

[Shri K. R. Ganesh]

financial year 1973-74 be taken into consideration."

MR. DEPUTY SPEAKER: The question is:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1973-74, be taken into consideration."

*The motion was adopted.*

MR. DEPUTY SPEAKER: Now we take up Clause by clause. The question is:

"That Clauses 2 and 3, the Schedule, Clause 1, the Enacting Formula and the Title stand Part of the Bill."

*The motion was adopted.*

*Clause 2 and 3 the Schedule, Clause 1, the Enacting Formula and the Title were added to the Bill.*

SHRI K. R. GANESH: I beg to move:

"That the Bill be passed."

MR. DEPUTY SPEAKER: The question is:

"That the Bill be passed."

*The motion was adopted.*

14.53 hrs.

#### NORTH EASTERN AREAS (REORGANISATION) AMENDMENT—BILL

MR. DEPUTY-SPEAKER: Now we take up the North-eastern Areas (Reorganisation) Amendment Bill. Shri Mohsin.

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): On behalf of Shri Ram Niwas Mirdha, I beg to move:

"That the Bill to amend the North-Eastern Areas (Reorganisation) Act, 1971, as passed by Kalya Sabha, be taken into consideration."

The Bill is a minor piece of legislation which seeks to amend the North-Eastern Areas (Reorganisation) Act, 1971 and is intended to replace the North-Eastern Areas (Reorganisation) (Amendment) Ordinance, 1974.

As a result of the reorganisation of Assam under the principal Act of 1971 as from 21-1-1972, the Assam State Electricity Board and the Assam State Warehousing Corporation existing at that time in the composite State of Assam became inter-State corporations. A provision was made in section 53 of the North-Eastern Areas (Reorganisation) Act 1971 for the continued functioning of these two bodies in all the territories of the composite State, i.e., the present State of Assam, the State of Meghalaya and the Union Territories of Mizoram. It was also provided in sub-section (3) of the same section that these bodies will cease to function and stand dissolved on the expiry of a period of two years from the date of reorganisation or such earlier date as the Central Government may, by order, appoint. At the time of drawing up the legislation of 1971 it was expected that the Government of Assam and Meghalaya would evolve appropriate schemes within the period of two years specified in the Act for establishing joint or separate bodies to take over the functions of these bodies. However, due to pressure of diverse problems which the new administrative units had to face it could not be possible for them to evolve fully the necessary schemes. In order, therefore, to avoid any abrupt situation developing because of the automatic dissolution of these bodies by efflux of time, it became necessary to provide for the continued functioning of these bodies as Inter-State bodies for a further period not exceeding one year beyond the period of two years specified in sub-section (3)

of section 53 of the Act of 1971, and thereby allow time for the appropriate schemes being formulated. That is why the necessary amendment had to be made before the expiry of the period of two years mentioned in the Act of 1971. As the Parliament was not in session, an Ordinance amending the relevant provision of the principal Act was promulgated by the President on 19-1-1974. The present Bill seeks to replace the Ordinance. I now commend the Bill for consideration of the House.

MR. DEPUTY-SPEAKER : Motion moved :

"That the Bill to amend the North-Eastern Areas (Reorganisation) Act, 1971, as passed by Rajya Sabha, be taken into consideration."

DR. RANEN SEN—I think there are no speakers.

The question is :

"That the Bill to amend the North-Eastern Areas (Reorganisation) Act, 1971, as passed by Rajya Sabha, be taken into consideration."

*The motion was adopted.*

MR. DEPUTY-SPEAKER : Now, we take up clause-by-clause consideration. I think there are no amendments.

The question is :—

"That Clauses 2 to 4 and 1, the Enacting Formula and the Title stand part of the Bill."

*The motion was adopted.*

*Clauses 2 to 4 and 1, the Enacting Formula and the Title were added to the Bill.*

SHRI F. H. MOHSIN : Sir, I move :

"That the Bill be passed."

MR. DEPUTY-SPEAKER : The question is :—

"That the Bill be passed."

*The motion was adopted.*

14.57 hrs.

STATUTORY RESOLUTIONS RE :  
CODE OF CRIMINAL PROCEDURE  
1973

THE DEPUTY MINISTER IN THE  
MINISTRY OF HOME AFFAIRS (SHRI  
F. H. MOHSIN) : I move the following  
Resolutions :

"In pursuance of clause (a) of section 478 of the Code of Criminal Procedure, 1973 (2 of 1974), this House resolves that the Central Government may, after consultation with the High Court of Delhi, by notification, direct that, in respect of the Union territory of Delhi, the references in sections 108, 109 and 110 of the said Code to a Judicial Magistrate of the first class shall be construed as references to the Executive Magistrate".

"In pursuance of clause (a) of section 478 of the Code of Criminal Procedure, 1973 (2 of 1974), this House resolves that the Central Government may, after consultation with the High Court of Punjab and Haryana, by notification, direct that, in respect of the Union territory of Chandigarh, the references in sections 108, 109 and 110 of the said Code to a Judicial Magistrate of the first class shall be construed as references to an Executive Magistrate".

Regarding these Resolutions, I wish to tell the House that recently, the Criminal Procedure Code has been passed in this House and in that, there is a slight amendment from the former Code of Criminal Procedure regarding functions in regard to Sections 108, 109 and 110. The functions under these sections have been given to