

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

**FIRST TO Hundredth REPORTS
(ENGLISH VERSION)**



Third LOK SABHA

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

SIXTY-FIFTH REPORT

(Third Lok Sabha)

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

2. The Committee met on the 26th April, 1965 for—

- (I) Classification and allocation of time for discussion of the Constitution (Amendment) Bill, 1965 (*Insertion of new article 339A*) by Shri S. M. Siddiah.
- (II) Allocation of time for discussion of the Constitution (Amendment) Bill, 1962 (*Amendment of articles 136, 226 etc.*) by Shri Shree Narayan Das.
- (III) Examination of the following Constitution (Amendment) Bills under Rule 294 (1) (a) of the Rules of Procedure :—
 - * (1) The Constitution (Amendment) Bill, 1965 (*Amendment of article 356*) by Shri Hari Vishnu Kamath.
 - * (2) The Constitution (Amendment) Bill, 1965 (*Amendment of article 154*), by Shri Vishwa Nath Pandey.
 - * (3) The Constitution (Amendment) Bill, 1965 (*Omission of article 314*) by Sarveshri Vishwa Nath Pandey and Sinhaan Singh.
 - * (4) The Constitution (Amendment) Bill (*Amendment of the Eighth Schedule*) by Dr. L. M. Singhvi and Shri Tan Singh.

CLASSIFICATION AND ALLOCATION OF TIME TO BILL

3. Shri S. M. Siddiah, the Member incharge of the Constitution (Amendment) Bill, 1965 (*Insertion of new article 339A*) had been invited to present before the Committee his views on the Bill but he did not attend the sitting.

4. After considering all aspects of the Bill, the Committee placed it in category 'B' and allotted 1½ hours for its discussion.

ALLOCATION OF TIME TO BILL

5. The Constitution (Amendment) Bill, 1962 (*Amendment of articles 136, 226 etc.*) by Shri Shree Narayan Das was allotted 1 hour (vide Eleventh Report). The time allotted to the Bill was nearly exhausted during the discussion on the motion for consideration and the amendment thereto regarding circulation of the Bill for eliciting opinion which was adopted on the 22nd November, 1963.

6. After considering all aspects of the Bill the Committee allocated 1½ hours for discussion of the Bill.

EXAMINATION OF THE CONSTITUTION (AMENDMENT) BILLS

7. The Members who had given notices of the Bills and representatives of the Ministries concerned with the Bills had been invited to be present at the sitting. Shri Vishwa Nath Pandey (who is also a member of the Committee) attended the sitting. The representatives of the Ministries of Home Affairs and Law were present.

* Circulated to Members separately (Bill Nos. 32, 33, 34 and 35 of 1965).

8. The Committee considered the Bills and the reactions of the Government thereto. The Committee arrived at the following findings as a result of their examination of the Bills :—

Findings of the Committee

(1) The Constitution (Amendment) Bill, 1965 (*Amendment of article 356*) by Shri Hari Vishnu Kamath.

The Bill sought to provide that when Parliament was in Session, the President's power to issue a Proclamation under article 356 should be subject to the prior approval of Parliament.

After hearing the representative of the Ministry of Home Affairs and considering all aspects of the matter, the Committee recommended that the Member might be permitted to move for leave to introduce the Bill.

(2) The Constitution (Amendment) Bill, 1965 (*Amendment of article 134*) by Shri Vishwa Nath Pandey.

The Bill sought to provide for the right of appeal to the Supreme Court to a person who is sentenced to death, without having to take the permission of the High Court.

After hearing the representative of the Ministry of Law and considering all aspects of the matter, the Committee recommended that the Member might be permitted to move for leave to introduce the Bill.

(3) The Constitution (Amendment) Bill, 1965 (*Omission of article 314*) by Sarvashri Vishwa Nath Pandey and Sinhasan Singh.

The Bill sought to remove the disparity in regard to the conditions of service, remuneration etc., between persons appointed to the Civil Service before independence and those appointed after independence.

After hearing the representative of the Ministry of Home Affairs and considering all aspects of the matter, the Committee recommended that Shri Vishwa Nath Pandey/ Shri Sinhasan Singh might be permitted to move for leave to introduce the Bill.

(4) The Constitution (Amendment) Bill (*Amendment of the Eighth Schedule*) by Dr. L. M. Singhvi and Shri Tan Singh.

The Bill sought to include 'Rajasthani' in the Eighth Schedule to the Constitution.

After hearing the representative of the Ministry of Home Affairs and considering all aspects of the matter, the Committee were of the opinion that Dr. L. M. Singhvi/ Shri Tan Singh might be permitted to move for leave to introduce the Bill.

RECOMMENDATIONS

9. The Committee recommend that—

(i) the categorisation and allocation of time to the Constitution (Amendment) Bill, 1965 by Shri S. M. Siddiah as shown in paragraph 4 be agreed to by the House;

- (ii) the allocation of time to the Constitution (Amendment) Bill, 1962 by Shri Shree Narayan Das as shown in paragraph 6 be agreed to by the House; and
- (iii) Sarvashri Hari Vishnu Kamath, Vishwa Nath Pandey, Vishwa Nath Pandey/Sinhasan Singh and Dr. L. M. Singhvi/Shri Tan Singh be permitted to move for leave to introduce their Constitution (Amendment) Bills.

NEW DELHI;

April 26, 1963.

Janakha 6, 1887 (Saka).

S. V. KRISHNAMOORTHY RAO,

Chairman,

Committee on Private Members'
Bills and Resolutions.