

12.37 hrs.

**DELHI ADMINISTRATION (AMENDMENT) BILL\***

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH): Sir, I beg to move for leave to introduce a Bill to amend the Delhi Administration Act, 1966.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill to amend the Delhi Administration Act, 1966."

*The motion was adopted.*

CHAUDHURI CHARAN SINGH: Sir, I introduce the Bill.

**STATEMENT RE. DELHI ADMINISTRATION (AMENDMENT) ORDINANCE**

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH): With your permission again I beg to lay on the Table an explanatory statement (Hindi and English versions) giving reasons for immediate legislation by the Delhi Administration (Amendment) Ordinance, 1977.

12.39 hrs.

**DISPUTED ELECTIONS (PRIME MINISTER AND SPEAKER) BILL\***

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): I beg to move for leave to introduce a Bill to provide for authorities to deal with disputed elections to Parliament in the case of Prime Minister and Speaker of the House of the People and for matters connected therewith.

MR. DEPUTY-SPEAKER: Motion moved:

"That leave be granted to introduce a Bill to provide for Authorities to deal with disputed elections to Parliament in the case of Prime Minister and Speaker of the House of the People and for matters connected therewith."

I have received notice from three Members and I will allow those three Members to speak.

SHRI SHYAMANANDAN MISRA (Begusarai): Mr. Deputy Speaker, Sir, I am rising to express certain doubts and misgivings about this measure. And if the hon. Law Minister succeeds in removing those doubts and misgivings, I will not finally oppose this motion. But at the moment the position is that it seems to me quite obvious that this measure is contrary to the spirit of Article 14 of the Constitution which provides for equality before law. At the same time I am not able to understand why the present Government should be as keen as the previous government was that a Member when he or she becomes the Prime Minister he or she should be considered as a different animal to be treated in a different kind of zoo. That is the position which is, frankly speaking, not very clear to me. That the present government should subscribe to that principle, as did the earlier government, is on the face of it strange. I have no doubt, Mr. Deputy-Speaker, that my government is as much committed to the salutary principle of equality before law as any one of the members of the party is. At the same time, I realise that they have certain difficulties to contend with at the present moment which they may not have in the future. But I venture to think that there could be some other alternatives before the government. It is also quite clear—it does not require any reiteration to the hon. Law Minister—that our election manifesto states

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that we shall ensure that all individuals including those who hold high offices are equal before law.

What is the concept of equality before law? Is it being sought to be observed in this case? These are the crucial questions before us.

Equality before law means that among equals the law should be equal and should be equally administered; that is, likes should be treated alike. Are we not as Members alike? I do hope that the hon. Law Minister thinks that we are all alike and that he would certainly by do something to undo the grave wrong that has been done to the Constitution. I would have been happy if the hon. Law Minister had made it clear in the statement of objects and reasons itself that the ultimate objective of the government was to clear the position in this regard, namely, it could not subscribe to the idea of placing the Prime Minister above law. I do not think that there could be any objection to the ultimate objective of the hon'ble Law Minister being made clear in the statement of objects and reasons itself; nothing came in the way of its being mentioned in the statement of objects and reasons. Even so I do hope that even at this point of time, the hon. Law Minister would come forward, if not today, tomorrow, with a Bill to repeal Article 329 of the Constitution. I would now be coming to certain other points. But before I do so I would like to emphasise that the special privilege in favour of an individual continues to disfigure the Constitution; and it does do away with the salutary principle of equality before law. We should like the hon'ble Law Minister to make it clear to the House and to the world that he and this government do not subscribe to the principle that the Prime Minister can do no wrong, that the Prime Minister should be treated in a different category altogether. However, I do realise, as I said earlier, that the government is placed in a difficult predicament because of the

amendment of the Constitution and there is not sufficient time to undo the wrong that has been done to the Constitution. The Constitution now requires that a special authority shall be provided to try election cases relating to the Prime Minister and the Speaker and that authority was sought to be provided by an ordinance. It is also clear to me that this Bill is a substantial improvement upon the ordinance that had been promulgated by the earlier government because the earlier government had tried to institute a kind of tribunal which was unheard of in judicial history. There was to be a congerly of persons to try out election cases relating to the Prime Minister and the Speaker. This Bill seeks to eliminate non judicial elements from the tribunal and this provides for the matter to be referred to a judicial tribunal. To that extent, it is an improvement upon the ordinance that was promulgated by the former government in February. But my submission to the government and the hon'ble Law Minister is that they should take early steps to undo the wrong that has been done to the Constitution and to the sacred principle of equality before law.

Now a question may be asked: If you do not provide for an authority, would there be a vacuum in law? If the ordinance was allowed to lapse, would there have been a vacuum or chaos in law? If that is so, that position has to be taken into account. But to my mind, there could not have been any vacuum, although I am assailed by a doubt, because article 329 says that no such election shall be called into question except before such authority not being any such authority as is referred to in clause (b) of article 329. Clause (b) refers to the ordinary tribunals which try other election cases. That really creates a difficult situation, but since the hon'ble Minister happens to be a great expert in law, I would ask: if there is a vacuum in law, what operates? Would the government be called to account for that? Can there

[Shri Shymanandan Misra]

be a vacuum in law? If there is indeed a vacuum in law, is it not that somehow the court will have to bring itself to accepting the existing forum for that purpose? The hon'ble Minister should have examined the position namely, if the ordinance had been allowed to lapse, there would have been a vacuum so far as the authority to try such cases was concerned. To my mind, if there was a vacuum, it would not have been allowed to remain by the court and the existing authority would have been allowed to operate.

Secondly, my doubt is with regard to the forum of appeal. If the Chief Justice of the Supreme Court appoints a judge of the Supreme Court to try the cases relating to the hon. Prime Minister and the hon. Speaker, would not the Supreme Court as a forum of appeal be shut out? It may not be so. That is also my position but let the minister make the point clear. Apart from that, in accordance with the provisions of the amended Constitution, I think that any forum of appeal is ruled out in this case. I am now taking a different position altogether. I am not merely taking the position that since the tribunal would be appointed by the Chief Justice of India from amongst the judges of the Supreme Court, the Supreme Court cannot be a forum of appeal; I am also taking into account the provisions of article 329 of the Constitution as it stands. Is not any forum of appeal completely ruled out according to article 329? Should the position be allowed to remain as it is? Could not a forum of appeal have been provided for? Perhaps the Constitution comes again in the way. Has the hon'ble minister examined whether there would be a forum of appeal in the matter of these election cases? These are some of my doubts and I hope the minister will clear them.

श्री शरद यादव (जबलपुर) : अध्यक्ष महोदय, हम लोगों ने, जनता पार्टी के

लोगों ने अपने घोषणा पत्र में कहा था कि कानून के आगे हिन्दुस्तान के 62 करोड़ आदमी बराबर रहेंगे लेकिन यह बिल जो आया है इस में कहा गया है कि प्रधान मंत्री और स्पीकर के लिये अलग ट्रिब्यूनल बनाया जायगा और उस में जांच की जायगी। मैं पूछना चाहता हूं और यह कहना चाहता हूं कि पिछले प्रधान मंत्री ने जो प्रधान मंत्री इस देश में रहे जिसने हिमालय को गुलाम बनाया, गंगा को गुलाम बनाया, जिसने विन्ध्यक्षेत्र को गुलाम बनाया, जिसने कावेरी, गोदावरी से लेकर सतलज तक सब को गुलाम बनाया, जिस ने देश के खेतिहर मजदूरों को गुलाम बनाया, जिसने देश के 62 करोड़ आदमियों को गुलाम बनाया वह सारे देश को गुलाम बनाने वाले आदमी कौन थे? वह कौन था? वह प्रधान मंत्री थी। जो प्रधान मंत्री इस तरह की गल्ती कर सकता है वह कोई खुदा नहीं है। उन के लिये इस तरह से अलग कोई प्रावधान किया जाये इस को हम बर्दाश्त नहीं करेंगे। मैं सरकार से कहना चाहता हूं कि इस तरह की कोई विशेष सुविधा या कोई प्रिविलेज देकर प्रधान मंत्री और स्पीकर को अलग रखा जाये, यह कोई अच्छी परम्परा नहीं है। पिछले प्रधान मंत्री से यह बात साबित हो गई है कि प्रधान मंत्री कोई खुदा नहीं होता, केवल इन तन ही होता है। उन से भयकर भूलें हुई हैं। जिन को इस देश के करोड़ों लोगों ने भोगा है। लाखों लोग जेल गये हैं। यह सारा कुछ प्रधान मंत्री ने ही किया था। आज दूसरे प्रधान मंत्री और स्पीकर बने हैं वे निष्पक्ष ही रहेंगे इस बात की क्या सम्भावना है? इसलिये मैं अपने ला मिनिस्टर से और अपनी पार्टी से निवेदन करना चाहता हूं कि ऐसा प्रावधान नहीं होना चाहिये। आज सवेरे जब मैंने बैलट देखा तो 9

बजे यहां दौड़ कर आया। मेरी भावनाओं को बहुत ठेस लगी है। ला मिनिस्टर से मेरा निवेदन है कि इस बिल को तुरन्त वापिस लिया जाय। इस तरह का कोई ट्रिव्यूनल नहीं बनाया जाना चाहिये। अगर यह बनाया जायेगा तो देश के नौजवान इस का समर्थन नहीं करेंगे हम चाहते हैं सरकार इस बिल को वापिस ले। कानून के सामने हाईकोर्ट सुप्रीम कोर्ट या दूसरी अदालतों में प्रधान मंत्री और इस देश की 62 करोड़ जनता जिसों कंगाल चपरासी सभी आते हैं वहां पर जाये मैं अपनी पूरी भावनाओं के साथ इस बात को यहां पर कह रहा हूं पिछली प्रधान मंत्री ने जो पाप किये है उन से साबित हो जाता है कि इस देश में प्रधान मंत्री बहुत बड़ी गलतियां कर सकता है क्यों कि वह भी इन्सान होता है और सभी इन्सानों में कानून के सामने बराबरी होना चाहिये। यही मेरा ला मिनिस्टर से निवेदन है। इतना ही कहकर मैं अपनी बात समाप्त करता हूं।

**श्री मधु लिमये (बांका) :** उपाध्यक्ष महोदय, इस विधेयक के पेश होने से मुझे डर लग रहा है कि देश में गलतफहमी फैलेगी। मैंने जब आज कार्यसूची देखी तो मैं भी परेशान हो गया कि जिस विधेयक का हम लोगों ने विरोध किया था—हम में से अधिकांश तो उस समय जेलों में बन्द थे लेकिन जो सदन में मौजूद थे उन्होंने अपनी भावना स्पष्ट शब्दों में व्यक्त की थी और हमने भी अपने विचार जेल से बाहर भेजने का प्रयास किया था इसलिए आज इसको देख कर मैं परेशान हो गया। यह जो कांस्टीट्यूशन अमेंडमेंट एक्ट बना उसका नाम ही बड़ा गन्दा है। आप नाम देखिये :

Special Provisions as to elections to Parliament in the case of Prime Minister and Speaker.

क्या प्रधान मंत्री और क्या स्पीकर, ज चुनाव के मैदान में वे उतरते हैं तो वे

केवल लोक सभा के उम्मीदवार होते हैं और उसके अलावा कुछ भी नहीं होते। मतदाताओं को मालूम भी नहीं होता कि कौन प्रधान मंत्री होने वाला है। ऐसी हालत में लोक सभा के उम्मीदवारों में किसी प्रकार का कोई विषम व्यवहार करना वह हमारे सविधान के जो बुनियादी सिद्धान्त हैं, समानता के सिद्धान्त हैं उनके विपरीत होगा।

मैं जानता हूं कि 329(ए) को तत्काल रद्द करने में सरकार के सामने कुछ कठिनाइयां हैं लेकिन फिर भी मेरी मान्यता है कि पहले तो उद्देश्यों का जो ज्ञापन है उसमें बिल्कुल सफाई के साथ कहना चाहिये, जैसा कि श्यामनन्दन जी ने कहा कि किस परिस्थिति में हम यह विधेयक पेश कर रहे हैं। इसमें दूसरी गलती यह हुई है कि इस विधेयक के साथ साथ उसी दिन कार्यसूची में 329(ए) को रिपील करने वाला सविधान संशोधन विधेयक भी आना चाहिए था। तब गलत-फहमी नहीं होती। मैं जानता हूं—शायद कानून मंत्री यह सोच रहे हैं कि यदि वे 329(ए) वाला संशोधन विधेयक यहां पेश कर भी दें और वह लोकसभा में पास भी हो जाय, तो यह जरूरी नहीं है कि वह राज्य सभा में भी पास हो जाय। इस के लिये मैंने पहले ही यह सुझाव दिया था कि देश के जितने महत्वपूर्ण मामले हैं, लेजिस्लेटिव प्रोग्राम्ज़ हैं, संवैधानिक संशोधन हैं—इनके बारे में आपको विरोध पक्ष के नेता से सलाह मशविरा करना चाहिये। मैं, उपाध्यक्ष महोदय, आप के माध्यम से कानून मंत्री जी से प्रार्थना करूंगा कि वे औपचारिक तौर पर विरोध पक्ष के जो नेता हैं—राज्य सभा में या इस सदन में—दोनों को बुलाइये और उन से बातचीत कीजिये। मैं यह बात सभी संवैधानिक संशोधनों के बारे में नहीं कह रहा हूं, क्योंकि इस सम्बन्ध में उनकी अपनी राय है, उनकी अपनी नीति है, अपने कार्यक्रम हैं, हम उनमें रुकावट नहीं बनना चाहते। लेकिन जैसा मैंने उनसे कहा था कि क्या एमर्जेंसी को आप एबेरेशन

[ श्री मधुलिमये ]

समझते हैं। तब उन्होंने कहा कि एमजैसे की के दौरान जो हुआ है, वह हमारी परम्परा के अनुरूप नहीं है, प्रेस की परम्परा के अनुरूप नहीं है। इसलिये जन-स्वातन्त्र्य और जन-अधिकार पौपुलर-लिबर्टीज और पौपुलर राइट्स—इनके बारे में हमारी उनकी एक राय है। इसलिये मेरा कहना है कि पहले संविधान संशोधन में आप केवल ऐसी दो-तीन बातों को रखिये जिनके बारे में किसी को गलतफहमी नहीं हो सकती है, जिनके द्वारा हम जनता के छीने हुए अधिकारों को लौटा रहे हैं। भाषण-स्वातन्त्र्य का अधिकार, अपने वोट से अपने प्रतिनिधियों को चुनने का अधिकार या संघ स्वातन्त्र्य का अधिकार, समानता का अधिकार—ये सब बातें उसमें आती हैं।

जहां तक मुझे मालूम है—चव्हाण साहब पूरी पार्लियामेन्ट्री कांग्रेस पार्टी के नेता हैं, ऐसा नहीं है कि केवल लोक सभा के ही नेता हैं। इस लिये वे अपने राज्य सभा के सहयोगी से—मुझे पूरा भरोसा है—बात करेंगे। मैं चाहता हूँ कि मंत्री महोदय इस सदन को आश्वासन दें कि वे इस तरह का विधेयक लायेंगे और अगर उपाध्यक्ष महोदय आपको इजाजत दें उद्देश्यों का जो ज्ञापन है उस में भी आप संशोधन कीजिये। क्योंकि यह ऐसा डाक्यूमेन्ट है, जिसके बारे में 100 साल के बाद भी कहा जा सकता है कि जनता पार्टी की सरकार एक चुनाव घोषणा पत्र के आधार पर जीत कर आई, लेकिन पहले ही छोटे सत्र में वह एक ऐसा विधेयक लेकर आई, जिसमें समानता के सिद्धान्त का हनन हुआ। इसलिए रिकार्ड को साफ करने के लिए अगर उपाध्यक्ष महोदय आपको इजाजत दें तो उसमें संशोधन कीजिये, उसमें एक वाक्य रखिये—चूँकि रिक्तता और शून्यता का खतरा था, इसलिये हम ऐसा कर रहे हैं। लेकिन हमारी नीति ऐसी नहीं है, हम समानता के प्रति दृढ़-संकल्प हैं और समानता का रास्ता कायम करने के लिये कोशिश कर रहे हैं।

13.00 hrs.

SHRI HARI VISHNU KAMATH (Hoshangabad): I rise on a point of order. I fail to understand why the Janata government should continue to hold the babies, or rather, the ugly ducklings of the predecessor government. (Interruption) I invite attention to Article 123 of the Constitution, clause (2), Government could easily have found a way out of the course that they have adopted this morning—an unhealthy and undesirable course for the Janata government to adopt. The Memorandum under Directions 19A and 19B supplied along with the explanatory statement laid on the Table along with the Bill states that the ordinance was promulgated by the President on the 3rd February 1977. Now the present Bill seeks to replace the said Ordinance with certain modifications. Now, is that the only way open to the Government? Could Government not have taken recourse to article 123, clause (2), which would have easily helped them, without holding this baby before Parliament, this new Parliament, this Janata Parliament? Clause (2) says:

“An Ordinance promulgated under this article shall have the same force and effect as an Act of Parliament, but every such Ordinance—

(a) shall be laid before both Houses of Parliament and shall cease to operate at the expiration of six weeks from the reassembly of Parliament, or, if before the expiration of that period resolutions disapproving it are passed by both Houses, upon the passing of the second of those resolutions; and”

The latter part of above does not apply. Further, part (b) says:

“(b) may be withdrawn at any time by the President.”

This is very very helpful. If they had taken it very seriously and if part (a) is not acceptable, they could have

advised the President to withdraw the ordinance to restore the *status quo ante* prior to emergency. I would like the Law Minister to throw light on this matter.

**SHRI SHANTI BHUSHAN:** Mr. Deputy-Speaker, Sir, I am very happy that this matter has been raised by the hon. Members, Shri Shyamnandan Misra, Shri Sharad Yadav and Shri Madhu Limaye and a point of order by Shri Kamath also.

I would like to say with all the emphasis at my command that the Government is totally opposed to the whole of article 329A. The Government is fully committed to restore absolute equality between the Prime Minister and the Speaker on the one hand and all the other hon. Members of Parliament on the other hand. The Government believes that in all these matters the principle of equality is so basic and an integral part of democracy that without this equality no democracy can really succeed in this country.

But the hon. House would appreciate the difficulties and the constraints under which the present Government has to function today for a certain period, on account of the things done by the previous government earlier. As the House is aware, article 329A was enacted under very very unfortunate circumstances in August 1975. I am, however, very happy that a part of that article 329A, namely, clause (4), was found to be so opposed to the basic structure of the Constitution that it was struck down by the whole Supreme Court. But, so far as the other clauses were concerned, namely, clauses (1), (2) and (3), the Supreme Court did not get any opportunity in that case to pronounce upon with the result that those clauses are still in existence in the Constitution of India.

Now this Ordinance was promulgated by the previous Government is in

accordance with the requirements of article 239A. I would just read out as to what the requirement of article 329A is. That article says:

“(1) Subject to the provisions of Chapter II of Part V except sub-clause (e) of clause (1) of article 102, no election—

(a) to either House of Parliament of a person who holds the office of Prime Minister at the time of such election or is appointed as Prime Minister after such election;

(b) to the House of the People of a person who holds the office of Speaker of that House at the time of such election or who is chosen as the Speaker for that House after such election;

shall be called in question, except before such authority....”

—now what follows is very important—

“not being any such authority as is referred to in clause (b) of article (329) or body and in such manner as may be provided for by or under any law made by Parliament and any such law may provide for all other matters relating to doubts and disputes in relation to such election including the grounds or which such election may be questioned”.

So that, so long as the constitutional amendment was on the statute-book, the position was that neither Parliament, nor the President in exercise of his ordinance-promulgating authority, could again provide for the same authority, because it was expressly said, “such authority (not being any such authority as is referred to in clause (b) of article 329)”, which means that the High Court to which the election petition has to be presented against other Members of Parliament has been ruled out. So, while the Government was very keen that the position of absolute equality must

[Shri Shanti Bhushan]

be immediately restored between the Prime Minister and the Speaker on the one hand the other hon. Members on the other hand, this constraint imposed by article 329A came in its way.

Government wants to introduce a Bill for the total and complete repeal of article 329A, and I would appeal to the Leader of the Opposition as well as friends on the other side to help us in establishing this equality between the Prime Minister and the Speaker on the one side and the other Members of the House on the other. This Bill, I hope, would be introduced very early.

The Ordinance which had been issued by the previous Government provided that in the case of the Prime Minister and the Speaker, the authority to decide the dispute about the election would be a kind of a parliamentary committee consisting of three representatives of the Lok Sabha, three representatives of the Rajya Sabha and three nominees of the Government. The public sentiment was that such an authority would not command the confidence of the public. The option before us was to substitute some authority other than the High Court, because that was prohibited by the article itself, and we thought that if we could not substitute a High Court as the authority as in the case of other Members of Parliament, we must not substitute an inferior authority, but might substitute a superior authority. That was the reason behind this provision and we thought that as we could not have any authority other than a Judge, we would have a permanent sitting Judge of the Supreme Court to be nominated by the Chief Justice.

Shri Shyamnandan Mishra raised a point that the Ordinance could have been withdrawn under article 123(2) (b). There is no doubt that it could have been withdrawn, but if it had been withdrawn and no other Bill had been introduced, there would have

been a vacuum. Shri Mishra appears to be under the impression that if there was a vacuum, the courts would perhaps have formulated some kind of a remedy, the High Court perhaps might have entertained a petition against the Prime Minister or the Speaker. I am very sorry to say that that would not be the legal position in the face of the clear provision in article 329. So, if the Ordinance had been withdrawn or allowed to lapse, the position would have been exactly the reverse of what the hon. Member contemplates, namely, we would have been open to the charge that by allowing the Ordinance to lapse, while we are not restoring and cannot constitutionally restore the authority of the High Court to question the election of the Prime Minister and the Speaker, we are eliminating even such authority as was provided by the Ordinance, and it would have been said that the election of the Prime Minister and the Speaker could not be questioned before any forum. So, some forum had to be provided. A vacuum should not be allowed to come in. Therefore, we have, within the constraints of the Constitutional provision, provided for a Supreme Court Judge. There cannot be any possible objection to that.

But, at the same time, we would like the judge of the High Court to be substituted as quickly as possible and therefore that Bill would be introduced. Another point which has been raised is about the appellate forum. Now care has been taken that here a Supreme Court judge who would be nominated by the Chief Justice, would not be deciding the election petition. It would be the authority constituted by a notification of the President. But the authority will be that sitting judge of the Supreme Court who is nominated by the Chief Justice with the result that he would be functioning as the authority, and since that authority would be a judicial authority, it would be disposing of judicial disputes, judicial controversies. Therefore, the de-

cision of such an authority would be questionable by an appeal to the Supreme Court under Article 136 of the Constitution.

Just as in the High Courts, sometimes a matter is decided by a single judge of the High Court, and even though a High Court judge has disposed of a matter, an appeal lies in the High Court itself before two judges or a large number of judges, the legal position would be that in regard to this single judge of the High Court who would be deciding a dispute as an authority constituted, an appeal would lie against the decision of that single judge of the Supreme Court before the Supreme Court as such under Article 136 of the Constitution.

I hope that with this clarification, any doubts in the matter anywhere in the country, which might otherwise have been there and the point which had now been so pointedly raised, would be completely set at rest and we shall get the co-operation of the entire House in our firm resolve, as quickly as possible, to put the constitutional position on a sound footing which is in the fitness of things in a democratic country.

MR. DEPUTY-SPEAKER: He has answered all the points. Has he leave of the House to introduce the Bill?

SHRI SHYAMNANDAN MISHRA: One point remains to be clarified. According to the provision of Article 329 of the Constitution, the appeal is perhaps not eliminated. I want to know the clear position. It appears to me—on a cursory view of Article 329; as the Bill was circulated amongst us this morning and we did not have enough time to go into it—in accordance with the provision of Article 329, that the appeal is not barred.

SHRI SHANTI BHUSHAN: In fact, earlier also, before the High Court

was designated as the authority to deal with the election petition, the House would recall that there used to be a tribunal to decide election petitions. At that stage, this very question had been raised in High Courts and the matter had ultimately gone to the Supreme Court and arguments had been advanced that because Article 329 contemplated no authority other than the authority laid down under Article 329, it would alone decide the election disputes. Therefore, that had ruled out either the writ petition in the High Court against the decision of the election tribunal or an appeal to the Supreme Court under Article 136. But the Supreme Court had decided on that question that Article 329 did not rule out the constitutional power of the Supreme Court to entertain a writ petition against the decision of the election petition or the power of the Supreme Court under Article 136 to entertain the appeal against the decision of the tribunal. There is no reason to think that the Supreme Court will not take this in view.

MR. DEPUTY-SPEAKER: The question is:

“That leave be granted to introduce a Bill to provide for authorities to deal with disputed elections to Parliament in the case of Prime Minister and Speaker of the House of the People and for matters connected therewith.”

*The motion was adopted.*

SHRI SHANTI BHUSHAN: I introduce the Bill.

STATEMENT RE: DISPUTED ELECTIONS (PRIME MINISTER AND SPEAKER) ORDINANCE

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): I lay

†Introduced with the recommendation of the Vice-President acting as President.