

## STATEMENT OF OBJECTS AND REASONS

This Bill seeks to give effect to the recommendations of the Law Commission of India in its Forty-fourth and Forty-fifth Reports on Civil Appeals to the Supreme Court on certificate of fitness. At present an appeal lies to the Supreme Court, *inter alia*, on a certificate given by a High Court that the amount or the value of the subject-matter of dispute is not less than twenty thousand rupees or that the judgment, decree or final order involves, directly or indirectly, some claim or question respecting property of the like amount. The valuation cannot be the rational yardstick for a right to appeal. An important question of law can arise even in suits of small value and the test of valuation results in cases without merit going up to the Supreme Court. The Law Commission recommended that clauses (a) and (b) of article 133(1) of the Constitution should be omitted and that an appeal should lie to the Supreme Court only if the High Court certifies that the case involves a substantial question of law of general importance and that in the opinion of the High Court the said question needs to be decided by the Supreme Court. The amendment of the article accordingly would curtail the number of appeals which are filed in the Supreme Court merely on the valuation test being satisfied, without any merit in them. The Bill seeks to achieve this object.

NEW DELHI;

H. R. GOKHALE.

*The 8th May, 1972.*

S. L. SHAKDHER,  
*Secretary.*