

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

(Sixteenth Lok Sabha)

TWENTY-EIGHTH REPORT

(Presented on 7.12.2016)

On behalf of the Committee on Private Members' Bills and Resolutions, I having been authorised by the Committee to present the Report, present this Twenty-eighth Report.

2. The Committee met on 5 December, 2016 for -

- I. Examination of three Constitution (Amendment) Bills under rule 294(1)(a) of the Rules of Procedure.
- II. Allocation of time under rule 294(1)(e) of the Rules of Procedure to three Resolutions given notices of by Dr. Shashi Tharoor, Sarvashri Raju Shetti and Feroze Varun Gandhi, M.Ps.

Examination of the Constitution (Amendment) Bills

3. The Committee examined the following three Constitution (Amendment) Bills:-

- (1) The Constitution (Amendment) Bill, 2016
(Amendment of article 124, etc.) by
Shri Rajeev Satav, M.P.

The Bill seeks to amend the constitution with a view to provide reservation to the Scheduled Castes, the Scheduled Tribes and the Other Backward Classes in higher judiciary in proportion to their population.

After considering all aspects of the Bill, the Committee recommend that the member may be permitted to move for leave to introduce the Bill.

- (2) The Constitution (Amendment) Bill, 2016
(Amendment of article 124, etc.) by
Shri Bhartruhari Mahatab, M.P.

The Bill seeks to amend the Constitution with a view to provide that-

- (i) every Judge of the Supreme Court shall be appointed by the President after consultation with the Chief Justice of India and four senior most Judges of the Supreme Court and such consultation shall not be binding on the President;
- (ii) the appointment of Chief Justice of India shall be made on the basis of seniority; and

- (iii) every Judge of a High Court, including the Chief Justice, shall be appointed by the President after consultation with the Chief Justice of India, two senior most Judges of the Supreme Court, the Governor of the State, and, in the case of appointment of a Judge, other than the Chief Justice, the Chief Justice of the High Court and such consultation shall not be binding on the President.

After considering all aspects of the Bill, the Committee recommend that the member may be permitted to move for leave to introduce the Bill.

- (3) The Constitution (Amendment) Bill, 2016
(Amendment of article 16) by
Shri Santokh Singh Chaudhary, M.P.

The Bill seeks to amend the Constitution with a view to provide that the Scheduled Castes and the Scheduled Tribes shall be deemed to be backward and nothing shall prevent the State from making any provision for their reservation in promotions, with consequential seniority, in the services of the State.

After considering all aspects of the Bill, the Committee recommend that the member may be permitted to move for leave to introduce the Bill.

Allocation of time to Resolutions

4. The Committee recommend allocation of time to three resolutions as follows :-

- (i) Resolution by Dr. Shashi Tharoor regarding - 2 hours
steps to ensure the welfare of fishermen and
conservation of fish resources in Kerala.
- (ii) Resolution by Shri Raju Shetti regarding - 2 hours
initiation of a new scheme for waiving of loans
of farmers.
- (iii) Resolution by Shri Feroze Varun Gandhi - 2 hours
regarding steps to improve healthcare facilities in
the country.

Recommendations

5. The Committee recommend that –

- (i) Dr. Shashi Tharoor, Sarvashri Raju Shetti and Feroze Varun Gandhi, M.Ps. may be permitted to move for leave to introduce their Constitution (Amendment) Bills specified in paragraph 3 above; and
- (ii) the allocation of time to three resolutions, as shown in paragraph 4 above, be agreed to by the House.

NEW DELHI;

5 December, 2016

14 Agrahayana, 1938 (Saka)

RATTAN LAL KATARIA

*Acting Chairperson,
Committee on Private Members’
Bills and Resolutions.*