

COMMITTEE ON PRIVATE MEMBERS'
BILLS AND RESOLUTIONS

FIRST TO SIXTY-EIGHTH REPORTS
(ENGLISH VERSION)



EIGHTH LOK SABHA

Legislative Branch-II

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

(Eighth Lok Sabha)

TWENTY-NINTH REPORT

(Presented on 4-3-1987)

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 Twenty-ninth Report.

2. The Committee met on 2 March, 1987 for—

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

- (1) The Constitution (Amendment) Bill, 1987 (*Substitution of new article for article 54, etc.*) by Prof. Madhu Dandavate.
- (2) The Constitution (Amendment) Bill, 1987 (*Amendment of articles 19 and 326*) by Prof. Madhu Dandavate.
- (3) The Constitution (Amendment) Bill, 1987 (*Amendment of Eighth Schedule*) by Prof. Madhu Dandavate.
- (4) The Constitution (Amendment) Bill, 1987 (*Amendment of Tenth Schedule*) by Shrimati Basavarajeswari.
- (5) The Constitution (Amendment) Bill, 1987 (*Insertion of new articles 23A, 23B and 23C*) by Shrimati Basavarajeswari.
- (6) The Constitution (Amendment) Bill, 1987 (*Amendment of article 19*) by Shri Syed Shahabuddin.

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

III. Reconsideration of classification of the Constitution (Amendment) Bill, 1986 (*Amendment of article 311*) by Ch. Rahim Khan.

IV. Allocation of time under rule 294(1)(e) of the Rules of Procedure to the Resolutions at item Nos. 2, 3 and 4 set down in the List of Business for Friday, 6 March 1987.

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, 1987 (*Substitution of new article for article 54 etc.*) by Prof. Madhu Dandavate.

The Bill seeks to amend the Constitution with a view to provide, *inter alia*, for nomination of certain number of members to the House of the People and the Legislative Assemblies, in addition to the members chosen by direct election by the recognised political parties in proportion to the votes polled by them at the direct election.

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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, 1987 (Amendment of articles 19 and 326) by Prof. Madhu Dandavate.

The Bill seeks to amend articles 19 and 326 of the Constitution with a view to make the right to vote as a fundamental right and also seeks to entitle all such persons who have attained the age of eighteen years to the right to vote.

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, 1987 (Amendment of Eighth Schedule) by Prof. Madhu Dandavate.

The Bill seeks to amend the Eighth Schedule to the Constitution with a view to add Nepali language 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.

(4) The Constitution (Amendment) Bill, 1987 (Amendment of Tenth Schedule) by Shrimati Basavarajeswari.

The Bill seeks to amend the Tenth Schedule to the Constitution with a view to provide that a nominated member of either House of Parliament or the Legislative Assembly or, as the case may be, either House of the Legislature of a State, who is not a member of any political party on the date of his nomination if joins any political party after his nomination, shall be disqualified from being such a member.

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

(5) The Constitution (Amendment) Bill, 1987 (Insertion of new articles 23A, 23B and 23C) by Shrimati Basavarajeswari.

The Bill seeks to provide for (i) right to work, house to live, food to eat and employment to every citizen and cash allowance in case of failure of the Government to provide these; (ii) right to free education upto the age of 20 years for all children, compulsory education till they have passed Tenth Class and free medical and technical education to all those students who secure good marks but are not able to meet the expenses of their higher education; and (iii) monetary assistance to every citizen who has completed the age of twenty years and remains chronically sick or is permanently incapacitated or is disabled.

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

(6) The Constitution (Amendment) Bill, 1987 (Amendment of article 19) by Shri Syed Shahabuddin.

The Bill seeks to amend article 19 of the Constitution with a view to include the right to a free press as a Fundamental Right.

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

Classification and allocation of time to Bills

4. The Committee then considered classification and allocation of time to six Bills specified in Appendix.

5. After considering all aspects of the Bills, the Committee recommend that (i) the Constitution (Amendment) Bill, 1986 (Insertion of new articles 23A, 23B and 23C) by Prof. Madhu Dandavate, and (ii) the Forest (Conservation) Amendment Bill, 1986 (Amendment of section 2, etc.) by Prof. Madhu Dandavate, be placed in category 'A' and all the remaining four Bills be placed in category 'B'. The Committee recommend allocation of time for each of the Bills as shown in column 5 of the Appendix.

Reconsideration of the classification of a Bill

6. The Committee then considered the request of Ch. Rahim Khan to reconsider their earlier decision (vide Twenty-sixth Report), regarding the classification of his Bill, namely, the Constitution (Amendment) Bill, 1986 (Amendment of article 311) from category 'B' to category 'A'.

7. On reconsideration, the Committee did not see any justification for altering the original categorisation of the Bill.

Allocation of time to Resolutions

8. The Committee recommend allocation of time to resolutions as follows:—

(1) Resolution by Shri Balasaheb Vikhe Patil regarding financial assistance to eliminate drought conditions.	2 hours
(2) Resolution by Shri G. Bhoopathy regarding remunerative prices for agricultural produce.	2 hours
(3) Resolution by Shri C. Janga Reddy regarding insulation of politics from institutionalised religion.	2 hours

Recommendations

9. The Committee recommend that—

- (i) Prof. Madhu Dandavate, Shrimati Basavarajeswari and Shri Syed Shahabuddin be permitted to move for leave to introduce their Constitution (Amendment) Bills;
- (ii) the classification and allocation of time to Bills by the Committee, as shown in the Appendix, be agreed to by the House; and
- (iii) the allocation of time to resolutions, as shown in paragraph 8 above, be agreed to by the House.

New Delhi;

March 2, 1987

Phalgun 11, 1908 (Saka)

M. THAMBI DURAI,
Chairman,
Committee on Private Members'
Bills and Resolutions.

APPENDIX

Sl. No.	Name of the Bill and the member-in-charge	Bill No.	Category recommended	Time recommended
1	2	3	4	5
1	The Constitution (Amendment) Bill, 1986 <i>(Insertion of new articles 23A, 23B and 23C)</i> by Prof. Madhu Dandavate.	118 of 1986	A	2 hours
2	The Constitution (Amendment) Bill, 1986 <i>(Amendment of article 83, etc.)</i> by Prof. Madhu Dandavate.	124 of 1986	B	2 hours
3	The Forest (Conservation) Amendment Bill, 1986 <i>(Amendment of section 2, etc.)</i> by Prof. Madhu Dandavate.	123 of 1986	A	2 hours
4	The Constitution (Amendment) Bill, 1986 <i>(Amendment of article 368)</i> by Shri Shantaram Naik.	133 of 1986	B	2 hours
5	The Standardisation of Style of Names of Citizens Bill, 1986 by Shri Shantaram Naik.	139 of 1986	B	2 hours
6	The Income-tax (Amendment) Bill, 1986 <i>(Amendment of section 230A)</i> by Shri Shantaram Naik.	136 of 1986	B	2 hours