

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

**FIRST TO FORTY-NINE REPORTS
(ENGLISH VERSION)**



Tenth Lok Sabha

Legislative Branch-II

COMMITTEE ON PRIVATE MEMBERS' BILLS AND
RESOLUTIONS
(Tenth Lok Sabha)

TWELFTH REPORT

(Presented on 29.7.1992)

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 Twelfth Report.

2. The Committee met on 21 July, 1992 for examination of the following Constitution (Amendment) Bills under rule 294(1) (a) of the Rules of Procedure:—

- ✓ (1) The Constitution (Amendment) Bill, 1992 (*Insertion of new article 330A, etc.*) by Shri Mohan Singh.
- ✓ (2) The Constitution (Amendment) Bill, 1992 (*Insertion of new articles 330A and 330B, etc.*) by Shri K.P. Reddaiah Yadav.
- ✓ (3) The Constitution (Amendment) Bill, 1992 (*Omission of articles 356 and 357*) by Shri Venkateswara D. Rao.
- ✓ (4) The Constitution (Amendment) Bill, 1992 (*Insertion of new article 46A*) by Shri Syed Shahabuddin.
- ✓ (5) The Constitution (Amendment) Bill, 1992 (*Amendment of article 371*) by Shri Yashwantrao Patil.

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, 1992 (*Insertion of new article 330A, etc.*) by Shri Mohan Singh.

The Bill seeks to amend the Constitution with a view to reserve seats for the Scheduled Castes and the Scheduled Tribes in the Council of States and in the Legislative Councils of the States.

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, 1992 (*Insertion of new articles 330A and 330B, etc.*) by Shri K.P. Reddaiah Yadav.

The Bill seeks to amend the Constitution with a view to reserve seats for the other backward classes in both Houses of Parliament and in State Legislatures.

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, 1992 (*Omission of articles 356 and 357*) by Shri Venkateswara D. Rao.

The Bill seeks to omit articles 356 and 357 of the Constitution which provide that the President may, in case of failure of constitutional machinery in the States by proclamation assume all or any of the functions of the Government of the State, declare that the powers of the Legislature of the State shall be exercisable by or under the authority of the Parliament.

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, 1992 (*Insertion of new article 46A*) by Shri Syed Shahabuddin.

The Bill seeks to insert a new article 46A in the Constitution with a view to provide that the State shall respect the identity of the religious, linguistic and ethnic minorities and encourage its preservation, promote their educational and economic advancement and protect them against violence.

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, 1992 (*Amendment of article 371*) by Shri Yashwantrao Patil.

The Bill seeks to amend article 371 of the Constitution with a view to providing that the President may by order provide for any special responsibility of the Chief Minister, instead of the Governor as at present, for establishment of separate Development Boards for backward areas in the States of Maharashtra and Gujarat.

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

Recommendations

4. The Committee recommend that Sarvashri Mohan Singh, K.P. Reddaiah Yadav, Venkateswara D. Rao, Syed Shahabuddin and Yashwantrao Patil be permitted to move for leave to introduce their Constitution (Amendment) Bills.

NEW DELHI;
July 21, 1992
Asada 30, 1914 (Saka)

S. MALLIKARJUNAIAH,
Chairman,
Committee on Private Members'
Bills and Resolutions.