

12.22 hrs.

STATEMENT RE. TAXATION LAWS  
(AMENDMENT AND MISCELLANEOUS PROVISIONS) ORDINANCE  
1965

The Minister of Planning (Shri B. R. Bhagat): Sir, I beg to lay on the Table an explanatory statement giving reasons for immediate legislation by the Taxation Laws (Amendment and Miscellaneous Provisions) Ordinance, 1965, as required under Rule 71(1) of the Rules of Procedure and Conduct of Business in Lok Sabha. [Placed in Library. See No. LT-4994/65].

12.22½ hrs.

## PRESS COUNCIL BILL—contd.

Mr. Speaker: The House will take up further consideration of the following motion moved by Shri C. R. Pattabhi Raman on the 23rd September, 1965, namely:—

"That the Bill to establish a Press Council for the purpose of preserving the freedom of the Press and of maintaining and improving the standards of newspapers in India, as passed by Rajya Sabha, be taken into consideration."

Shri Surendranath Dwivedy (Kendrapara): How many time remains for this?

Mr. Speaker: Time allotted for general discussion was 5 hours of which 3 hours and 25 minutes have been taken and 1 hour and 35 minutes remain.

Shri Hari Vishnu Kamath (Hoshangabad): How much for clause-by-clause discussion?

Mr. Speaker: Two hours.

Dr. L. M. Singhvi (Jodhpur): Sir, I had written to you to raise a question of the constitutionality and the competence of Parliament . . . .

Mr. Speaker: I have got it. He might raise it.

Dr. L. M. Singhvi: The Press Council Bill which is before us embodies in it a provision casting some statutory obligation . . . . .

Shri D. C. Sharma (Gurdaspur): Sir, I welcome the Press Council Bill.

Shri U. M. Trivedi (Mandsaur) He is still sleeping.

Dr. L. M. Singhvi: The Press Council Bill before us embodies a provision casting certain statutory duties and obligations on the Chief Justice of India to make certain nominations and appointments to the Press Council. The office of the Chief Justice of India is a constitutional office. Its functions are defined by the Constitution itself. On this high judicial office it is neither appropriate nor is it consistent with the Constitution of India to cast any additional statutory extraneous obligations of a non-judicial character. Also, the question arises as to whether the consent of the Chief Justice, which may have been obtained in the present case, would be binding on the successor Chief Justice to make such nominations or appointments.

Mr. Speaker: We might just have this discussed in a brief manner.

Dr. L. M. Singhvi: I am concluding.

Mr. Speaker: I want to discuss it with him. He has said that it is not appropriate and, secondly, that it is against the spirit of the Constitution. These are the two objections.

Shri Warior (Trichur): The successor comes in.

Mr. Speaker: I appreciate that point: if the successor does not agree to it, what is going to happen.

So far as the question whether it is appropriate or not is concerned, it has to be decided by the Chief Justice himself. There was a mention made of the presiding officers also and I refused to be associated with it; I did-