

**PAPERS LAID ON THE TABLE  
REPORT AND STATEMENTS OF REHABILITATION FINANCE ADMINISTRATION**

**The Minister of Finance (Shri C. D. Deshmukh):** I beg to lay on the Table a copy of each of the following documents in accordance with sub-section (2) of section 18 of the Rehabilitation Finance Administration Act, 1948, namely:—

- (i) Report of the Rehabilitation Finance Administration for the half-year ended the 31st December 1952;
- (ii) Analysis of charges for the year ended the 31st December 1952;
- (iii) Statement of loans called up during the year 1952; and
- (iv) Statement of overdue instalments for the period ended the 31st December 1952. [Placed in Library. See No. IV. O.4 (35).]

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**POINT OF ORDER**

**Shri Frank Anthony:** May I raise the point of order, Sir?

**Mr. Deputy-Speaker:** On this?

**Shri Frank Anthony:** On the rule itself, Sir?

**Mr. Deputy-Speaker:** No, no. On this matter which is placed on the Table of the House, if he has any objection to its being placed, then there is a point of order, and I shall hear it.

**Shri Frank Anthony:** My point of order is with respect to the general rights of Members to raise points of order.

**Mr. Deputy-Speaker:** General rights of Members can always be raised under any motion made in that behalf. Let me make it clear. Any motion that has to be made in the House, on which the decision of the

Chair or the decision of the House is invited, must always be intimated to the Chair in advance, under the rules.

**Shri S. S. More (Sholapur):** Under what rule, Sir?

**Mr. Deputy-Speaker:** This is my ruling. No motion can be made on the floor of the House suddenly by any hon. Member. Rules have been prescribed for that, in the case of certain motions. I will not recognise any other motions here. A point of order can be raised on a motion which is current in the House. With respect to its admissibility or otherwise, a point of order can be raised. A point of order cannot be raised on anything which is not now current before the House. That is the first point.

The matters that can be brought before the House are questions, adjournment motions and other such motions. So far as questions are concerned, they have to be admitted first, and no question can be raised here with respect to that. As for motions, they can be admitted with the Chair's consent, after they are tabled, or by ballot and so on and so forth. There is procedure for all this.

Whatever matter is to be brought before the House must be regulated by some rule or other. I ought not to be asked suddenly under what rule an hon. Member has been prevented or can be prevented from raising any matter. Every hon. Member can come and go on talking. It is under a particular rule that an hon. Member must show to the Chair that he is entitled to speak and raise that matter. There is absolutely no such thing being done. I have been saying this again and again. If any hon. Member wants to raise anything on the floor of the House, he must show to me under what rule he is entitled to raise that matter. Otherwise, he is not entitled to talk.

Now, this matter is over.

**Shri Frank Anthony:** I am quoting the rule, Sir. . .

**Mr. Deputy-Speaker:** If any hon. Member wants to invite my attention to any particular thing, I am prepared to hear him. Let him state it, but not here; I am not going to interrupt the proceedings of the House, merely because an hon. Member is saying, 'There is absolutely no hurry for this'. Let hon. Members come along, talk to me or write to me.

**Shri A. K. Gopalan (Cannanore):** There is one single point, Sir. . .

**Shri R. K. Chaudhury (Gauhati):** Supposing I find a stranger in the House, can I not raise the point of order, Sir?

**Shri A. K. Gopalan:** Yesterday there was one point of order by a certain hon. Member here, when the Chair said, sit down, no point of order. It is on that matter which happened yesterday, that the hon. Member wants to raise a point of order now, because according to the rules, there is the right for every Member to raise a point of order. It is that point, which the hon. Member wants to point out now.

That happened yesterday, and the hon. Member did not say anything about it yesterday, because when he rose to his point of order, the Chair said, "No point of order". Then the hon. Member sat down. Today he wants to rise to a point of order to show that yesterday what had been done, was not correct, according to the rules.

**Shri N. C. Chatterjee (Hooghly):** May I point out the rule to you, Sir? Rule 291 says:

"(1) Any member may at any time submit a point of order for the decision of the Speaker..."

Your ruling is going against it.

**Mr. Deputy-Speaker:** My ruling is clear. If the rule is interpreted that way, then after some business is over in the House, this evening or

later on, any hon. Member may raise a point of order regarding that matter, saying 'Under this rule, I can raise a point of order on a matter which is disposed of'. But the interpretation of the rule is that a point of order must be raised on a matter which is now under discussion before the House, waiting to be disposed of. That is the interpretation of the rule, and that is what has been followed from time to time.

Regarding the matter that was referred to by the hon. Leader of the Communist Party, what I would say is this: Yesterday I said, "this is a matter which cannot arise now, after one matter is over and before another is to be started". If the hon. Member had any objection to that, or was of the opinion that my ruling was not correct or that some particular course had to be adopted for the future, then he could have brought it to my notice. I am always available to hon. Members. It is not as if I am an individual away from them. The only way in which it can be settled, if they do not want to come and see me and explain to me their points of view, is that they can write to me. Then I will consider the matter. Instead of that, if suddenly the matter is raised here, even if we spend a whole day over it today, is it not necessary for me to have some time to consider this matter? Shall I interrupt the business of the House and put off all that is on the agenda, dislocate the work of the House, and address myself to this matter? Unless it be that on this depends the entire work of the House, I will not do so. Therefore, what I am submitting to hon. Members is that they can always write to me, or always see me. And it is open to me to change my ruling in this House, provided I am advised differently, after looking into the matter with reference to the rules. My only anxiety is that we should get through the work as on the Order Paper. Hon. Members may intimate to me what they want to raise, and I am prepared to have a discussion on this matter, if neces-

[Mr. Deputy-Speaker]

sary, today or the day after tomorrow. But let all hon. Members know that this is one of the items on the agenda, which has to be gone into. If notice had been given, I would have requested—if I had not been able to judge this matter—the Law Minister to be present here to explain the position. I want that intimation should be given to me beforehand. Offhand, nobody can answer these matters. In these circumstances, I would only urge upon hon. Members not to raise this matter now on the floor of the House. Let them write to me, and I will consider the matter and give my ruling.

**Shri Frank Anthony:** I am raising a point of order arising out of the Chair's remarks. I am very grateful to the Chair for asking us to come and see you, but my point is this: Is it not the inalienable right of every Member in this House to raise a point of order, at any time?

**Mr. Deputy-Speaker:** No. I have already stated that 'at any time' does not mean that if yesterday something was over, a point of order can be raised today, on that. As I am at present advised, a point of order cannot be raised on any matter, which is over or which is yet to start. In between, there cannot be any point of order.

If hon. Members want to satisfy me that a point of order can be raised at any time, or that it has been interpreted differently, then I am prepared to look into the matter. Let us not spend away the time of the House today on that matter. Hon. Members may write to me, and send any papers in that connection.

**Shri A. K. Gopalan:** There is a difference between seeing and talking to you personally, and the right of a Member. Whenever it is convenient to us, we shall always come and see you. But in the matter of right, if you deny that any hon. Member in this House has got a right

to raise a point of order at any time according to the rules, then you are denying to us the ordinary right that we have. The rule has been misunderstood, and if you do not allow us the right, as Members, to raise a point of order at any time, then I walk out; I strongly protest against it.

(*Shri A. K. Gopalan and some other hon. Members left the House*)

#### PAPERS LAID ON THE TABLE

(i) NOTIFICATION UNDER INSURANCE ACT.

(ii) FINANCIAL AGREEMENT BETWEEN GOVERNMENTS OF INDIA AND U.K.

**The Minister of Finance (Shri C. D. Deshmukh):** I beg to lay on the Table a copy of the Ministry of Finance Notification No. 102-IF(1)/52, dated the 4th February 1953, under sub-section (3) of section 114 of the Insurance Act, 1938. [*Placed in Library. See No. S-87/53.*]

I also lay on the Table a copy of the Financial Agreement between the Government of India and the Government of the United Kingdom signed in New Delhi on the 20th July 1953. [*Placed in Library. See No. IV. A.1(21).*]

(i) REPORT OF COMMISSIONER FOR SCHEDULED CASTES AND SCHEDULED TRIBES.

(ii) NOTIFICATION UNDER SALARIES AND ALLOWANCES OF MINISTERS ACT.

**The Deputy Minister of Home Affairs (Shri Datar):** I beg to lay on the Table a copy of the Report of the Commissioner for Scheduled Castes and Scheduled Tribes for the year 1952 under clause (2) of article 338 of the Constitution. [*Placed in Library. See No. IV. A.4(1).*]

I also lay on the Table a copy of the Ministry of Home Affairs Notification No. 18/12/53-Public, dated the