

BUSINESS OF THE HOUSE

Mr. Speaker: Before we proceed further, I would like to announce to the House the result of the deliberations of the Business Advisory Committee and the recommendations that it has made to the House. It is proposed to prolong the timings of the sittings, so that the House may get an additional three hours to put through the Transfer of Evacuee Deposits Bill. In view of the urgency of all these measures having to be passed before the 13th evening, the allotment of time and the timings of sittings will be amended from tomorrow as follows. Tomorrow the House will sit from 1 P. M. to 7 P. M. instead of from 2 P. M. to 7 P. M. That would give the House one hour more. The day after tomorrow, i.e. on Friday, the House will sit from 1 P. M. to 7-30 P. M. This does not give one and a half hours, but it gives one hour more, because the House will remember that the discussion on the Industrial Finance Corporation is still going on and we have reserved from 6-30 P. M. to 7-30 P. M. for that discussion. On Saturday, the House was originally announced to sit from one to five. As the House knows, there is the function of the unveiling of the portrait of the Grand Old Man of India, Dadabhai Naoroji. So, we leave some time for that—and the House will adjourn—and meet again from six to seven. So, the Saturday sitting will be between 1 to 5 and 6 to 7 with a recess of one hour in between. That is how it is proposed to provide time for that Bill. No further extension is possible now and I assume that the House is amenable to accepting the recommendations of the Business Advisory Committee.

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PRESS (OBJECTIONABLE MATTER)
AMENDMENT BILL—Contd.

Shri Venkataraman: Mr. Speaker Sir, we have heard three eloquent speeches on the other side and I am almost tempted to say that mine would come after these very elo-

quent speeches as the voice of Mercury after the music of Apollo. Much heat coupled with light was shed in the course of these three learned speeches and I shall endeavour to meet some of the points which have been raised by them.

[PANDIT THAKUR DAS BEARGAVA in the Chair]

Objection was taken that this House has no competence to have this Bill passed. No less a talented lawyer than Mr. Chatterjee supported that view. The Act has been in force since 1951 and my hon. friend knows that it has not been challenged in the courts so far. There have been cases and prosecutions under this Act, and, I will show later, sentences have been imposed. It was quite open and very easy for the legal pandits to have taken it to the Supreme Court to test the *ultra vires* or the *intra vires* nature of this legislation. The very fact that it has not been done seems to be a categorical reply to the view that this Act, which has been passed in 1951, is entirely within the spirit and the letter of the Constitution.

Then, Mr. Anthony referred to one or two words in section 3 of the Press Objectionable Matters Act, 1951. Sir, you know very well, as a great lawyer yourself, that if there are any offending words in any legislation, the whole legislation does not become void on that account. The Supreme Court may, at best—assuming without admitting the correctness of Mr. Anthony's statements—come to the conclusion that the word 'likely' may be *ultra vires* or that the word 'scurrilous' may be *ultra vires* but the entire Act, the Press Objectionable Matters Act, 1951, as a whole, cannot be *ultra vires*. Therefore, it appears to me that there is no great substance in the points raised by both Mr. Anthony and Mr. Chatterjee that this House will be transgressing the limits set by the Constitution by passing this Act.