

**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)

TWENTY-SIXTH REPORT
(Presented on 9-12-1993)

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-sixth Report.

2. The Committee met on 6 December, 1993 for—

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

- (1) The Constitution (Amendment) Bill, 1993 (*Amendment of article 172, etc.*) by Shri Mohan Singh.
- (2) The Constitution (Amendment) Bill, 1993 (*Insertion of new article 16A*) by Shri Syed Shahabuddin.
- (3) The Constitution (Amendment) Bill, 1993 (*Insertion of new article 28A, etc.*) by Shri Syed Shahabuddin.
- (4) The Constitution (Amendment) Bill, 1993 (*Substitution of new article for article 285*) by Shri Chitta Basu.
- (5) The Constitution (Amendment) Bill, 1993 (*Amendment of Seventh Schedule*) by Shri Chitta Basu.
- (6) The Constitution (Amendment) Bill, 1993 (*Amendment of article 19*) by Shri Ramesh Chennithala.

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 High Court at Bombay (Establishment of a permanent Bench at Kolhapur) Bill, 1993 by Shri Udaysingrao Gaikwad.

IV. Allocation of time under Rule 294(1) (c) of the Rules of Procedure to the Resolutions at item Nos. 2 and 3 set down in the List of Business for Friday, 10 December, 1993.

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, 1993 (*Amendment of article 172, etc.*) by Shri Mohan Singh.

The Bill seeks to amend the Constitution with a view to providing that the Legislative Assembly of a State shall not be dissolved before the expiry of its full term of five years.

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

(2) **The Constitution (Amendment) Bill, 1993 (Insertion of new article 16A)** by Shri Syed Shahabuddin.

The Bill seeks to insert a new article 16A in the Constitution with a view to providing that every adult citizen shall have the right to work and to adequate means of livelihood in accordance with his education, skill and experience. It further provides that any citizen who is not provided with employment and who has no adequate means of livelihood shall be entitled to financial relief.

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, 1993 (Insertion of new article 28A, etc.)** by Shri Syed Shahabuddin.

The Bill seeks to amend the Constitution with a view to providing free and compulsory primary education to every child with his mother tongue as the medium of instruction.

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, 1993 (Substitution of new article for article 285)** by Shri Chitta Basu.

The Bill seeks to substitute a new article for article 285 of the Constitution with a view to empowering the Parliament to make a law authorising any State or local authority within that State to levy any tax on any property of the Union which at present is exempted from taxation by a 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.

(5) **The Constitution (Amendment) Bill, 1993 (Amendment of Seventh Schedule)** by Shri Chitta Basu.

The Bill seeks to amend the Seventh Schedule to the Constitution with a view to bringing "Education" in the State List from the Concurrent List.

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, 1993 (Amendment of article 19)** by Shri Ramesh Chennithala.

The Bill seeks to amend article 19 of the Constitution with a view to empowering the State to impose reasonable restrictions on the fundamental right to form associations or unions in the interest of secularism.

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 the Appendix.

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

- (1) **The Widows and Destitute Women (Financial Assistance and Welfare) Bill, 1993** by Shri Venkateswara D. Rao.
- (2) **The Reservation of Posts in Services and Seats in Educational Institutions for People Belonging to Economically Backward Areas Bills, 1993** by Shri Venkateswara D. Rao.

- (3) **The Citizens (Provision of Compulsory Housing) Bill, 1993 by Shri Bolla Bulli Ramaiah.**
- (4) **The Curtailment of Expenditure on Marriages Bill, 1993 by Shri Bolla Bulli Ramaiah.**
- (5) **The Price Control Bill, 1993 by Shri Mohan Singh.**

The Committee further recommend that the remaining Bill 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 Shri Udaysingrao Gaikwad to reconsider their earlier recommendation giving category 'B' (*vide* Twenty-second Report) to his Bill, namely, the High Court at Bombay (Establishment of a Permanent Bench at Kolhapur) Bill, 1993 and place it in category 'A'.

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

Allocation of time to Resolutions

- 8. The Committee recommend allocation of time to resolutions as follows:—
- (1) Resolution by Dr. Asim Bala regarding exploration of oil and gas in eastern region. 2 hours
- (2) Resolution by Dr. G.L. Kanaujia regarding appointment of Lokpal. 2 hours

Recommendations

9. The Committee recommend that—

- (i) Sarvashri Syed Shahabuddin, Chitta Basu and Ramesh Chennithala 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;
- (iii) the reclassification of the Bill, as shown in paragraph 7 above, be agreed to by the House; and
- (iv) the allocation of time to resolutions, as shown in paragraph 8 above, be agreed to by the House.

NEW DELHI;
December 6, 1993

Agrahayana 15, 1915 (Saka)

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

APPENDIX

Sl. No.	Name of the Bill and the member-in-charge	Bill No.	Category recom- mended	Time recom- mended
1.	The widows and Destitute Women (Financial Assistance and Welfare) Bill, 1993 by Shri Venkateswara D. Rao.	2 of 1993	A	2 hours
2.	The Reservation of Posts in Services and Seats in Educational Institutions for People Belonging to Economically Backward Areas Bill, 1993 by Shri Venkateswara D. Rao.	10 of 1993	A	2 hours
3.	The Citizens (Provision of Compulsory Housing) Bill, 1993 by Shri Bolla Bulli Ramaiah.	53 of 1993	A	2 hours
4.	The Curtailment of Expenditure on Marriages Bill, 1993 by Shri Bolla Bulli Ramaiah.	51 of 1993	A	2 hours
5.	The Merchant Shipping (Amendment) Bill, 1993 (Amendment of section 21, etc.) by Shri Arjun Charan Scthi.	92 of 1993	B	2 hours
6.	The Price Control Bill, 1993 by Shri Mohan Singh.	86 of 1993	A	2 hours