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Title: Regarding ruling under Article 123 (2) (a) of the Constitution of India.

PROF. SAUGATA ROY : It is under Article 123 (2) (a) of the Constitution of India.

There was an Ordinance which was issued by the President on 4th February, 2013. Now, after the Ordinance, three Members of this House have moved a Statutory Resolution disapproving of the Ordinance. I am not at all going into the merits of what the Home Minister and the Leader of the House read out. I am also not going into the merits of the Bill. The Members will speak on that.

I need a direction or a ruling, from you on this question that when there is a Statutory Resolution moved by three Members separately, not given together, disapproving of the Ordinance, without disposing of the Resolution, will you take up the consideration of the Bill straightaway? This is just a constitutional question.

Article 123 (2) (a) says that "After an Ordinance is issued, the Ordinance has to be converted into a Bill within six weeks of the assembly of the House (that is, six weeks from 21st February when the House sat for the Budget Session)". Now, the question is that what has come as a Bill has no similarity to the Ordinance. An entirely new law has been put. Normally, an Ordinance is converted into a Bill in *toto*. But there is a total change in it.

So, what I would plead with you, Madam, is please dispose of the Statutory Resolution disapproving of the Ordinance and after that you can take up the consideration of the Bill. I have nothing to say about the merits of the Bill. The Member will speak on it during the debate. But we must take the proper constitutional line while enacting the legislation otherwise, it will be totally defective.

I would like you to give your ruling on this matter, that is, when a Statutory Resolution is there, can you straightaway take up the Bill for consideration without disposing of the Statutory Resolution? Three Members, that is, Dr. Bhola Singh, Shri Gurudas Dasgupta and myself have given the notice for the Statutory Resolution. You did not even look at us, but allowed the Home Minister straightaway to read out his very, very long statement. Why is that so, Madam? Please dispose of the Statutory Resolution, and then let the debate begin. Why should we bypass the normal procedure as is expected under the Constitution? That is our basic constitutional obligation. That is the rule and that is our basic constitutional obligation under which I seek your indulgence, Madam.

MADAM SPEAKER: I reserve my ruling. I will give my ruling in a little while. Now, I call Dr. Bhola Singh to speak. I have noted the points you have made.