

REPORT OF THE COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

Seventh Lok Sabha

Ninth Report



**LOK SABHA SECRETARIAT
NEW DELHI**

1980

Presented on 20-11-1980

Adopted on 21-11-1980

**COMMITTEE ON PRIVATE MEMBERS' BILLS AND
RESOLUTIONS**

(Seventh Lok Sabha)

NINTH REPORT

I, the Chairman of the Committee on Private Members' Bills and Resolutions, having been authorised by the Committee to present the Report on their behalf, present this Ninth Report.

2. The Committee met on 18 November 1980 for—

I. Examination of the following Constitution (Amendment) Bills under Rule 294(1)(a) of the Rules of Procedure:—

- (1) The Constitution (Amendment) Bill, 1980 (*Amendment of Eighth Schedule*) by Shri Bhogendra Jha.
- (2) The Constitution (Amendment) Bill, 1980 (*Amendment of articles 15, 335, etc.*) by Shri Bhogendra Jha.
- (3) The Constitution (Amendment) Bill, 1980 (*Amendment of article 327 and insertion of new article 362*) by Shri Bhogendra Jha.
- (4) The Constitution (Amendment) Bill, 1980 (*Amendment of article 19*) by Shri Bhogendra Jha.

II. Classification and allocation of time for discussion of Bills (*vide* Appendix I) under clauses (b) and (c) of Rule 294(1) of the Rules of Procedure.

III. Classification of, and allocation of time to, the Bills contained in their Eighth Report which was presented to the House on 12 August, 1980 but could not be adopted as the House was adjourned *sine die* on the same day.

IV. Reconsideration of classification of the Constitution (Scheduled Castes) Orders (Amendment) Bill, 1980 by Shri P. J. Kurien.

Examination of Constitution (Amendment) Bills

3. The Committee considered the Bills and arrived at the following findings as a result of their examination of the Bills:—

Findings of the Committee

- (1) The Constitution (Amendment) Bill, 1980 (*Amendment of Eighth Schedule*) by Shri Bhogendra Jha.

The Bill seeks to amend Eighth Schedule to the Constitution with a view to add Bhojpuri, Maithili, Manipuri, Nepali and Santhali languages therein.

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, 1980 (*Amendment of articles 15, 335, etc.*) by Shri Bhogendra Jha.

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The Bill seeks to amend articles 15, 335 and 340 of the Constitution with a view to include in the category of reservation those who have entered into inter-caste marriage, their off-springs and economically backward classes.

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, 1980 (*Amendment of article 327 and insertion of new article 362*) by Shri Bhogendra Jha.

The Bill seeks to amend the Constitution with a view to provide—

- (i) that the electoral constituencies shall be delimited in a manner that the extent of each electoral constituency for the House of the People or the Legislative Assembly of a State is the same as the administrative and developmental unit or area at the corresponding level in each State; and
- (ii) that it will be the right and the responsibility of the elected members of the House of the People or the Legislative Assembly of a State, as the case may be, to ensure the actual implementation of laws, measures, projects and plans within the territorial limits of the electoral constituency which the members represent and for that purpose there shall be constituted such bodies, to be headed by the respective elected members, at the level of the electoral constituencies as may be determined by Parliament by law.

After considering the Bill at some length, the Committee postponed further consideration thereof to their next sitting.

- (4) The Constitution (Amendment) Bill, 1980 (*Amendment of article 19*) by Shri Bhogendra Jha.

The Bill seeks to add right to work, free education, free legal and medical aid, unemployment and maintenance allowance, as Fundamental Rights.

After considering the Bill at some length, the Committee postponed further consideration thereof to their next sitting.

Classification and allocation of time to Bills

4. The Committee then considered classification and allocation of time for discussion of Bills specified in Appendix-I.

5. After considering all aspects of the Bill, the Committee recommend that (i) the Compulsory Purchase of Surplus Agricultural Commodities Bill, 1980 by Shri P. Rajagopal Naidu, (ii) the Blind Persons (Employment) Bill, 1980 by Prof. Madhu Dandavate, (iii) the Constitution (Amendment) Bill, 1980 (*Insertion of new article 13A*) by Shri Ram Vilas Paswan, and (iv) the Salary, Allowances and Pension of Members of Parliament (Amendment) Bill, 1980 (*Amendment of section 3, etc.*) by Shri Mool Chand Daga, be placed in category 'A' and all the remaining Bills be placed in category 'B'. The Committee recommend allocation of time for each of the Bills as shown in column 5 of Appendix I.

Classification and allocation of time to Bills contained in the Eighth Report

6. The Committee recommend that all recommendations contained in their Eighth Report regarding categorisation of and allocation of time for discussion of Bills, now included in this Report, (*vide Appendix II*), may be agreed to.

Reconsideration of the classification of a Bill

7. The Committee then reconsidered the request of Shri P. J. Kurien to reconsider their earlier decision (*vide* First Report) and place his Bill, namely, the Constitution (Scheduled Castes) Orders (Amendment) Bill, 1980 in category 'A'.

8. On reconsideration, the Committee recommend that the Bill may be placed in category 'A'.

Recommendations

9. The Committee recommend that—

- (i) Shri Bhogendra Jha be permitted to move for leave to introduce his two Constitution (Amendment) Bills;
- (ii) the classification and allocation of time to Bills by the Committee, as shown in the Appendices I & II, be agreed to by the House; and
- (iii) the reclassification of the Bill, as shown in paragraph 8 above, be agreed to by the House.

NEW DELHI;

18 November, 1980.
27 Kartika, 1902 (Saka).

G. LAKSHMANAN.

*Chairman,
Committee on Private Members'
Bills and Resolutions.*

APPENDIX-I

| Sl. No. | Name of the Bill and the Member-in-charge | Bill No. | Category recommended | Time recommended by the Committee |
|---------|---|-------------|----------------------|-----------------------------------|
| 1 | 2 | 3 | 4 | 5 |
| 1 | The Constitution (Amendment) Bill, 1980 (Amendment of article 356) by Shri Bapusaheb Parulekar. | 112 of 1980 | B | 2 hours |
| 2 | The Constitution (Amendment) Bill, 1980 (Amendment of articles 330 and 332) by Shri Suraj Bhan. | 119 of 1980 | B | 2 hours |
| 3 | The Constitution (Amendment) Bill, 1980 (Amendment of article 335) by Shri Suraj Bhan. | 125 of 1980 | B | 2 hours |
| 4 | The Bihar Atomic Authority Bill, 1980 by Shri Ramavatar Shastri. | 118 of 1980 | B | 2 hours |
| 5 | The Code of Civil Procedure (Amendment) Bill, 1980 (Omission of section 80) by Shri Bapusaheb Parulekar. | 154 of 1980 | B | 2 hours |
| 6 | The Constitution (Amendment) Bill, 1980 (Substitution of article 54 and amendment of articles 55, 81, etc.) by Prof. Madhu Dandavate. | 143 of 1980 | B | 2 hours |
| 7 | The Compulsory Purchase of Surplus Agricultural Commodities Bill, 1980 by Shri P. Rajagopal Naidu. | 153 of 1980 | A | 2 hours |
| 8 | The Blind Persons (Employment) Bill, 1980 by Prof. Madhu Dandavate. | 147 of 1980 | A | 2 hours |
| 9 | The Constitution (Amendment) Bill, 1980 (Amendment of Eighth Schedule) by Prof. Narain Chand Parashar. | 140 of 1980 | B | 2 hours |
| 10 | The One Family One Post (in Government Service) Bill, 1980 by Shri Ram Vilas Paswan. | 152 of 1980 | B | 2 hours |
| 11 | The Constitution (Amendment) Bill, 1980 (Insertion of new article 13A) by Shri Ram Vilas Paswan. | 139 of 1980 | A | 2 hours |
| 12 | The Salary, Allowances and Pension of Members of Parliament (Amendment) Bill, 1980 (Amendment of section 3 etc.) by Shri Mool Chand Daga. | 138 of 1980 | A | 2 hours |
| 13 | The Constitution (Amendment) Bill, 1980 (Amendment of articles 124, 125, etc.) by Shri Atal Behari Vajpayee. | 142 of 1980 | B | 2 hours |
| 14 | The Backward Areas Development Board Bill, 1980 by Shri Eduardo Falciro. | 149 of 1980 | B | 2 hours |
| 15 | The Compulsory Voting Bill, 1980 by Shri Eduardo Falciro. | 144 of 1980 | B | 2 hours |
| 16 | The Constitution (Amendment) Bill, 1980 (Amendment of Eighth Schedule) by Shri Eduardo Falciro. | 141 of 1980 | B | 2 hours |

Intd. on 25.2.80

APPENDIX-II

| Sl. No. | Name of the Bill and the Member-in-charge | Bill No. | Category recommended | Time recommended by the Committee |
|---------|---|-------------|----------------------|-----------------------------------|
| 1 | 2 | 3 | 4 | 5 |
| 1 | The Delimitation of Cantonment (Ranikhet) Bill, 1980 by Harish Chandra Singh Rawat. | 103 of 1980 | B | 2 hours |
| 2 | The Indian Penal Code (Amendment) Bill, 1980 (Amendment of sections 53, 118, etc.) by Shri Bapusaheb Farulekar. | 115 of 1980 | B | 2 hours |
| 3 | The Pensions Bill, 1980 by Shri V.N. Gadgil. | 116 of 1980 | A | 2 hours |
| 4 | The Land Acquisition (Amendment) Bill, 1980 (Amendment of section 4) by Shri G.M. Banatwalla. | 111 of 1980 | B | 2 hours |
| 5 | The Constitution (Amendment) Bill, 1980 (Amendment of article 155) by Prof. Madhu Dandavate. | 100 of 1980 | B | 2 hours |
| 6 | The Solar Energy Development Commission Bill, 1980 by Shri P. Rajagopal Naidu. | 135 of 1980 | B | 2 hours |
| 7 | The Constitution (Scheduled Castes) Orders (Amendment) Bill, 1980 by Shri G.S. Reddi. | 129 of 1980 | B | 2 hours |
| 8 | The Salary, Allowances and Pension of Members of Parliament (Amendment) Bill, 1980 (Amendment of sections 3, 4, etc.) by Shri Digvijay Singh. | 134 of 1980 | B | 2 hours |
| 9 | The Freedom of Religion Bill, 1980 by Shri G.S. Reddi. | 126 of 1980 | B | 2 hours |
| 10 | The Beedi and Cigar Workers (Conditions of Employment) Amendment Bill, 1980 by Shrimati Geeta Mukherjee. | 130 of 1980 | B | 2 hours |
| 11 | The Constitution (Amendment) Bill, 1980 (Substitution of article 81, etc.) by Shrimati Geeta Mukherjee. | 124 of 1980 | B | 2 hours |
| 12 | The Constitution (Amendment) Bill, 1980 (Amendment of article 16) by Shrimati Geeta Mukherjee. | 121 of 1980 | A | 2 hours |
| 13 | The Constitution (Amendment) Bill, 1980 (Insertion of new article 342A) by Shrimati Geeta Mukherjee. | 120 of 1980 | B | 2 hours |
| 14 | The Country Fishing Boats Protection Bill, 1980 by Shri R.K. Mhalgi. | 132 of 1980 | A | 2 hours |
| 15 | The Pensions' (Amendment) Bill, 1980 (Amendment of section 4) by Shri R.K. Mhalgi. | 133 of 1980 | B | 2 hours |
| 16 | The High Court of Bombay (Establishment of Permanent Benches at Aurangabad and Pune in Maharashtra) Bill, 1980 by Shri R.K. Mhalgi. | 127 of 1980 | B | 2 hours |
| 17 | The Constitution (Amendment) Bill, 1980 (Amendment of articles 83 and 172) by Shri R.K. Mhalgi. | 123 of 1980 | B | 2 hours |