

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

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



**Fourth Lok Sabha**

**Legislative Branch-II**

## COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

### SIXTY-SIXTH REPORT

(Fourth Lok Sabha)

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 Sixty-sixth Report.

2. The Committee met on the 18th August, 1970, for—

I. Allocation of time to the Resolutions set down in the List of Business for Friday, the 21st August, 1970.

II. Classification and allocation of time for discussion of the following Bills under Rules 294 (1) (b) and 294 (1) (c) of the Rules of Procedure respectively:—

(1) The Constitution (Amendment) Bill, 1970 (*Amendment of article 74 and insertion of new articles 74A, 74B, etc.*) by Shri Hardayal Devgun.

(2) The Constitution (Amendment) Bill, 1970 (*Insertion of new articles 23A, 23B and 23C*) by Shri Hardayal Devgun.

(3) The Constitution (Amendment) Bill, 1970 (*Substitution of article 370*) by Shri Hardayal Devgun.

III. Reconsideration of the classification of the Prevention of Food Adulteration (Amendment) Bill, 1970 (*Amendment of sections 2, 3, etc.*) by Shri Tenneti Viswanatham.

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

(1) The Constitution (Amendment) Bill, 1970 (*Amendment of article 163*) by Shri Om Prakash Tyagi.

(2) The Constitution (Amendment) Bill, 1970 (*Amendment of Third Schedule*) by Shri Shiva Chandra Jha.

(3) The Constitution (Amendment) Bill, 1970 (*Amendment of article 74*) by Shri Om Prakash Tyagi.

(4) The Constitution (Amendment) Bill, 1970 (*Substitution of article 370*) by Shri Yashwant Singh Kushwah.

#### *Allotment of time to Resolutions*

3. The Members whose Resolutions had been included in the List of Business for the 21st August, 1970 had been invited to present their views on their Resolutions before the Committee. Dr. Ram Subhag Singh attended the sitting.

4. The Committee recommended the allocation of time as follows:—

(1) Resolution regarding Statehood for Manipur, Tripura and Delhi. 2½ hours

(2) Resolution regarding No negotiation with Pakistan and China. 2 hours

(3) Resolution regarding taking over and distribution of fallow land. 2 hours

#### *Classification and allocation of time to Bills*

5. The Member concerned had been invited to present before the Committee his views on his Bills. He did not attend the sitting.

6. After considering all aspects of the Bills, the Committee placed all the Bills in category 'B' and recommended allocation of time to them as indicated below:—

(1) The Constitution (Amendment) Bill, 1970 (*Amendment of article 74 and insertion of new articles 74A, 74B, etc.*) by Shri Hardayal Devgun. 2 hours

- (2) The Constitution (Amendment) Bill, 1970 (*Insertion of new articles 23A, 23B and 23C*) by Shri Hardayal Devgun. 2 hours
- (3) The Constitution (Amendment) Bill, 1970 (*Substitution of article 370*) by Shri Hardayal Devgun. 2 hours

*Reconsideration of the Classification of a Bill*

7. The Committee then considered the request of Shri Tenneti Viswanatham to reconsider their earlier decision (*vide* Sixty-second Report) regarding the classification of his Bill, namely, the Prevention of Food Adulteration (Amendment) Bill, 1970 (*Amendment of sections 2, 3, etc.*).

The Member attended the sitting and pressed for his Bill being put in category 'A'. The Committee did not see any justification in altering the original categorisation of the Bill.

*Examination of Constitution (Amendment) Bills*

8. The Members concerned had been invited to present before the Committee their views on their Bills. Shri Yashwant Singh Kushwah attended the sitting.

9. 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, 1970 (*Amendment of article 163*) by Shri Om Prakash Tyagi.

The Bill sought to insert an explanation to article 163 in order to provide specifically that the Chief Minister shall not be empowered or entitled to aid or advise the Governor in matters relating to appointment of Judge of a High Court under article 217.

After considering all aspects of the Bill, the Committee recommended that the Member might be permitted to move for leave to introduce the Bill.

- (2) The Constitution (Amendment) Bill, 1970 (*Amendment of Third Schedule*) by Shri Shiva Chandra Jha.

The Bill sought to omit the words "swear in the name of God" from all the Forms of Oaths or Affirmations in the Third Schedule to the Constitution.

After considering all aspects of the Bill, the Committee recommended that the Member might be permitted to move for leave to introduce the Bill.

- (3) The Constitution (Amendment) Bill, 1970 (*Amendment of article 74*) by Shri Om Prakash Tyagi.

The Bill sought to insert an explanation to article 74 in order to provide specifically that the Prime Minister shall not be empowered or entitled to aid or advise the President in matters relating to appointment of a Judge of the Supreme Court under article 124.

After considering all aspects of the Bill, the Committee recommended that the Member might be permitted to move for leave to introduce the Bill.

- (4) The Constitution (Amendment) Bill, 1970 (*Substitution of article 370*) by Shri Yashwant Singh Kushwah.

The Bill sought to vest in the Union Parliament the power to make laws for the State of Jammu and Kashmir for matters enumerated in the Union List and such other matters in the Concurrent and State Lists as the President may by order specify. It also provided for putting an end to the special position enjoyed by that State from the 26th January, 1972.

After considering all aspects of the Bill, the Committee recommended that the Member might be permitted to move for leave to introduce the Bill.

*Recommendations*

10. The Committee recommended that—

- (i) the allocation of time to resolutions, as shown in paragraph 4 above, be agreed to by the House;
- (ii) the classification and allocation of time to Bills by the Committee as shown in paragraph 6 above, be agreed to by the House; and
- (iii) Sarvashri Om Prakash Tyagi, Shiva Chandra Jha and Yashwant Singh Kushwah be permitted to move for leave to introduce their Constitution (Amendment) Bills.

NEW DELHI;

G. G. SWELL.

*August* 18, 1970

*Chairman,*

*Shavana* 27, 1892 (*Saka*)

*Committee on Private Members'*  
*Bills and Resolutions.*