

REPORT OF THE COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

Seventh Lok Sabha

First Report



**LOK SABHA SECRETARIAT
NEW DELHI**

1980

Presented on 11-6-1980

Adopted on 13-6-1980

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

(Seventh Lok Sabha)

FIRST 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 First Report.

2. The Committee met on 10 June 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 Preamble and article 1, etc.) by Shri Chitta Basu.
- (2) The Constitution (Amendment) Bill, 1980 (Omission of article 331, etc. by Shri Bapusaheb Parulekar).
- (3) The Constitution (Amendment) Bill, 1980 (*Insertion of new article 16A, etc.*) by Shri K. Lakkappa.
- (4) The Constitution (Amendment) Bill, 1980 (*Amendment of articles 101 and 190*) by Shri K. Lakkappa.
- (5) The Constitution (Amendment) Bill, 1980 (Amendment of Eighth Schedule) by Shri R. P. Yadav.

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.

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 Preamble and article 1, etc.*) by Shri Chitta Basu.

The Bill seeks to amend or substitute certain provisions of the Constitution with the object of redefining the Centre-State relations so as to provide for real autonomy to States by redistribution of administrative and financial powers, *inter alia*, by reformulating the Seventh Schedule to the Constitution.

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 (*Omission of article 331, etc.*) by Shri Bapusaheb Parulekar.

The Bill seeks to omit articles 331 and 333 and to amend article 334 of the Constitution with a view to do away with the special provisions regarding representation of the Anglo-Indian community by nomination in the House of the People and the Legislative Assemblies of the States.

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

- (3) The Constitution (Amendment) Bill, 1980 (*Insertion of new article 16A, etc.*) by Shri K. Lakkappa.

The Bill seeks to insert new article 16A in the Constitution with a view to make right to work for all citizens as a Fundamental Right and to provide unemployment allowance to all unemployed citizens.

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, 1980 (*Amendment of articles 101 and 190*) by Shri K. Lakkappa.

The Bill seeks to amend the Constitution with a view to provide that no House of Parliament or a Legislature of a State shall have the power to expel its Members and no resolution to so expel a Member passed in a session of the House or a Committee thereof shall render vacant the seat of the Member so affected.

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, 1980 (*Amendment of Eighth Schedule*) by Shri R. P. Yadav.

The Bill seeks to amend the Constitution of India with a view to insert Maithili language in the Eighth Schedule.

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. After considering all aspects of the Bills the Committee recommend that the following Bills be placed in category 'A' :—

1. The Constitution (Amendment) Bill, 1980 (*Amendment of article 326*) by Shri George Fernandes.
2. The Reservation of Vacancies in Posts and Services (For Scheduled Castes and Scheduled Tribes) Bill, 1980 by Shri Suraj Bhan.
3. The Small Farmers and Agricultural Workers Security Bill, 1980 by Shri P. Rajagopal Naidu.
4. The Constitution (Amendment) Bill, 1980 (*Amendment of articles 19 and 41*) by Shri Bapusaheb Parulekar.
5. The Constitution (Amendment) Bill, 1980 (*Amendment of articles 19 and 326*) by Prof. Madhu Dandavate.
6. The Hoarding and Profiteering Prevention Bill, 1980 by Shri Eduardo Faleiro.
7. The Free Legal Services Bill, 1980 by Shri Eduardo Faleiro.

The Committee further recommend that 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 the Appendix.

Recommendations

5. The Committee recommend that—

- (i) Sarvashri Chitta Basu, K. Lakkappa and R. P. Yadav be permitted to move for leave to introduce their Constitution (Amendment) Bills; and
- (ii) the classification and allocation of time to Bills by the Committee as shown in the *Appendix* be agreed to by the House.

NEW DELHI;

10 June 1980

20 Jyadista 1902 (Saka)

G. LAKSHMANAN,

Chairman,

Committee on Private Members' Bills and Resolutions.

APPENDIX

S.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 (<i>Amendment of article 31C, omission of Part XIV A, etc.</i>) by Shri Chittu Basu.	10 of 1980	B	2 hours
2.	The Aligarh Muslim University (Restoration of Minority Character) Bill, 1980 by Shri Ram Jethmalani	28 of 1980	B	2 hours
3.	The Code of Civil Procedure (Amendment) Bill, 1980 (<i>Amendment of Order XXXVIII</i>) by Shri V.N. Gadgil.	15 of 1980	B	2 hours
4.	The Trade and Merchandise Marks (Amendment) Bill, 1980 (<i>Insertion of new section 88A, etc.</i>) by Shri V.N. Gadgil.	12 of 1980	B	2 hours
5.	The Marginal Farmers and Agricultural Workers Family Security Bill, 1980 by Shri P. Rajagopal Naidu.	13 of 1980	B	2 hours
6.	The Constitution (Amendment) Bill, 1980 (<i>Omission of article 44</i>) by Shri G.M. Banatwalla.	23 of 1980	B	2 hours
7.	The Aligarh Muslim University (Amendment) Bill, 1980 (<i>Amendment of section 2</i>) by Shri G. M. Banatwalla.	17 of 1980	B	2 hours
8.	The Industries (Development and Regulation) Amendment Bill, 1980 (<i>Amendment of section 18FB</i>) by Dr. Vasant Kumar Pandit.	26 of 1980	B	2 hours
9.	The Pharmacy (Amendment) Bill, 1980 (<i>Amendment of sections 2, 3, etc.</i>) by Dr. Vasant Kumar Pandit.	19 of 1980	B	2 hours
10.	The Government Service (Age Limit) and Unemployment Allowance Bill, 1980 by Shri Ram Vilas Paswan.	20 of 1980	B	2 hours
11.	The Special Courts (Repeal) Bill, 1980 by Shri K.T. Kosalram.	25 of 1980	B	2 hours
12.	The Constitution (Amendment) Bill, 1980 (<i>Amendment of article 326</i>) by Shri George Fernandes.	24 of 1980	A	2 hours
13.	The Constitution (Amendment) Bill, 1980 (<i>Insertion of new article 46A</i>) by Shri George Fernandes.	21 of 1980	B	2 hours
14.	The Aligarh Muslim University (Amendment) Bill, 1980 (<i>Amendment of section 2</i>) by Shri George Fernandes.	18 of 1980	B	2 hours
15.	The Prevention of Illegal Acquisition of Property Bill, 1980 by Shrimati Krishna Sahi.	16 of 1980	B	2 hours
16.	The Mercy Killing Bill, 1980 by Shri M.C. Daga	14 of 1980	B	2 hours
17.	The Indian Medicine Central Council (Amendment) Bill, 1980 (<i>Amendment of sections 2, 3, etc.</i>) by Shri V.N. Gadgil.	135 of 1980	B	2 hours
18.	The Constitution (Amendment) Bill, 1980 (<i>Amendment of article 102, etc.</i>) by Shri R.K. Mhalgi.	34 of 1980	B	2 hours

1	2	3	4	5
19.	The Code of Criminal Procedure (Amendment) Bill, 1980 (Amendment of sections 125 and 127) by Shri C. M. Banatwalla.	30 of 1980	B	2 hours
20.	The Reservation of Vacancies in Post and Services (For Scheduled Castes and Scheduled Tribes) Bill, 1980 by Shri Suraj Bhan.	31 of 1980	A	2 hours
21.	The Small Farmers and Agricultural Workers Security Bill, 1980 by Shri P. Rajagopal Naidu.	29 of 1980	A	2 hours
22.	The Defection Prevention Bill, 1980 by Shri Ram Jethmalani.	32 of 1980	B	2 hours
23.	The Constitution (Amendment) Bill, 1980 (Amendment of articles 19 and 41) by Shri Bapusaheb Parulekar.	33 of 1980	A	2 hours
24.	The Indian Medicine Central Council (Amendment) Bill, 1980 (Amendment of section 17 and Second Schedule) by Prof. Madhu Dandavate.	68	B	2 hours
25.	The Constitution (Amendment) Bill, 1980 (Amendment of articles 75 and 164) by Prof. Madhu Dandavate.	69 of 1980	B	2 hours
26.	The Constitution (Amendment) Bill, 1980 (Amendment of articles 19 and 326) by Prof. Madhu Dandavate.	67 of 1980	A	2 hours
27.	The Constitution (Amendment) Bill, 1980 (Amendment of Eighth Schedule) by Dr. Karan Singh.	37 of 1980	B	2 hours
28.	The Constitution (Scheduled Castes) Orders (Amendment) Bill, 1980 by Shri P. J. Kurien.	63 of 1980	B	2 hours
29.	The Abolition of Capital Punishment Bill, 1980 by Shri Eduardo Faleiro.	72 of 1980	B	2 hours
30.	The Hoarding and Profiteering Prevention Bill, 1980 by Shri Eduardo Faleiro.	70 of 1980	A	2 hours
31.	The Free Legal Services Bill, 1980 by Shri Eduardo Faleiro.	71 of 1980	A	2 hours