

# COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

(Sixteenth Lok Sabha)

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## FORTY-SIXTH REPORT

(Presented on 7.2.2019 )

I, the Chairperson of the Committee on Private Members' Bills and Resolutions, having been authorised by the Committee to present the Report on their behalf, present this Forty-sixth Report.

2. The Committee met on 4 February, 2019 for examination of seven Constitution (Amendment) Bills under rule 294(1)(a) of the Rules of Procedure.

### Examination of the Constitution (Amendment) Bills

3. The Committee examined the following seven Constitution (Amendment) Bills:-

- (1) The Constitution (Amendment) Bill, 2019 (Insertion of new article 161A) by Shri Gopal Chinayya Shetty, M.P.

The Bill seeks to amend the Constitution with a view to empower the Governor to suspend or amend any order of the High Court, after obtaining an opinion of the Commission constituted for the purpose, on receipt of a petition against any order given by the High Court of the State.

After considering all aspects of the Bill, the Committee recommend that the member **may not be permitted** to move for leave to introduce the Bill.

- (2) The Constitution (Amendment) Bill, 2019 (Insertion of new article 72A) by Shri Gopal Chinayya Shetty, M.P.

The Bill seeks to amend the Constitution with a view to empower the President to suspend or amend any order of the Supreme Court, after obtaining an opinion of the Commission constituted for the purpose, on receipt of a petition against any order given by the Supreme Court.

After considering all aspects of the Bill, the Committee recommend that the member **may not be permitted** to move for leave to introduce the Bill.

- (3) The Constitution (Amendment) Bill, 2019 (Amendment of article 51A) by Shrimati Jayshreeben K. Patel, M.P.

The Bill seeks to amend article 51A of the Constitution with a view to make it fundamental duty of every citizen to promote the spirit of harmony and common brotherhood transcending sex, sect, community and caste amongst all citizens.

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, 2019 (Amendment of article 51A) by Shrimati Jayshreeben K. Patel, M.P.

The Bill seeks to amend article 51A of the Constitution with a view to make it fundamental duty of every citizen to respect the National Song (*Vande Matram*), the National Symbol, Tri colour Songs and the Official language Hindi.

After considering all aspects of the Bill, the Committee recommend that the member **may not be permitted** to move for leave to introduce the Bill.

- (5) The Constitution (Amendment) Bill, 2019 (Amendment of article 51A) by Shrimati Jayshreeben K. Patel, M.P.

The Bill seeks to amend article 51A of the Constitution with a view to make it fundamental duty of every citizen to cherish and follow the noble ideas which inspired our national leaders in the national struggle for freedom.

After considering all aspects of the Bill, the Committee recommend that the member **may not be permitted** to move for leave to introduce the Bill.

- (6) The Constitution (Amendment) Bill, 2019 (Amendment of article 72) by Shri Kunwar Pushpendra Singh Chandel, M.P.

The Bill seeks to amend the Constitution with a view to provide that the President shall not exercise discretionary power to grant pardons, reprieves, respites or remissions of punishment or to suspend, remit or commute the sentence of any person convicted of rape and murder of a minor girl.

After considering all aspects of the Bill, the Committee recommend that the member **may not be permitted** to move for leave to introduce the Bill.

- (7) The Constitution (Amendment) Bill, 2019 (Insertion of new article 85A) by Shri Nishikant Dubey, M.P.

The Bill seeks to insert a new article 85A in the Constitution with a view to provide that-

- (i) each House of Parliament shall compulsorily sit for not less than one hundred days in a year;
- (ii) there shall be four sessions including a special session of Parliament; and
- (iii) the number of hours unutilized due to disruptions shall be compensated by extending each session by as many hours as the sittings were adjourned due to disruptions.

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

### Recommendations

4. The Committee recommend that-

- (i) Shrimati Jayshreeben K. Patel and Shri Nishikant Dubey, M.Ps. may be permitted to move for leave to introduce their Constitution (Amendment) Bills specified in sub-paras (3) and (7) of paragraph 3 above; and
- (ii) Shri Gopal Chinayya Shetty, Shrimati Jayshreeben K. Patel and Shri Kunwar Pushpendra Singh Chandel, M.Ps. may not be permitted to move for leave to introduce their Constitution (Amendment) Bills specified in sub-para (1), (2), (4), (5) and (6) of paragraph 3 above.

NEW DELHI;

*4 February, 2019*

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*15 Magha, 1940 (Saka)*

DR. M. THAMBI DURAI

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