

MR. SPEAKER: I did not say anything. After you asked for my ruling yesterday, the Government then came and said they are very keen to introduce this Bill. So, I am giving my ruling today.

PROF. MADHU DANDAVATE (Rajapur): Many of us in this House have been feeling that these of us who want to raise certain basic issues before the country, because of these procedural wrangles, never get any time, because we do not hold the House to ransom. You yourself should evolve some machinery to see that all these procedural wrangles are decided outside the House first and then it should come before the House, so that the time of the House is not wasted.

14.10 hrs.

#### MULKI RULES BILL

MR. SPEAKER: Orally I give my ruling orally, but this time I have got it in writing, to be more precise.

Yesterday, after Shri Ram Niwas Mirdha moved for leave to introduce the Mulki Rules Bill, several Members opposed it on legal and constitutional grounds. The legislative competence in regard to the subject matter of the Bill was also challenged by some Members. Shri Atal Bihari Vajpayee sought to move that the Attorney General might be invited to give his opinion on legal aspects of the Bill. He has subsequently tabled a motion also.

I have since considered the matter and looked up the precedents. So far as the question of legislative competence of the House is concerned, it is the accepted practice in Lok Sabha that the Speaker does not give any ruling on whether a Bill is constitutionally within the legislative competence of the House or not. The House also does not take a decision on the specific question of *vires* of a Bill. It

is open to Members to express their views in the matter and to address arguments for and against the *vires* for the consideration of the House. The Members take this aspect into account in voting on the motion for leave to introduce the Bill or on the subsequent motions on the Bill.

As regards calling the Attorney General, I had referred the matter to the Minister, Shri R. N. Mirdha. I am informed by him that the Government have no doubt about the competency of the House to take up this legislation and, therefore, the Government do not feel any need to call the Attorney General before the House.

I therefore, hold that the motion for leave to introduce the Bill should be put to the vote of the House.

14.12 hrs.

#### MINES (AMENDMENT) BILL— Contd

#### EXTENSION OF TIME FOR PRESENTATION OF REPORT OF JOINT COMMITTEE

MR. SPEAKER: Shri A. P. Sharma moved the motion for the extension of the time for the presentation of the Report of the Joint Committee on the Bill further to amend the Mines Act, 1952

The question is:

"That this House do further extend upto the 9th March, 1973, the time for the presentation of the Report of the Joint Committee on the Bill further to amend the Mines Act, 1952."

The motion was adopted.