

publishing the Sugar (Price Determination for 1976-77 Production) Order, 1976, under sub-section (6) of section 3 of the Essential Commodities Act, 1955, together with a (Corrigendum thereon. [Placed in Library. See No. LT-11562/77].

II.A copy (in English and Hindi) of the Ministry of Agriculture and Irrigation Notification G.S.R. No. 913(E) |Ess. Com.|Sugarcane, dated the 9th December, 1976, publishing a Corrigendum to Government Notification G.S.R. No. 542(E) I Ess. Com. |Sugarcane, dated the 27th October, 1975. [Placed in Library. See No. Lt-11563/77].

III. A copy of the Ministry of Agriculture and Irrigation (Department of Food) Notification G.S.R. No. 892(E)|Ess. Com.|Sugarcane, dated the 22nd November, 1976, publishing a Corrigendum to the English version of the Government Notification G.S.R. No. 815(E)|Ess. Com.|Sugarcane, dated the 24th September, 1976. [Placed in Library. See No. LT-11564/77].

SHRI LAL K. ADVANI (Gujarat): Sir, I notice that the Papers Mr. Om Mehta is about to lay on the Table include the Representation of the People (Amendment) Ordinance, 1977, the Presidential and Vice-Presidential Elections (Amendment) Ordinance, 1977 and the Disputed Elections (Prime Minister and Speaker) Ordinance, 1977. Sir, these are three Ordinances relating to elections. First of all- the Representation of the People (Amendment) Ordinance relates to the present election also. I fail to understand how, on the eve of elections, the Government comes forth with an Ordinance and then, when the Rajya Sabha is meeting, does not ask the House to debate it. I have

known that in the past, whenever there has been an election, on the eve of every election the Chief Election Commissioner used to take the initiative, convene a meeting of all parties and discuss with them what can be done to ensure that the elections are free and fair. I know that several amendments in the law or in the rules have taken place in pursuance of those meetings. Right from 1968 till the present day, nine years have passed but the Chief Election Commissioner has not convened a single all-party conference. And the Government, on its own, takes the initiative, makes amendments in the law or in the rules without consulting the Opposition parties and then comes to Parliament with a fait accompli merely to inform them that this is what they have done. My submission is that even at this stage I would like the Home Minister to make this House discuss this particular matter which is in the form of an Ordinance. Ordinance-making is bad. It is undemocratic. It can be taken recourse to only in exceptional circumstances. But this Government has become used to legislating by Ordinances. Ruling the country by Ordinances or by Emergency either way, is bad.

#### **I. Ordinances under clause (2) of article 133 of the constitution.**

#### **II. First Report of the Commission of Inquiry (Sarkaria Commission) and related papers.**

SHRI OM MEHTA: Sir, I beg to lay on the Table:

I. A copy each (in English and Hindi) of the following Ordinances, under sub-clause (a) of clause (2) of article 123 of the Constitution:—

(i) The East Punjab Urban Rent Restriction Chandigarh (Amendment) Ordinance, 1976 (No. 14 of 1976).

(ii) The Caltex (Acquisition of Shares of Caltex Oil Refining India) Limited and of the Undertakings in India of Caltex (India) Limited Ordinance, 1973 (No. 15 of 1976).

(iii) The Food Corporations (Amendment) Ordinance, 1976 (No. 16 of 1976).

(iv) The Representation of the People (Amendment) Ordinance, 1977 (No. 1 of 1977).

(v) The Petroleum Pipelines (Acquisition of Right of User in Land) Amendment Ordinance, 1977 (No. 2 of 1977).

(vi) The Presidential and Vice-Presidential Elections (Amendment) Ordinance, 1977 (No. 3 of 1977).

(vii) The Disputed Elections (Prime Minister and Speaker) Ordinance, 1977 (No. 4 of 1977)

(viii) The Government of Union Territories (Amendment) Ordinance, 1977 (No. 5 of 1977).

(ix) The Delhi Administration (Amendment) Ordinance 1977 (No. 6 of 1977).

[Placed in Library. For (i) to (ix) See No. LT-11565/77].

n. (i) A copy of the First Report of the Commission of Inquiry (Sarkaria Commission) set up under the Commissions of Inquiry Act, 1952 to inquire into the allegations against the former Chief Minister and other Ministers of Tamil Nadu (Part I and Volumes I and II of Part II).

(ii) A statement (in English and Hindi) giving reasons for not laying simultaneously the Hindi version of the Report mentioned at (i) above. [Placed in Library. For

(i) and (ii) See No. LT-11566/77].

**I. Order GSR. No. 868(E) dated the 5th November, 1976 under article 359 of the constitution.**

**II. Madras City Police (Amendment) Act, 1976**

**III. Ministry of Home Affairs, Notification**

SHRI OM MEHTA; Sir, I also beg to lay on the Table:—

I. A copy (in English and Hindi) of the Order G.S.R. No. 868(E) dated the 5th November, 1976, under clause (3) of article 359 of the Constitution, issued by the President under clause (1) of article 359 of the Constitution, regarding suspension of article 31 of the Constitution, in relation to all proceedings pending in any court under the Tamil Nadu Urban Land (Ceiling and Regulation) Act, 1976 [Placed in Library. See No. LT-11567/77].

H. A copy (in English and Hindi) of the Madras City Police (Amendment) Act, 1976 (No. 39 of 1976) enacted by the President, under sub-section (3) of section 3 of the Tamil Nadu State Legislature (Delegation of Powers) Act, 1976. [Placed in Library. See No. LT-11568/77].

III. A copy (in English and Hindi) of the Ministry of Home Affairs, Notification S.O. No. 149(E), dated the 9th February, 1977, publishing an Order of the President made in relation to the Union Territory of Pondicherry, under section 51 of the Government of Union Territories Act, 1963. [Placed in Library. See No. LT-11569/77].

**I. Central industrial security force (Amendment) Rules, 1977.**

**II. Minister allowances and medical treatment and other privileges) Amendment Rules, 1977.**