this Bill . . . .

**Mr. Speaker:** Now, I must make it clear that I would not further wait. When the reply is finished, I shall certainly put it to the House. Therefore, Members should take care to see that they are present in the House, if they want to.

**Shri G. S. Pathak:** This Bill has not been opposed in any of the speeches made in the House and I take it that it is generally agreed that the House . . . .

**Shri N. C. Chatterjee (Burdwan):** May I put one question to the hon. Minister so that I may have a clear answer to it? Nobody opposes this amendment of the Constitution provided one condition is accepted. We are very anxious that the High Court should be vested with the powers, and that means an amendment of the Constitution. As the Constitution stands, it has got to go to the election tribunals from the Election Commissioner. We do not want the election tribunals. But we should put in one particular clause and it is this that in the interests of justice and in the interests of the speedy

trial of the election petitions, it is desirable that the High Courts should have the authority, if necessary and if it commends to the High Court judge himself, to sit somewhere else and not at the headquarters. That means, for instance, that in Bengal it should not be confined to Calcutta. Unless this clause is put in we shall oppose this Bill. I want to make it clear that this position should be accepted. Since some amendments have come in this behalf, I want to have a clear answer on this point so that we may know where we stand.

**Shri G. S. Pathak:** The point raised by Shri N. C. Chatterjee relates to the Representation of the People (Amendment) Bill. I am not in favour of the view that the High Courts should move from place to place. There are 52 districts in UP and if the High Court should be moving from district to district, that will not be consistent with the dignity of the High Court.

**Shri Raghunath Singh (Varanasi):** We want the judges to move, just like the Circuit Court. We do not want the High Court as a whole to move.

**Shri N. C. Chatterjee:** I want to clarify one point. I never said that the High Court should move from district to district. I only wanted that the proviso that we recommended in the Joint Committee should commend itself to the House and to Government and Government should should give us an assurance. The proviso should be put into the following effect namely:

"Provided that the High Court shall have the discretion . . ."

It should be completely left to the judges to sit somewhere else, that is, at some place other than the headquarters, in the interests of justice and in the interests of speedy disposal of election petitions.

**Shri G. S. Pathak:** I cannot give any undertaking on this point

[Shri G. S. Pathak]

because in speeches some Members have not supported the idea that the High Court should move from place to place or should even have power to go to other places.

**Shri Hari Vishnu Kamath:** Otherwise it will be very expensive for the parties.

**Shri G. S. Pathak:** But that is a matter which the House will decide at the proper time when the amendment to the Bill as reported by the Joint Committee comes up for consideration.

**Shri Hari Vishnu Kamath:** He cannot give an assurance that such an amendment would be made.

**Shri Surendranath Dwivedy (Kendrapara):** Is he opposed even to giving the discretion to the High Court that if they feel that in the interests of justice they should sit at some other place, they could do so? He is not prepared to give us even that much assurance?

**Shri G. S. Pathak:** To proceed with my speech on this question, it is generally agreed as appears from the speeches made in the House that instead of the tribunal dealing with the election matters it should be the High Court which should deal with the election matters.

I shall pass on to the speeches made by Shri Muhammad Ismail and Shri Mohammed Koya. They were in support of the proposal that the Joint Committee's report be recommitted to the Joint Committee for the consideration of the question of two-member constituencies instead of single-member constituencies. I am opposing this view on the ground that it was in 1961 that by Act I of 1961, two-member constituencies were abolished and it has been the view of Parliament that there should be only one-member or single-Member constituencies and not two-member constituencies. The Delimitation

Commission Act of 1962 also deals with single-member constituencies. If the Bill on the Joint Committee's report is recommitted to the same Joint Committee, the Joint Committee will say that there is no clause in the amending Bill which deals with this question and, therefore, they will refuse to deal with this question, and consequently in that situation, the view propounded by Shri Muhammad Ismail and Shri Mohammed Koya should not be supported.

On the question of delay in election petitions, the position is this. Ultimately the House will decide when the amendment comes up for consideration. It is an impracticable proposition that the High Court judges should move from place to place; there will be the question of accommodation; there will be the question of library and so on, and if the High Court moves from one place to another, the other people from a third place may say: 'Why should the High Court not come to our place?'

**Mr. Speaker:** What I understood from the hon. Members was this. It is not the demand that a direction be given or a law might be passed that the judges should hear these petitions in the district from which they originate. The suggestion is that only when the judges themselves consider that it is more appropriate and in the public interest to hear some witness or to examine any spot or do something outside their central place that they should at least have the authority to go there. That is all that is wanted.

**Shri Hari Vishnu Kamath:** You have very well put it.

**Shri G. S. Pathak:** It will be open to the House to decide this question whether the discretion has to be given to the judges. I am merely pointing out that. . . .

**Shri Raghunath Singh:** What is the view of Government? The House is certainly going to decide on the amendment? But what is the view of Government?

**Shri Hari Vishnu Kamath:** They will blindly vote on the basis of what he says.

**Shri G. N. Dixit (Etawah):** That is the view of Government?

**Shri G. S. Pathak:** I shall take the House into confidence on this question.

13 hrs.

I may inform the House that I have consulted the High Courts and the Chief Justice of India in this matter. They are opposed to it. So far as the Government is concerned, it is not very rigid in these matters. But we must act in accordance with the wishes of a co-ordinate authority, that is, the judiciary, in matters of this kind, because they are concerned with their own problems; they know whether it will be possible for them to hold court in other places. If they exercise discretion in any particular case and say that it is convenient and appropriate that they should have a court in some place other than the seat of the High Court, there will be similar applications in other cases, and in that way time will be wasted on this question. I may inform the House that the expense which will be saved by the adoption of the new procedure will be much more than the expense which would be incurred by taking witnesses to the High Court. I may also inform the House that according to this procedure, the proceedings will be, generally speaking, day to day. If the High Court does not take up the case day to day, it has got to record its reasons. All that is spent so far in interlocutory applications to the High Courts, in appeals to the Supreme Court and so on, that will all be saved because there will be no adjournments, and the Chief Justice of every High Court has in the very beginning to assign to certain Judges

this very work, and those Judges will do only this work. It is also mentioned in the Bill that the Judges concerned should take up these cases and conduct them more expeditiously, and it is expected by Parliament that cases should be finished in six months.

**Shri Bakar Ali Mirza (Warrangal):** What was the exact question put to the Chief Justice? About point of discretion that was raised by Shri Chatterjee, it was not clear as to what was his stand. Did the Chief Justice and the Judges say that they are not willing to exercise discretion in deciding whether to hold a sitting somewhere else?

**Mr. Speaker:** They do not want to go from the seat of the High Court to any place outside.

**Shri Bakar Ali Mirza:** Making it compulsory by an amendment is one thing; exercising discretion something else.

**Shri G. S. Pathak:** This matter may be examined at the time the amendment comes up before the House for consideration. I have already stated that I am not too rigid in these matters. If the House feels that such discretion should be given it might be given.

**Shri Hari Vishnu Kamath:** Has Government no view?

**Shri G. S. Pathak:** I have placed before you the difficulties that the courts will face. If they exercise discretion in favour of a particular party, other litigants will ask, 'Why not exercise discretion in our favour also?', and this will go on.

**Shri Hari Vishnu Kamath:** What about the expense to be incurred by the litigant public?

**Mr. Speaker:** He will consider that.

**Shri N. C. Chatterjee:** What is the Government's view? What is the objection to the High Court Judge

[Shri N. C. Chatterjee]  
himself having the discretion? If he thinks, he may.

**Mr. Speaker:** He has put the question twice or thrice. I have repeated it. We have heard the answer. Now, what can I do?

**Shri N. C. Chatterjee:** I am pointing out that we want to cooperate with Government in this matter, provided it makes it possible for us to do so. Let us have a clear answer as to what is the Government's stand. If a case is heard 600 miles away and there are 200 witnesses in the case, can you demand that the witnesses will be dragged to the High Court headquarters for the purpose?

**Shri Hari Vishnu Kamath:** You Sir, have yourself been an eminent High Court Judge. Would you not have liked to exercise your discretion in matters like this?

**Mr. Speaker:** That was a very small High Court.

**Shri Hari Vishnu Kamath:** It was a High Court all the same.

**Shri Hanumanthaiya** (Bangalore city): May I say a few words on this subject?

**Mr. Speaker:** The hon. Minister is replying.

**Shri G. S. Pathak:** In some speeches it was observed that the princes should be disqualified. The view taken was that some rich people should be disqualified and so on. I will dispose of this matter in one sentence, namely, that this is the National Parliament and it should be representative of the entire society, and Government is not prepared to disqualify any person on the ground that he holds a certain status or has got a certain amount of wealth.

**Shri Hari Vishnu Kamath:** Is it an obiter dictum or other statement?

**Shri G. S. Pathak:** Statement.

The next question is whether there should be a disqualification in case of conviction only on the ground that the offence involved moral turpitude. On this question, there is no express on 'moral turpitude' in the Act as it exists. Moral turpitude is an expression which is vague. For some people, it may have one significance; for others a different significance. I find from the proceedings on this Bill that some people do not think that even disloyalty involves moral turpitude. It may be that some people may think that if one resorts to violence or *bandh* that also does not involve moral turpitude.

श्री मधु लिमये (मुंबई) : "बन्ध" भी मारल टर्पीट्युड है ?

**Mr. Speaker:** He has not said it. Why should he interrupt?

**Shri G. S. Pathak:** Therefore, we should not import any idea of this uncertain character, and the Bill, as has emerged from the Joint Committee, should stand in this respect.

So far as the Election Commission is concerned, throughout all this period the Commission has given good evidence of high integrity and high principle. It has worked in the most efficient manner and deserves praise.

One small case has been picked out by one or two hon. Members. In that case, it does not appear whether there was a proper appreciation of the order of the Commission. If the Commission had exceeded its powers and had done something it was not entitled to do, it was open to the aggrieved party to go to the Supreme Court and to have that order vacated. Nothing of the kind was done. Therefore, all these aspersions which have been attempted to be made on the Election Commission are not justified.

A regards the government machinery, there are ample provisions in the

Act which safeguard the interests of the people against any abuse of government machinery. There is sec. 129 which punishes all those officers who are concerned with the election process. There is sec. 123 which makes the taking of help of government officer a corrupt practice. There are service rules which prevent government officers from taking any part in the election process contrary to such part as has been assign by the Act itself. Therefore, the observations on this score are also not justified.

So far as the question of election expenses is concerned, I submit that that is a matter which cannot be decided by law. It is a matter which has created difficulty not only in this country but in other countries also. It has been said that disputes between legitimate and unauthorised expenses are unending and therefore the law cannot rectify all the errors; it cannot remove all the evils and there should be electoral morality, and public opinion should be developed on these matters. It is for this reason that in England, although there are more and more candidates at every election, the election petitions are getting reduced in number. Therefore, that question does not create any difficulty and we have not introduced any amendment.

There was one matter relating to Government contracts. On that point there is an amendment, and I had better speak on it at the appropriate time if necessary.

श्री रघुनाथ सिंह: वह बात तो रह गई, जिस पर हम लोग अपनी राय जाहिर करना चाहते हैं।

Mr. Speaker: The Minister has replied.

श्री रघुनाथ सिंह: यह बड़ा इम्पोर्टेंट मवाल है, अगर पांच मिनट दे द तो ठीक ह।

अध्यक्ष महोदय: इस वकन कैसे हो सकता ह, मिनिस्टर साहब जवाब दे चुकें हैं।

Shri Hari Vishnu Kamath: I am raising a point of order before the motion is put to the vote. The point of order is this. If I heard the Minister aright, he said with regard to the important point raised by my hon. colleague, Shri N. C. Chatterjee, that the House is free to decide on that particular matter: whether upon tribunals being abolished the high courts will have the discretion to move from place to place, if necessary. He said that these issues will be decided by the House later on. Please turn to the Bill itself which is before the House.

Mr. Speaker: I cannot go into it now.

Shri Hari Vishnu Kamath: The Statement of Objects and Reasons—

Mr. Speaker: If the Minister is not prepared to deal with it now....

Shri Hari Vishnu Kamath: I am sorry you are not following.

Mr. Speaker: It may be my bad luck if I am not following it.

Shri Hari Vishnu Kamath: Please see the Statement of Objects and Reasons of the Bill.

Mr. Speaker: I cannot now examine the Statement of Objects and Reasons of the Bill.

Shri Hari Vishnu Kamath: Government have already stated that if that matter is decided first, only then can the Constitution be amended. That is the position. Please see the statement for a minute.

Mr. Speaker: Does not matter. (Interruption) When they put in the Statement of Objects and Reasons, then it was taken up in the Bill. The objection was raised and then we decided.

Shri Hari Vishnu Kamath: This objection was not raised.

Mr. Speaker: This was raised; the hon. Member himself raised it.

Shri Hari Vishnu Kamath: I raised that matter with regard to the rules of procedure. But the Minister himself, in that statement, has stated—

**Mr. Speaker:** That does not matter.

**Shri Hari Vishnu Kamath:** Let him see himself, if he wants.

**Mr. Speaker:** I am sorry, I cannot take it up now.

**Shri Hari Vishnu Kamath:** I am sorry you are so brusque in this matter.

**Mr. Speaker:** He can make use of any words he wants to use; he can throw out words that might or might not be proper. I shall put the question to the vote.—The lobbies have been cleared. The question is:

"That the Bill further to amend the Constitution of India, be taken into consideration."

*The Lok Sabha divided.*

## Division No. 9]

## AYES

[13.8 hrs.]

Achal Singh, Shri  
Achuthan, Shri  
Akkamma Devi, Shrimati  
Alagesan, Shri  
Alva, Shri A. S.  
Aney, Dr. M. S.  
Anjanappa, Shri  
Ankineedu, Shri  
Azad, Shri Bhagwat Jha  
Babunath Singh, Shri  
Bajaj, Shri Kamalnayan  
Bakliwal, Shri  
Bal Krishna Singh, Shri  
Balmiki, Shri  
Barman, Shri P. C.  
Barua, Shri R.  
Barupal, Shri P. L.  
Basappa, Shri  
Baswant, Shri  
Bhagwati, Shri  
Bhakt Darshan, Shri  
Bhanja Deo, Shri L. N.  
Bhattacharyya, Shri C. K.  
Brendra Bahadur Singh, Shri  
Bisai, Shri J. B. S.  
Brajeshwar Prasad, Shri  
Brij Basi Lal, Shri  
Brij Raj Singh-Kotah, Shri  
Bute Singh, Shri  
Chakraverti, Shri P. R.  
Chanda, Shrimati Jyotsna  
Chandak, Shri  
Chandrabhan Singh, Dr.  
Chandrasekhar, Shrimati  
Chandrika, Shri  
Chatter Singh, Shri  
Chaturvedi, Shri S. N.  
Chaudhry, Shri Chandramani Lal  
Chaudhuri, Shri D. S.  
Chaudhuri, Shrimati Kamala  
Chaudhuri, Shri Sachindra  
Chavan, Shri D. R.  
Chavda, Shrimati Johraben  
Daljit Singh, Shri  
Das, Shri B. K.  
Das, Shri N. J. T.

Das, Shri Sudhansu  
Dass, Shri C.  
Desai, Shri Morarji  
Deshmukh, Shri B. D.  
Dey, Shri S. K.  
Dhuleshwar Meena, Shri  
Dighe, Shri  
Dixit, Shri G. N.  
Dwivedi, Shri M. L.  
Pirodia, Shri  
Gaekwad, Shri Fatehchandras  
Gahmari, Shri  
Ganapati Ram, Shri  
Gandhi, Shri V. B.  
Ganga Devi, Shrimati  
Ghosh, Shri Atulya  
Ghosh, Shri N. R.  
Govind Das, Dr.  
Guha, Shri A. C.  
Hajarnavis, Shri  
Hansda, Shri Subodh  
Hanumanthaiya, Shri  
Harvani, Shri Anas  
Hazarika, Shri J. N.  
Heda, Shri  
Hem Raj, Shri  
Himataingka, Shri  
Iqbal Singh, Shri  
Jadhav, Shri M. L.  
Jadhav, Shri Tulsiadas  
Jamunadevi, Shrimati  
Jedhe, Shri  
Jha, Shri Yogendra  
Joshi, Shri A. C.  
Joshi, Shrimati Subhadra  
Jyotishi, Shri J. P.  
Kadadi, Shri  
Kamble, Shri  
Kedaria, Shri C. M.  
Keishing, Shri Rishang  
Khadilkar, Shri  
Khan, Shri Shah Nawaz  
Khanna, Shri P. K.  
Kindar Lal, Shri  
Kisan Veer, Shri  
Kotaki, Shri Laldhar

Kripa Shankar, Shri  
Krishna, Shri M. R.  
Kureel, Shri B. N.  
Lahtan Chaudhry, Shri  
Lakshmikanthamma, Shrimati  
Lalit Sen, Shri C.  
Laskar, Shri N. R.  
Laxmi Bai, Shrimati  
Mahadeo Prasad, Shri  
Mahatab, Shri  
Mahishi, Dr. Sarojini  
Maimoona Sultan, Shrimati  
Majithia, Shri  
Malalchami, Shri M.  
Malaviya, Shri K. D.  
Mallick, Shri Rama Chandra  
Manen, Shri  
Mandal, Dr. P.  
Mandal, Shri J.  
Mandal, Shri Yamuna Prasad  
Mantri, Shri D. D.  
Mariyappa, Shri Mali  
Masuriya Din, Shri  
Mathur, Shri Harish Chandra  
Mathur, Shri Shiv Charan  
Mehdi, Shri S. A.  
Mehrotra, Shri Braj Bihari  
Mehta, Shri J. R.  
Mehta, Shri Jashvant  
Melkote, Dr.  
Mengi, Shri Gopal Datt  
Menon, Shri Krishna  
Menon, Shri P. G.  
Minimata, Shrimati  
Mirza, Shri Bakar Ali  
Mishra, Shri Bibhuti  
Mishra, Shri M. P.  
Mishra, Shri Shyam Dhar  
Mohammad Yusuf, Shri  
Mohsin, Shri  
Morarka, Shri  
More, Shri K. L.  
Mukane, Shri  
Mukerjee, Shrimati Sharda  
Munshi, Shri David  
Murthi, Shri B. S.

Murti, Shri M. S.  
 Naidu, Shri V. G.  
 Naik, Shri Maheswar  
 Naskar, Shri P. S.  
 Nayak, Shri Mohan  
 Nigam, Shrimati Savitri  
 Niranjan Lal, Shri  
 Oza, Shri  
 Paliwal, Shri  
 Pande, Shri K. N.  
 Pandey, Shri R. S.  
 Pandey, Shri Vishwa Nath  
 Pandit, Shrimati Vijay Lakshmi  
 Panna Lal, Shri  
 Pant, Shri K. C.  
 Paramasivan, Shri  
 Patel, Shri Chhotubhai  
 Patel, Shri N. N.  
 Patel, Shri P. R.  
 Patel, Shri Rajeshwar  
 Patil, Shri D. S.  
 Patil, Shri M. B.  
 Patil, Shri S. K.  
 Pattabhi Raman, Shri C. R.  
 Prabhakar, Shri Naval  
 Pratap Singh, Shri  
 Puri, Shri D. D.  
 Raghunath Singh, Shri  
 Raghuramaiah, Shri  
 Rai, Shrimati Sahodra Bai  
 Raj Bahadur, Shri  
 Raja, Shri C. R.  
 Rajdeo Singh, Shri  
 Ram, Shri T.  
 Ram Sewak, Shri  
 Ram Subhag Singh, Dr.  
 Ram Swarup, Shri  
 Ramdhani Das, Shri  
 Rampure, Shri M.  
 Rameshkar Prasad Singh, Shri  
 Rane, Shri

Ranga Rao, Shri  
 Ranjit Singh, Shri  
 Rao, Shri Jaganatha  
 Rao, Dr. K. L.  
 Rao, Shri Krishnamoorthy  
 Rao, Shri Muthyal  
 Rao, Shri Ramapathi  
 Rao, Shri Rameshwar  
 Rao, Shri Thirumala  
 Rattan Lal, Shri  
 Raut, Shri Bhola  
 Rawandale, Shri  
 Ray, Shrimati Renuka  
 Reddi, Dr. B. Gopala  
 Reddiar, Shri  
 Reddy, Shri H. C. Linga  
 Reddy, Shri R. Surender  
 Reddy, Shrimati Yashoda  
 Roy, Shri Bishwanath  
 Sadhu Ram, Shri  
 Sahu, Shri Rameshwar  
 Saigal, Shri A. S.  
 Samnani, Shri  
 Sanji Rupji, Shri  
 Saraf, Shri Sham Lal  
 Sarma, Shri A. T.  
 Satyabhama Devi, Shrimati  
 Sen, Shri P. G.  
 Shah, Shri Manubhai  
 Shakuntala Devi, Shrimati  
 Sham Nath, Shri  
 Shankaraiya, Shri  
 Sharma, Shri A. P.  
 Sharma, Shri K. C.  
 Shashi Ranjan, Shri  
 Shastri, Shri Ramanand  
 Shree Narain, Shri  
 Shinde, Shri  
 Shree Narayan Das, Shri  
 Shukla, Shri Vidya Charan  
 Shyamkumari Devi, Shrimati  
 Siddananjappa, Shri

Siddiah, Shri  
 Sidheshwar Prasad, Shri  
 Singhvi, Dr. L. M.  
 Sinha, Shri Satya Narayan  
 Sinha, Shrimati Tarkeshwari  
 Sinhasan Singh, Shri  
 Sivapraghassan, Shri Ku.  
 Snatak, Shri Nardeo  
 Sonavane, Shri  
 Soundaram Ramachandran, Shrimati  
 Soy, Shri H. C.  
 Srinivasan, Dr. P.  
 Subbaraman, Shri  
 Subramaniam, Shri C.  
 Subramanyam, Shri T.  
 Sumat Prasad, Shri  
 Sunder Lal, Shri  
 Surendra Pal Singh, Shri  
 Surya Prasad, Shri  
 Swaran Singh, Shri  
 Tabir, Shri Mohammad  
 Thengal, Shri Nullakoya  
 Thevar, Shri, V. V.  
 Thimmaiah, Shri  
 Tiwary, Shri D. N.  
 Tiwary, Shri K. N.  
 Tiwary, Shri K. S.  
 Tula Ram, Shri  
 Tyagi, Shri  
 Uikey, Shri  
 Ulaka, Shri Ramachandra  
 Upadhyaya, Shri Shiva Dutt  
 Varma, Shri Ravindra  
 Veerappa, Shri  
 Venkatasubbaiah, Shri P.  
 Verma, Shri Balgovind  
 Vidyalankar, Shri A. N.  
 Virbhadra Singh, Shri  
 Wadiwa, Shri  
 Wasnik, Shri Balkrishna  
 Yadav, Shri Ram Harkh  
 Yadava, Shri B. P.

## NOES

Chatterjee, Shri N. C.  
 Gupta, Shri Kashi Ram

Lakhan Das, Shri  
 Paradhi, Shri

Utiya, Shri

Some hon. Members rose—

**Mr. Speaker:** The Ayes have 263; the Noes have 5. Besides those three have stood up and said that their machines did not work. Their names would also be added. The "Ayes" have it; the "Ayes" have it. The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

*The motion was adopted.*

## Clause 2—(Amendment of article 324)

**Shri Shree Narayan Das** (Darbhanga): I have an amendment. (Interruption) I request the House to hear my amendment and then consider it and vote upon it. I beg to move:

Page 1, for lines 5 to 8, substitute—

"2. In article 324 of the Constitution, in clause (1), after the word "tribunals" the words "if any provided for by or under any



[Shri Shree Narayan Das]

law made by the appropriate Legislature" shall be inserted'. (2)

My intention is, either it is not necessary to amend the Constitution or if it is thought that it should be amended, then, my amendment which I have just moved should be accepted. This question of amending the Constitution has risen only because of the fact that the Election Commission has recommended that henceforward election petitions should not be heard by tribunals appointed by the Election Commission but should be heard by the high courts. This amendment is under consideration in the provisions contained in the report of the Joint Committee.

This question had come up earlier also. In 1952, when the Representation of the People Act was framed, we made a provision that there would be no appeals against the decisions of the tribunal. Because of that, under different provisions of the Constitution, the High Courts and the Supreme Court in their wisdom accepted a large number of appeals against interlocutory orders of various tribunals. That took a very long time in the disposal of election petitions. On the eve of the second general election when the Representation of the People Act was being amended, Government thought that because of the actions taken by the High Courts and the Supreme Court, a large number of cases have gone to the High Courts and the Supreme Court and therefore an appeal should be provided against the decisions of the tribunal to the High Court. At that time it was said in that Act that there will be no appeal against the decisions of the High Court. Even then a large number of cases against the decisions of the High Courts went to the Supreme Court under the provisions of article 136. Now after 15 years, the Election Commission have thought that the disputes arising out of election petitions should not be heard by tribunals, but the original power of hearing of the petitions should be given to the High Courts. Article 324 is

sought to be amended by removing the provision with regard to appointment of tribunals under the jurisdiction of the Election Commission. Suppose after sometime the House wants that the power of hearing election petitions should not be given to High Courts, but should be given to the tribunals, what will happen? There will be no provision in the Constitution by which this Parliament can give such powers to the Election Commission. Therefore, my amendment only provides that whenever this House gives this power to the tribunal, then the tribunal should be appointed by the Election Commission. Therefore, my amendment only provides that whenever this House gives this power to the tribunal, then the tribunal should be appointed by the Election Commission. Whenever the power will not be given to the tribunal that may remain with the High Court. Under article 329, the authority for hearing election petitions has to be decided by this House. So, I request the Minister to accept my amendment.

**Shri G. S. Pathak:** I have fully considered the amendment and I oppose it. In my view, this amendment will create difficulties and it is not right to accept it.

**Dr. L. M. Singhvi (Jodhpur):** I think the hon. member has made a very good case for including in the Constitution an alternative possibility and flexibility in respect of the forum for election controversies. The Minister should spell out more adequately the difficulties he expects so that the House can make up its mind.

**Mr. Speaker:** How can I compel him? Whatever answer he wants to give he has given.

I will now put Shri Shree Narayan Das's amendment to the House.

*Amendment No. 2 was put and negatived*

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

"That clause 2 stand part of the Bill".

*The Lok Sabha divided*

## Division No. 10]

## AYES

[13.18 hrs.]

Abdul Wahid, Shri T.  
 Achal Singh, Shri  
 Achuthan, Shri  
 Akkamma Devi, Shrimati  
 Alagesan, Shri  
 Alva, Shri A.S.  
 Anjanappa, Shri  
 Ankineedu, Shri  
 Azad, Shri Bhagwat Jha  
 Babunath Singh, Shri  
 Bakliwal, Shri  
 Bal Krishna Singh, Shri  
 Balmiki, Shri  
 Barmen, Shri P.C.  
 Barua, Shri R.  
 Barupal, Shri P. L.  
 Basappa, Shri  
 Baswant, Shri  
 Bhagvati, Shri  
 Bhakt Darahan, Shri  
 Bhanja Deo, Shri L. N.  
 Bhattacharyya, Shri C.K.  
 Birendra Bahadur Singh, Shri  
 Bist, Shri J.B.S.  
 Brajeshwar Prasad, Shri  
 Brij Basi Lal, Shri  
 Brij Raj Singh-Kotah, Shri  
 Buta Singh, Shri  
 Chakraverti, Shri P.R.  
 Chanda, Shrimati Jyotsna  
 Chandak, Shri  
 Chandrabhan Singh, Dr.  
 Chandrasekhar, Shrimati  
 Chandriki, Shri  
 Chatter Singh, Shri  
 Chaturvedi, Shri S.N.  
 Chaudhry, Shri Chandramani Lal  
 Chaudhuri, Shri D.S.  
 Chaudhuri, Shrimati Kamala  
 Chaudhuri, Shri Sachindra  
 Chavan, Shri D. R.  
 Chavan, Shri Y. B.  
 Chavda, Shrimati Johraben  
 Dajit Singh, Shri  
 Das, Shri B.K.  
 Das, Shri N.T.  
 Das, Shri Sudhansu  
 Das, Shri C.  
 Desai, Shri Morarji  
 Deshmukh, Shri B. D.  
 Dey, Shri S.K.  
 Dhuleshwar Meena, Shri  
 Dighe, Shri  
 Dixit, Shri G. N.  
 Dubey, Shri R.G.  
 Dwivedi, Shri M.L.  
 Firodia, Shri  
 Gekwad, Shri Fateh Singhrao  
 Gahmari, Shri  
 Ganapati Ram, Shri  
 Gandhi, Shri V.B.

Ganga Devi, Shrimati  
 Ghosh, Shri Atulya  
 Ghosh, Shri N.R.  
 Govind Das, Dr.  
 Gowdh, Shri Veeranna  
 Guha, Shri A.C.  
 Hajarnavis, Shri  
 Hansda, Shri Subodh  
 Hanumanthaiya, Shri  
 Harvani, Shri Ansar  
 Hazarika, Shri J.N.  
 Heda, Shri  
 Hem Raj, Shri  
 Himatsingka, Shri  
 Iqbal Singh, Shri  
 Jadhav, Shri M.L.  
 Jadhav, Shri Tulidas  
 Jamunadevi, Shrimati  
 Jedhe, Shri  
 Jha, Shri Yogendra  
 Joshi, Shri A.C.  
 Joshi, Shrimati Subhadra  
 Jyotishi, Shri J.P.  
 Kadadi, Shri  
 Kamble, Shri  
 Kedarla, Shri C.M.  
 Keishing, Shri Rishang  
 Khadilkar, Shri  
 Khan, Shri Shahnewaz  
 Khanna, Shri Mehr Chand  
 Khanna, Shri P.K.  
 Kinder Lal, Shri  
 Kisan Veer, Shri  
 Kotaki, Shri Liladhar  
 Kripa Shankar, Shri  
 Krishna, Shri M.R.  
 Kureel, Shri B.N.  
 Lahtan Chaudhry, Shri  
 Lakshmikanthamma, Shrimati  
 Lalit Sen, Shri  
 Laskar, Shri N.R.  
 Laxmi Bai, Shrimati  
 Mahadeo Prasad, Shri  
 Mahadeva Prasad, Dr.  
 Mahatab, Shri  
 Mahishi, Dr. Sarojini  
 Meimoon Sultan, Shrimati  
 Majithia, Shri  
 Malaichami, Shri M.  
 Malaviya, Shri K.D.  
 Mallick, Shri Rama Chandra  
 Manaan, Shri  
 Mandal, Dr. P.  
 Mandal, Shri J.  
 Mandal, Shri Yamuna Prasad  
 Mantri, Shri D.D.  
 Mariyappa, Shri Mali  
 Masuriya Din, Shri  
 Mathur, Shri Harish Chandra  
 Mathur, Shri Shiv Charan  
 Mehdi, Shri S.A.

Mehrotra, Shri Braj Bihari  
 Mehta, Shri J.R.  
 Mehta, Shri Jashvant  
 Melkote, Dr.  
 Mengi, Shri Gopal Datt  
 Menon, Shri Krishna  
 Menon, Shri Govinda  
 Minimata, Shrimati  
 Mirza, Shri Bakar Ali  
 Mishra, Shri Bibhuti  
 Mishra, Shri M.P.  
 Misiar, Shri Shyam Dhar  
 Mohammad Yusuf, Shri  
 Mohain, Shri  
 Morarka, Shri  
 More, Shri K.L.  
 Mukane, Shri  
 Mukerjee, Shrimati Sharda  
 Munzni, Shri David  
 Murthi, Shri B.S.  
 Murti, Shri M.S.  
 Muthiah, Shri  
 Naidu, Shri V.G.  
 Naik, Shri Maheswar  
 Naskar, Shri P.S.  
 Nayak, Shri Mohan  
 Nayak, Dr. Suahila  
 Nigam, Shrimati Savitri  
 Niranjani Lal, Shri  
 Oza, Shri  
 Paliwal, Shri  
 Pande, Shri K. N.  
 Pandey, Shri R.S.  
 Pandey, Shri Vishwa Nath  
 Pandit, Shrimati Vijay Lakshmi  
 Panna Lal, Shri  
 Pant, Shri K.C.  
 Paramasivan, Shri  
 Patel, Shri Chhotubhai  
 Patel, Shri N.N.  
 Patel, Shri P.R.  
 Patel, Shri Rajeshwar  
 Patil, Shri D.S.  
 Patil, Shri M.R.  
 Patil, Shri S. K.  
 Pattabhi Raman, Shri C.R.  
 Prabhakar, Shri Nawal  
 Pratap Singh, Shri  
 Puri, Shri D.D.  
 Raghunath Singh, Shri  
 Raghuramiah, Shri  
 Rai, Shrimati Sahodra Bai  
 Raj Bahadur, Shri  
 Raja, Shri C.R.  
 Rajdeo Singh, Shri  
 Ram, Shri T.  
 Ram Sewak, Shri  
 Ram Subhag Singh, Dr  
 Ram Swarup, Shri  
 Ramdhani Das, Shri  
 Rampure, Shri M.

Rameshkhhar Prasad Singh, Shri  
Rane, Shri  
Ranga Rao, Shri  
Ranjit Singh, Shri  
Rao, Shri Jagannatha  
Rao, Dr. K. L.  
Rao, Shri Krishnamoorthy  
Rao, Shri Muthyal  
Rao, Shri Ramapathi  
Rao, Shri Rameshwar  
Rao, Shri Thirumala  
Rattan Lal, Shri  
Raut, Shri Bhola  
Rawandale, Shri  
Ray, Shrimati Renuka  
Reddi, Dr. B. Gopala  
Reddiar, Shri  
Reddy, Shri H. C. Linga  
Reddy, Shri R. Surender  
Reddy, Shrimati Yashoda  
Roy, Shri Bishwanath  
Sadhu Ram, Shri  
Sahu, Shri Rameshwar  
Saigal, Shri A. S.  
Samnani, Shri  
Sanji Rupji, Shri  
Saraf, Shri Sham Lal  
Sarma, Shri A. T.  
Satyabhama Devi, Shrimati

Sen, Shri P. G.  
Shah, Shri Manubhai  
Shakuntala Devi, Shrimati  
Sham Nath, Shri  
Shankaraiya, Shri  
Sharma, Shri A. P.  
Sharma, Shri K. C.  
Shashi Ranjan, Shri  
Shastri, Shri Ramanand  
Sheo Narain, Shri  
Shinde, Shri  
Shree Narayan Das, Shri  
Shukla, Shri Vidya Charan  
Shyamkumari Devi, Shrimati  
Siddananappa, Shri  
Siddiah, Shri  
Siddheshwar Prasad, Shri  
Sinha, Shri Satya Narayan  
Sinha, Shrimati Tarkeshwari  
Sinhasan Singh, Shri  
Sivappraghassan, Shri Ku.  
Snatak, Shri Nardeo  
Sonavane, Shri  
Soundaram Ramachandran,  
Shrimati  
Soy, Shri H. C.  
Srinivasan, Dr. P.  
Subbaraman, Shri  
Subramaniam, Shri C.

Subramanyam, Shri T.  
Sumat Prasad, Shri  
Sunder Lal, Shri  
Surendra Pal Singh, Shri  
Surya Prasad, Shri  
Swaran Singh, Shri  
Thengal, Shri Nallakoya  
Thevar, Shri V. V.  
Thimmaiah, Shri  
Tiwary, Shri D. N.  
Tiwary, Shri K. N.  
Tiwary, Shri R. S.  
Tula Ram, Shri  
Tyagi, Shri  
Ukey, Shri  
Ulaka, Shri Ramachandra  
Upadhyaya, Shri Shiva Dutt  
Varma, Shri M. L.  
Varma, Shri Ravindra  
Veerappa, Shri  
Venkatasubbaiah, Shri P.  
Verma, Shri Balgovind  
Verma, Shri K. K.  
Vidyalankar, Shri A. N.  
Virbhadra Singh, Shri  
Wadiwa, Shri  
Wanjik, Shri Balkrishna  
Yadav, Shri Ram Harkh  
Yadava, Shri B. P.

### NOES

Utiya, Shri  
Pandey, Shri Sarjoo

**The Deputy Minister in the Ministry of Labour, Employment and Rehabilitation (Shri Shah Nawaz Khan):** The machine is not working.

**Mr. Speaker:** That will be noted. Mr. Bajaj's vote also might be noted. The result of the division is as follows:

Ayes 269; Noes 2.

The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

*The motion was adopted.*

*Clause 2 was added to the Bill.*

**Clause 1—(Short Title)**

**Mr. Speaker:** There is one Government amendment to clause 1.

*Amendment made:*

Page 1, line 3,—

for "Twenty-first" substitute—

"Nineteenth", (1)

(Shri G. S. Pathak)

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

"That clause 1, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 1, as amended, was added to the Bill.*

*The Encating Formula and the Title were added to the Bill.*

**Shri G. S. Pathak:** Sir, I beg to move:

"That the Bill, as amended, be passed".

**Mr. Speaker:** The doors are already closed. I shall put the motion to the vote of the House.

**Shri Sonavane (Pandharpur):** Sir, if there are some hon. Members who want to come in they may be allowed.

**Mr. Speaker:** Even if there is one hon. Member we will allow him in.

**Shri Tyagi (Dehra Dun):** Sir, it is not a case of division. When the votes are taken by the mechanical device there is no need for asking for closure of the doors. Even in the normal course we can just put our fingers and do the voting.

**Mr. Speaker:** How can we do that? Now do hon. Members want the doors to be opened?

**Several hon. Members:** No, no.

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

"That the Bill, as amended, be passed."

*The Lok Sabha divided.*

### Division No. 11]

### AYES

[13.24 hrs.]

Abdul Wahid, Shri T.  
Achal Singh, Shri  
Achuthan, Shri  
Akkamma Devi, Shrimati  
Alagesan, Shri  
Alva, Shri A.S.  
Aney, Dr. M.S.  
Anjanappa, Shri  
Ankineedu, Shri  
Azad, Shri Bhagwat Jha  
Babunath Singh, Shri  
Bajel, Shri Kamalayan  
Bakliwal, Shri  
Bal Kriahan Singh, Shri  
Balmiki, Shri  
Barman, Shri P. C.  
Barua, Shri R.  
Barupal, Shri P. L.  
Basappa, Shri  
Baswant, Shri  
Bhagwati, Shri  
Bhakt Darsan, Shri  
Bania Deo Shri L.N.  
Bhattacharya, Shri C.K.  
Birendra Bahadur Bingham, Shri  
Bisat, Shri J.B.S.  
Brajewar Prasad, Shri  
Brij Bali Lal, Shri  
Brij Rai Singh-Kotah, Shri  
Buta Singh  
Chakraverti, Shri P.R.  
Chanda, Shrimati Jyotsna  
Chandak, Shri  
Chandrabhan Singh, Dr.  
Chandrasekhar, Shrimati  
Chandriki, Shri  
Chatter Singh, Shri  
Chaturvedi, Shri S.N.  
Chaudhry, Shri Chandramani Lal  
Chaudhuri, Shri D.S.  
Chaudhuri, Shrimati Kamala  
Chaudhuri, Shri Sachindra  
Chavan, Shri D.R.  
Chavan, Shri Y.B.  
Chavda, Shrimati Johraben  
Daljit Singh, Shri  
Das, Shri B. K.  
Das, Shri N. T.  
Das, Shri Sudhanu

Dass, Shri C.  
Desai, Shri Morari  
Debanmukh, Shri B.D.  
Dey, Shri S.K.  
Dhuleshwar Meena, Shri  
Dighe, Shri  
Dixit, Shri G.N.  
Dubey, Shri R.G.  
Dwivedi, Shri M.L.  
Pirodia, Shri  
Gackwad, Shri Fatehainhrao  
Gahmari, Shri  
Ganapati Ram, Shri  
Gandhi, Shri V. B.  
Ganga Devi, Shrimati  
Ghosh, Shri Atulya  
Ghosh, Shri N.R.  
Govind Das, Dr.  
Gowdb, Shri Veeranna  
Guha, Shri A.C.  
Hajarnavis, Shri  
Hansda, Shri Subodh  
Hanumanthaiya, Shri  
Harvani, Shri Anwar  
Hazarika, Shri J. N.  
Heda, Shri  
Hem Raj, Shri  
Himatsingka, Shri  
Iqbal Singh, Shri  
Jadhav, Shri M.L.  
Jadhav, Shri Tulaidas  
Jamunadevi, Shrimati  
Jedhe, Shri  
Jha, Shri Yogendra  
Joshi, Shri A. C.  
Joshi, Shrimati Subhadra  
Jyotishi, Shri J.P.  
Kadach, Shri  
Kamble, Shri  
Kedaris, Shri C.M.  
Keishing, Shri Rishang  
Khadlikar, Shri  
Khan, Shri Shah Nawaz  
Khanna, Shri Mehr Chand  
Khanna, Shri P.K.  
Kindar Lal, Shri  
Kisan Veer, Shri  
Kotaki, Shri Laladhar  
Kripa Shankar, Shri  
Krishna, Shri M.R.  
Kureel, Shri B.N.  
Lahtan Chandhry, Shri  
Lakshminanthamma, Shrimati  
Lalit, Sen, Shri  
Laakar, Shri N.R.  
Laxmi Bai, Shrimati  
Mahadeo Prasad, Shri  
Mahadeva Prasad, Dr.  
Mahatab, Shri  
Mahishi, Dr. Sarojini  
Maimoona Sultan, Shrimati  
Majithia, Shri  
Malachami, Shri M.  
Maleviya, Shri K.D.  
Mallick, Shri Rama Chandra  
Mansan, Shri  
Mandal, Dr. P. P.  
Mandal, Shri J.  
Mandal, Shri Yamuna Prasad  
Mantri, Shri D.D.  
Mariyappa, Shri Mali  
Masuriya Din, Shri  
Mathur, Shri Harihar Chandra  
Mathur, Shri Shiv Charan  
Mehdi, Shri S.A.  
Mehrotra, Shri Braj Bihari  
Mehta, Shri J.R.  
Mehta, Shri Jashvant  
Melkote, Dr.  
Mengi, Shri Gopal Datta  
Menon, Shri Krishna  
Menon, Shri Govinda  
Minimata, Shrimati  
Mirza, Shri Bakar Ali  
Mishra, Shri Bibhuti  
Mishra, Shri M.P.  
Mishra, Shri Shyam Dhar  
Mohammad Yusuf, Shri  
Mohsin, Shri  
Morarka, Shri  
More, Shri K.L.  
Mukane, Shri  
Mukerjee, Shrimati Sharda  
Munzini, Shri David  
Murthi, Shri B.S.  
Murti, Shri M.S.  
Muthiah, Shri  
Naidu, Shri V. G.  
Naik, Shri Maheswar  
Naikar, Shri P.S.

Nayak, Shri Mohan  
Nayar, Dr. Sushila  
Nigam, Shrimati Savitri  
Niranjan Lal, Shri  
Oza, Shri  
Paliwal, Shri  
Pande, Shri K.N.  
Pandey, Shri R.S.  
Pandey, Shri Vishwa Nath  
Baudit, Shrimati Vijay Lakshmi  
Panna Lal, Shri  
Pant, Shri K.C.  
Paramasivan, Shri  
Patel, Shri Chotubhai  
Patel, Shri N.N.  
Patel, Shri P.R.  
Patel, Shri Rajeshwar  
Patil, Shri D.S.  
Patil, Shri M.B.  
Patil, Shri S.K.  
Pattabhi Raman, Shri C.R.  
Prabhakar, Shri Neval  
Pratap Singh, Shri  
Puri, Shri D.D.  
Raghunath Singh, Shri  
Raghuramiah, Shri  
Rai, Shrimati Sahodra Bai  
Raj Bahadur, Shri  
Raja, Shri C.R.  
RajJeo Singh, Shri  
Ram, Shri T.  
Ram Sewak, Shri  
Ram Subbag Singh, Dr.  
Ram Swarup, Shri  
Ramdhani Das, Shri  
Rampure, Shri M.  
Rameshchhar Prasad Singh, Shri  
Rane, Shri  
Ranga Rao, Shri  
Ranjit Singh, Shri  
Rao, Shri Jagannatha  
Rao, Dr. K. L.

Rao, Shri Krishnamoorthy  
Rao, Shri Muthyal  
Rao, Shri Ramaspathi  
Rao, Shri Rameshwar  
Rao, Shri Thirumala  
Rattan Lal, Shri  
Raut, Shri Bhola  
Rawandale, Shri  
Ray, Shrimati Renuka  
Reddi, Dr. B. Gopala  
Reddier, Shri  
Reddy, Shri H. C. Linga  
Reddy, Shri R. Surender  
Reddy, Shrimati Yashoda  
Roy, Shri Bishwanath  
Sadhu Ram, Shri  
Sahu, Shri Rameshwar  
Saigal, Shri A.S.  
Samnani, Shri  
Sanji Rupji, Shri  
Saraf, Shri Sham Lal  
Sarma, Shri A.T.  
Satyabhama Devi, Shrimati  
Sen, Shri P.G.  
Shah, Shri Manubhai  
Shakuntala Devi, Shrimati  
Sham Nath, Shri  
Shankaraiya, Shri  
Sharma, Shri A.P.  
Sharma, Shri K.C.  
Shaahi Ranjan, Shri  
Shastri, Shri Rama Nand  
Sheo Narain, Shri  
Shinde, Shri  
Shree Narayan Das, Shri  
Shukla, Shri Vidya Charan  
Shyamkumari Devi, Shrimati  
Siddananiappa, Shri  
Siddiah, Shri  
Siddheswar Prasad, Shri  
Sinha, Shri Satya Narayan  
Sinha, Shrimati Tarkeshwari

Sinhasan Singh, Shri  
Sivappraghasan, Shri Ku.  
Sivasankaran, Shri  
Snatak, Shri Nardeo  
Sonavane, Shri  
Soundaram Ramachandran,  
Shrimati  
Soy, Shri H.C.  
Srinivasan, Dr. P.  
Subbaraman, Shri  
Subramaniam, Shri C.  
Subramanyam, Shri T.  
Sumat Prasad, Shri  
Sunder Lal, Shri  
Suresh Pal Singh, Shri  
Surya Prasad, Shri  
Swamy, Shri M.N.  
Swaran Singh, Shri  
Tahir, Shri Mohammad  
Thengal, Shri Nallakoya  
Thevar, Shri V.V.  
Thimmaiah, Shri  
Tiwary, Shri D.N.  
Tiwary, Shri K.N.  
Tiwary, Shri R.S.  
Tula Ram, Shri  
Tyagi, Shri  
Ulkey, Shri  
Ulaka, Shri Ramachandra  
Upadhyaya, Shri Shiva Dutt  
Utiya, Shri  
Varma, Shri Ravindra  
Veerappa, Shri  
Venkatesubbalah, Shri P.  
Verma, Shri Balgovind  
Verma, Shri K.K.  
Vidyalankar, Shri A.N.  
Virbhadra Singh, Shri  
Wadiwa, Shri  
Wasnik, Shri Balkrishna  
Yadav, Shri Ram Harkh  
Yadava, Shri B.P.

## NOES

Nil

**Mr. Speaker:** The result of the 13.35 hrs.  
division is:

Ayes—272; Noes—nil

The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

*The motion was adopted.*

## REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL— contd.

**Mr. Speaker:** Now we come to the Representation of the People (Amendment) Bill. There was one amendment for recommitment of the Bill to the Joint Committee.

**Shri Hari Vishnu Kamath**  
(Hoshangabad): Sir, I rise on a point of order. Kindly turn to arti-