10.08 brs.

STATEMENT RE: REFERENCE OF CONSTITUTION (TWENTY-FIFTH AMENDMENT) BILL. AS PASSED BY PARLIAMENT, TO STATE LEGISLATURES FOR RATIFICATION

THE MINISTER OF LAW AND JUSTICE (SHRI H. R. GOKHALE): The Constitution (Twenty-fifth Amendment) Bill, 1971 was passed by both Houses of Parliament by majority of the total membership of each House and by majority of not less than two thirds of the members of each House present and voting. A question has arisen whether before the Bill is presented to the President for his assent, the amendments proposed by the Bill required ratification by State Legislatures under the proviso to Article 368 of the Constitution. The contention may be put forward that the terms in which Article 31C is framed deprive the Courts of part of their jurisdiction and therefore this article required such ratification. The Government takes the view that such ratification is not necessary. However, with a view to avoiding difficulties that may possibly arise and out of abundant caution Government has decided to refer the Bill for ratification to State Legislatures under the proviso of Article 368 of the Constitution.

In view of the importance of the matter, the State Government are being advised to convene their Legislatures as early as possible in order to bring the amendments into effect within the shortest possible time.

10.10 hrs.

CODE OF CRIMINAL PROCEDURE
BILL

CONCURRENCE IN RATYA SABHA RECOM-MENDATION TO APPOINT A MEMBER TO JOINT COMMITTEE

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI

K. C. PANT): On behalf of Shri Ram Niwas Mirdha, I beg to move:

"That this House do concur in the recommendation of Rajya Sabha that Lok Sabha do appoint a member of Lok Sabha to the Joint Committee of the Houses on the Bill to consolidate and amend the law relating to criminal procedure, in the vacancy caused by the resignation of Shri Kedar Nath Singh and do resolve that Shri B. R. Shukla be nominated to the said Joint Committee to fill the vacancy."

MR. SPEAKER: The question is:

"That this House do concur in the recommendation of Rajya Sabha that Lok Sabha do appoint a member of Lok Sabha to the Joint Committee of the Houses on the Bill to consolidate and amend the law relating to criminal procedure, in the vacancy caused by the resignation of Shri Kedar Nath Singh and do resolve that Shri B. R. Shukla be nominated to the said Joint Committee to fill the vacancy."

The motion was adopted

10.11 hrs.

UNION TERRITORIES TAXATION LAWS (AMENDMENT) BILL.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI K. C. PANT): I beg to move for leave to introduce a Bill further to amend certain taxation laws in the Union territories.

Published in Gazette of India Exteraordinary, part 11, section 2, dated 17. 12. 71.

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MR. SPEAKER The question is "That leave be granted to introduce a Bill further to amend certain taxation laws in the Union territories."

The motion was adopted

SHRI K C PANT I introducet the Bill

10 12 hrs

STATUTORY RESOLUTION RF DELHI ROAD TRANSPORT LAWS (AMEND-MENT) ORDINANCE AND DELHI ROAD TRANSPORT LAWS (AMEND-MENT) BILL

MR SPLAKER We have only I hour and 45 minutes left for the discussion on the Statutory Resolution and the Delhi Road Transport Laws (Amendment) Bill We have to take up the Private Members Business at 11 30 A M | 1 propose that this Bill may be finished earlier because it is no use postponing it just for 10 minutes to next week. I hope you will agree

He has already hied the statement regarding the expenditure involved. Of course that was quite a controversal matter. It is safe that he has already filed it. Both the Statutory Resolution and the Bill will be discussed together.

Dr Layminaiain Pandeya

**क्षा० लक्ष्मी नारायण पाण्डेय** (मदनौर) ग्रध्यक्ष महादय, में प्रस्ताव करना हु ---

"यह मधा राष्ट्रपति द्वारा 3 नवस्वर 1971 का प्रक्यापित विस्ली सद्वर परिवहन विद्विया (सत्ताधन) प्रक्र्यादेश, 1971 (1971 का प्रक्र्यादेश सक्या 21) का निरम्मोदन करती है।

क्रम्मक महोदय, इस सम्बन्ध में मेरा निवेदन इस प्रकार है कि पिछले दिनों सरकार द्वारा कई अध्यादेश निकाल गये और उन अध्यादेशों की शुक्कला में दिल्ली सडक परिवहन विधिया (मशोअन) अध्यादश भी साथ साथ लावा गया। कुछ अध्यादेशों के बारे से ता यह बात असक्ष में आती थी कि उन की अनिवायंता थी आवश्यकता थी, लिकन गडक परिवहन विधिया के सम्बन्ध में अध्यादश प्रज्यापित करन का कोई इन प्रकार का उपयक्त वारण नजर मही आता। यद्यपि मरकार द्वारा कुछ इस प्रकार की स्थिति बतान वा प्रत्यन किया गया है कि इस अध्यादश का लान की आवश्यकता क्या पड़ी, लिकन मरकार की इसके पीछ जा नीयत है जा भावना है उस म कुछ स्वभावना दिखाई नहां देता।

दिल्ली नगर निगम द्वारा जिस प्रकार स डी०र्टा०य० क माध्यम स दिल्ली का यातायान न्यवस्था का **ध्यवस्थित करन का प्रयत्न किया जा रहा था** उस का बदनाम करन का दृष्टि उस ना नाय ठीन स न चन इस टॉरर स भरवार न जल्दबाजी म इस प्रकार का श्रष्ट्यादश लाने का यत्न किया है। यद्यपि यह बात सरकार बारा मीधी न क्ली जा कर इस पर राष्ट्र रिमच इंस्टीचर तथा मारारवा वमीक्षन की बात कही गई है । ये बाते बहुत पूरानी है । फिर भी मरकार न इस समय जा इन का उपयोग किया है यह समझ में भान बाली बात नहीं है। यह बात सही है कि दिल्ली में प्रति वस लगभग डेढ लाख भावादी बढ़ती है उस बढ़ती हुई भावादी की भावस्थवता को पूरा करन के लिये जिल प्रकार की व्यवस्था हानी चाहिय थी, वह नही थी। बस ठीक नहीं था उन क ठीक न हान के कारण लगभग डेढ़-दो बच पूब राड रिमर्च इस्टीबट है कथनानुसार यहा पर कुछ मिनि बस बलान का प्रयत्न किया गया । 100 मिनि बसा मे के 70 मिनि बसा के परमिट सहकारी ममिनियो का दिये गये भीर 30 बसो के परमिट डी॰टी॰य॰ का दिये गये । चुकि डी०टी०यु० के सहस्रक्ष एक काग्रेम के सज्जन है मै उन पर कोई दावा-रोपण नहीं करना चाहता, लेकिन यह बात मही है कि जा 30 पर्रामट डी॰टी॰यू॰ को दिये गरी, वं बसें भाज तक नहीं चलाई गई । जब वि सह-कारी समिनिको को जो परमिट दिवे गवे, उन्होंने

<sup>\*</sup>Introduced with the recommendation of the PRESIDENT.