

REPORT OF THE COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

Seventh Lok Sabha

Fourth Report



**LOK SABHA SECRETARIAT
NEW DELHI**

1980

Presented on 9-7-1980

Adopted on 11-7-1980

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

FOURTH 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 Fourth Report.

2. The Committee met on 7 July 1980 for—

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

(1) The Constitution (Amendment) Bill, 1980 (*Amendment of article 356*) by Shri Bapusaheb Parulekar.

(2) The Constitution (Amendment) Bill, 1980 (*Amendment of articles 102 and 191*) by Shri Bapusaheb Parulekar.

(3) The Constitution (Amendment) Bill, 1980 (*Insertion of new articles 20A, 105A, etc.*) by Shri Bapusaheb Parulekar.

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 article 356*) by Shri Bapusaheb Parulekar.

The Bill seeks to amend article 356 of the Constitution with a view to provide that the Legislative Assembly of a State shall be revived if the Proclamation issued under clause (1) ceases to operate or is revoked.

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

(2) The Constitution (Amendment) Bill, 1980 (*Amendment of articles 102 and 191*) by Shri Bapusaheb Parulekar.

The Bill seeks to amend articles 102 and 191 of the Constitution with a view to provide that a person shall be disqualified for being a Member of either House of Parliament or Legislature of a State if he, on being elected as such Member, defects and changes his political party without first resigning from the membership of the House.

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, 1980 (*Insertion of new articles 20A, 105A, etc.*) by Shri Bapusaheb Parulekar.

The Bill seeks to amend the Constitution with a view to provide, *inter alia*, for ban on death sentence for a political crime and for privileges of a Member of Parliament or a State Legislature against arrest, detention or prosecution, etc. in certain cases.

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

Classification and allocation of time to Bills

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

5. After considering all aspects of Bills, the Committee recommend that (i) the Jaggery Board Bill, 1980 by Shri P. Rajagopal Naidu and (ii) the Reservation of posts in Central Government Services (for Backward Classes) Bill, 1980 by Shri R. P. Yadav be placed in category 'A' and 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

6. The Committee recommend that—

- (i) Shri Bapusaheb Parulekar be permitted to move for leave to introduce his Constitution (Amendment) Bill (*Amendment of articles 102 and 191*); 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;

G. LAKSHMANAN,

Chairman,

7 July 1980

Committee on Private Members'

16 Asadha 1902 (*Saka*).

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 Indian Forest (Amendment) Bill, 1980 <i>Insertion of section 38A</i> by Shri P. Rajagopal Naidu.	88 of 1980	B	2 hours
2	The Customs (Amendment) Bill, 1980 <i>(Amendment of Sections 104 and 135)</i> by Shri Bapusaheb Parulekar.	94 of 1980	B	2 hours
3	The Jaggery Board Bill, 1980 by Shri P. Rajagopal Naidu.	104 of 1980	A	2 hours
4	The Constitution (Amendment) Bill, 1980 <i>(Amendment of Eighth Schedule)</i> by Shri R. P. Yadav.	83 of 1980	B	2 hours
5	The Reservation of posts in Central Government Services (for Backward Classes) Bill, 1980 by Shri R. P. Yadav.	89 of 1980	A	2 hours