

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

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



Eleventh Lok Sabha

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

(Eleventh Lok Sabha)

TENTH REPORT

(Presented on 31-7-1997)

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 Tenth Report.

2. The Committee met on 28 July, 1997 for :—

- I. Examination of the following Constitution (Amendment) Bills under rule 294 (1) (a) of the Rules of Procedure :—
 1. The Constitution (Amendment) Bill, 1997
(Amendment of article 311) by
Shri Basudeb Acharia.
 2. The Constitution (Amendment) Bill, 1997
(Amendment of article 58, etc.) by
Shri George Fernandes.
 3. The Constitution (Amendment) Bill, 1997
(Insertion of new article 151A, etc.) by
Shri G.A. Charan Reddy.
 4. The Constitution (Amendment) Bill, 1997
(Insertion of new article 9A) by
Shri G.A. Charan Reddy.
 5. The Constitution (Amendment) Bill, 1997
(Insertion of new article 31) by
Shri Chitta Basu.
 6. The Constitution (Amendment) Bill, 1997
(Insertion of new article 74A, etc.) by
Shri Chitta Basu.
 7. The Constitution (Amendment) Bill, 1997
(Substitution of new article for article 48A) by
Shri Chitta Basu.
 8. The Constitution (Amendment) Bill, 1997
(Amendment of article 239AA) by
Shri K. L. Sharma.
- 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. Allocation of time under Rule 294(1) (e) of the Rules of Procedure to the resolutions at item Nos. 2, 3 and 4 set down in the List of Business for Friday, 1 August, 1997.

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, 1997

(Amendment of article 311) by
Shri Basudeb Acharya.

The Bill seeks to amend article 311 of the Constitution with a view to amending provisions relating to dismissal, removal or reduction in rank of persons employed in civil capacities under the Union or a State without holding an inquiry in case the authority empowered is satisfied that in the interest of the security of the State it is not expedient to hold such inquiry and to omit the provision which provides that the decision of the authority empowered to dismiss or remove a person or to reduce him in rank without holding an inquiry shall be final.

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, 1997

(Amendment of article 58, etc.) by
Shri George Fernandes.

The Bill seeks to amend the Constitution with a view to provide that only natural born citizens of the country shall be eligible to hold the post of President, Vice-President and Prime Minister.

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, 1997

(Insertion of new article 151A, etc.) by
Shri G.A. Charan Reddy.

The Bill seeks to amend the Constitution with a view to giving a statutory status to Planning Commission.

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, 1997

(Insertion of new article 9A) by
Shri G.A. Charan Reddy.

The Bill seeks to amend the Constitution with a view to providing that any person who or either of whose parents, was a citizen of India and who has acquired the citizenship of any foreign State shall also be deemed as a citizen of India in addition to being a citizen of that foreign 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, 1997

(Insertion of new article 31) by
Shri Chitta Basu.

The Bill seeks to amend the Constitution with a view to provide that every citizen shall have the right to basic civic facilities.

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, 1997

(Insertion of new article 74A, etc.) by
Shri Chitta Basu.

The Bill seeks to amend the Constitution with a view to lay down the procedure for formation of the Government at the Centre and in the States after general elections to Lok Sabha and State Assemblies.

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

7. The Constitution (Amendment) Bill, 1997

(Substitution of new article for article 48A) by
Shri Chitta Basu.

The Bill seeks to substitute a new article for article 48A of the Constitution with a view to make obligatory on the part of the State to provide for a pollution free environment and to constitute enforcement agencies for checking environmental pollution.

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

8. The Constitution (Amendment) Bill, 1997

(Amendment of article 239AA) by
Shri K.L. Sharma

The Bill seeks to amend the Constitution with a view to empowering the Legislative Assembly of the National Capital Territory of Delhi to make laws with respect to matters of public order, police and land which, at present, do not come within the jurisdiction of the Legislative Assembly or the local administration.

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 ten Bills specified in Appendix.

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

1. The Price Control Bill, 1996 by
Shri Sultan Salahuddin Owaisi.

2. The Indian Fisheries (Amendment) Bill, 1996
(Amendment of section 3, etc.) by
Shrimati Bhavna Chikhalia.

3. The Constitution (Amendment) Bill, 1997
(Insertion of new article 151A, etc.) by
Shri G.A. Charan Reddy.

The Committee further recommend that the remaining seven Bills be placed in category 'B'. The Committee recommend allocation of time for each of the Bills as shown in the Appendix.

Allocation of time to Resolutions

6. The Committee recommend allocation of time to resolutions as follows:—

(1)	Resolution by Shri Kashi Ram Rana regarding Sardar Sarovar Project.	2 hours
(2)	Resolution by Shri Sriram Chauhan regarding steps for eradication of corruption.	2 hours
(3)	Resolution by Dr. Murli Manohar Joshi regarding measures for population control.	2 hours

Recommendations

7. The Committee recommend that:—

- (i) Sarvashri Basudeb Acharia, George Fernandes, G.A. Charan Reddy, Chitta Basu and K. L. Sharma 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; and
- (iii) the allocation of time to resolutions, as shown in paragraph 6 above, be agreed to by the House.

NEW DELHI;
28 July, 1997

6 Shravana, 1919 (Saka)

SURAJ BHAN,
Chairman,
Committee on Private Members,
Bills and Resolutions.

APPENDIX

Sl. No. Name of the Bill and No. member-in-charge	Bill No.	Category recommended	Time recommended
1. The Reservation for Economically Weaker Sections of the People (Higher Education and Public Employment) Bill, 1996 by Shri Sultan Salahuddin Owaisi, M.P.	92 of 1996	B	2 hours
2. The Constitution (Amendment) Bill, 1996 (<i>Amendment of article 39</i>) by Shri Sultan Salahuddin Owaisi, M.P.	62 of 1996	B	2 hours
3. The Constitution (Amendment) Bill, 1996 (<i>Insertion of new article 31</i>) by Shri Sultan Salahuddin Owaisi, M.P.	64 of 1996	B	2 hours
4. The Price Control Bill, 1996 by Shri Sultan Salahuddin Owaisi, M.P.	80 of 1996	A	2 hours
5. The Indian Fisheries (Amendment) Bill, 1996 (<i>Amendment of section 3, etc.</i>) by Shrimati Bhavna Chikhalia, M.P.	91 of 1996	A	2 hours
6. The High Court at Allahabad (Establishment of a Permanent Bench at Meerut) Bill, 1997 by Shri Ashok Kumar Pradhan, M.P.	8 of 1997	B	2 hours
7. The Marriage Laws (Amendment) Bill, 1997 by Shrimati Jayawanti Navinchandra Mehta, M.P.	65 of 1997	B	2 hours
8. The Borrowing (Fixation of Limit) Bill, 1997 by Shri Chitta Basu, M.P.	51 of 1997	B	2 hours
9. The Code of Criminal Procedure (Amendment) Bill, 1997 (<i>Insertion of new section 25A, etc.</i>) by Dr. M. Jagannath, M.P.	55 of 1997	B	2 hours
10. The Constitution (Amendment) Bill, 1997 (<i>Insertion of new article 151A, etc.</i>) by Shri G.A. Charan Reddy, M.P.	64 of 1997	A	2 hours