

SHRI S. M. BANERJEE: We are taking from the hon. Minister that no Article has been violated by this and so, the net result is Mr. Chawla goes and others remain.

MR. DEPUTY-SPEAKER: I am concerned only with this limited question whether this Bill will be outside the legislative competence of this House.

I have already remarked earlier that the constitutionality or unconstitutionality of any particular law is not within the jurisdiction of this House. That is to be decided by the Court. Whether it violates Art. 13 or Art. 14 or Art. 137, the Court will decide on that and the Law Minister has given his own views in the matter. But it is quite clear that this is not outside the legislative competence of this House and this House can legislate....

SHRI SOMNATH CHATTERJEE: It is morally incompetent.
(Interruptions).

MR. DEPUTY-SPEAKER: This House is fully competent to legislate on this matter... (Interruptions). Therefore, I put the question to the House

SEVERAL HON. MEMBERS: No, no.

MR. DEPUTY-SPEAKER: What else is there to be done by me?

SHRI MADHU LIMAYE: Let us all walk out including the Chair.

SHRI S. M. BANERJEE: This is a fraud on the Constitution.

Shri Madhu Limaye and some other hon. Members then left the House.

MR. DEPUTY-SPEAKER: Now, the question is:

"That leave be granted to introduce a Bill further to amend the Representation of the People Act, 1951."

The motion was adopted.

SHRI H. R. GOKHALE: Sir, I introduce the Bill.

16.50 hrs.

STATEMENT RE. REPRESENTATION OF THE PEOPLE (AMENDMENT) ORDINANCE, 1974.

MR. DEPUTY-SPEAKER: Mr. Gohale, again.

The Minister of LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): Sir, I beg to lay on the Table an Explanatory statement (Hindi and English versions) giving reasons for immediate legislation by the Representation of the People (Amendment) Ordinance, 1974, as required under Rule 71 (1) of the Rules of Procedure and Conduct of Business in Lok Sabha.

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MR. DEPUTY-SPEAKER: Item 8-A relates to Shri Joytirmoy Bosu, he has written that he has been waiting and waiting and he cannot wait any more and he has to go to the PAC meeting, and he has requested that this may be taken up tomorrow. That is up to the Speaker to decide. But he has made that request.

Now, we go to the next item.

16 52 hrs.

INDIAN TELEGRAPH (AMENDMENT) BILL

MR. DEPUTY-SPEAKER: Now, we take up further discussion on the Indian Telegraph (Amendment) Bill

DR KAILAS (Bombay South)-rose.

MR. DEPUTY-SPEAKER: Mr. Gowder-not here..

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): Only one hour has been allotted for this Bill and already two hours have been taken for this.