14

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 certain MINISTRY OF HOME AFFAIRS (SHRI tories.

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.

16

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 1 introducet the Bill

10 12 hrs

STATUTORY RESOLUTION RE DITHI ROAD TRANSPORT LAWS (AMEND-MENT) ORDINANCE AND DITHI ROAD TRANSPORT LAWS (AMEND-MINT) BIIL

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 filed the statement icgaiding 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

हा० लक्ष्मी नारायण पाण्डेय (मदनौर) ग्रध्यक्ष महादय, मै प्रस्ताव करता ह ---

"यह सभा राष्ट्रपति द्वारा 3 नवम्बर 1971 का प्रद्यापित विल्ली सद्दर परिवहन विविद्या (समाधन) श्राष्ट्रयादेस, 1971 (1971 का श्रष्ट्यादेश सन्त्या 21) का निरनमायन करती है।

धाप्यका महोदय, इस सम्बन्ध मे मेरा निवेदन इस प्रकार है कि पिछले विनो सरकार द्वारा

कई बच्यादेश निकाले गये ग्रीर उन बच्चादेशो की शुक्कला में दिल्ली सडक परिवहन विधिया (मशोधन) ग्रध्यादश भी साथ साथ लावा गवा। कुछ ब्रध्यादेशों के बारे में ता यह बात समझ में द्वाती थी कि उन की ग्रनिवार्यता थी श्राव-श्यकता थी, लक्ति गहक परिवहन विधिया क सम्बन्ध में ग्रध्यादश प्रत्यापित करन का काई इस प्रकार का उपस्कत कारण नजर मही श्राला । यद्यपि मग्कार द्वारा कुछ इस प्रकार की स्थिति बतान का प्रत्यन किया गया है कि इस श्रध्यादश का लान की भावभ्यकता क्या पही, लेकिन सरकार की इसके पीछ जा नीयत है जा भावना है उस म कुछ सदभावना दिखाई नहा देना ।

दिल्ली नगर निगम द्वारा जिस प्रकार स डी०र्टी०य० क माध्यम स दिल्ली का यातायात न्यवस्था का **अवस्थित करन का प्रयत्न किया जा रहा था** उस का बदनाम करन का दिष्ट उस ना नाय ठीन स न चत इस लिए स भरवार न जल्दबाजी में इस प्रकार का श्रष्ट्यादश लाने का यत्न किया है। यद्यपि यह बात सरकार द्वारा मीधी न कड़ी जा कर इस पर राज रिमच इंस्टीचर तथा मारारवा क्मीजन की बात कड़ी गई है । ये बाते बहुस 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 वह लगभग डेढ लाख भाबादी बढती है उस बढती हुई भाबादी की भावश्यकता को पूरा करन के लिये जिस प्रकार की व्यवस्था हानी चाहिय थी, वह नही थी। बस ठीक नहीं था उन क ठीक न हान के कारण लगभग डेइ-दो बच पूब राड विमर्च इस्टीबट हे 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॰व॰ का दिये गये । चुकि डी०टी०यु० के प्रध्यक्ष 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 गये, वं बसें भाज तक नहीं चलाई गई । जब वि सह-कारी समिनिकी को जो परमिट दिये गढे, उन्होंने

^{*}Introduced with the recommendation of the PRESIDENT.