

# COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

(Fourteenth Lok Sabha)

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## TWENTY-THIRD REPORT

(Presented on 29.11.2006 )

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 Twenty-third Report.

2. The Committee met on 27 November, 2006 for –

- I. Examination of five Constitution (Amendment) Bills under rule 294(1)(a) of the Rules of Procedure.
- II. Classification and allocation of time for discussion of Bills under clauses (b) and (c) of Rule 294(1) of the Rules of Procedure.
- III. Reconsideration of classification of the Constitution (Amendment) Bill, 2004 (Amendment of the Eighth Schedule) by Prof. Rasa Singh Rawat, M.P.
- IV. Allocation of time under rule 294(1)(e) of the Rules of Procedure to three Resolutions given notices of by Prof. Rasa Singh Rawat, Sarvashri Kiren Rijiju and Avinash Rai Khanna, M.Ps.

### Examination of the Constitution (Amendment) Bills

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

- (1) The Constitution (Amendment) Bill, 2006  
(Amendment of article 124, etc.) by  
Shri C.K. Chandrappan, M.P.

The Bill seeks to amend the Constitution with a view to provide that Judges of Supreme Court and High Courts may be removed by simple majority of Parliament instead of two thirds of majority as provided at present and to constitute a 'judicial Committee' comprising of the Chief Justice and four other senior judges of the Supreme Court to regulate the appointment of judges in higher judiciary and to draw a code of ethics for judges and inquire into cases of misconduct or deviant behaviour of judges, other than those punishable with removal.

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, 2006  
(Amendment of article 312) by  
Shri L. Rajagopal, M.P.

The Bill seeks to amend the Constitution with a view to discontinue the All-India Services in the States and to enable State Governments to appoint and regulate the services of officers at all level in the 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.

- (3) The Constitution (Amendment) Bill, 2006  
(Amendment of article 370) by  
Shri Bachi Singh Rawat, M.P.

The Bill seeks to amend article 370 of the Constitution with a view to provide that the temporary provisions relating to State of J&K as provided in the article shall cease to operate after sixty years of promulgation of the Constitution, unless made inoperative sooner by the President.

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, 2006  
(Amendment of articles 102 and 191) by  
Shri Bachi Singh Rawat, M.P.

The Bill seeks to amend the Constitution with a view to provide that no law relating to exemption from disqualification for holding 'Office of Profit' by members of Parliament or State Legislatures shall be given retrospective effect.

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, 2006  
(Amendment of article 51A) by  
Shri Bachi Singh Rawat, M.P.

The Bill seeks to amend the Constitution with a view to make it a fundamental duty of every eligible citizen to cast his vote during all the elections to the House of the People, Legislative Assemblies of States and local bodies.

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 considered classification and allocation of time in respect of twenty-four Bills as shown in Appendices.

5. After considering all aspects of the Bills, the Committee recommend that eighteen Bills shown in Appendix-I be placed in category 'A'. The Committee further recommend that the remaining six Bills shown in Appendix-II be placed in category 'B'. The Committee also recommend allocation of time for each of the Bills as shown in column 5 of the Appendices I & II, respectively.

### **Reconsideration of classification of a Bill**

6. The Committee then considered the request of Prof. Rasa Singh Rawat to reconsider their earlier decision (*vide* Fourth Report) regarding the classification of the Constitution (Amendment) Bill, 2004 (Amendment of the Eighth Schedule) from category 'B' to category 'A'.

On reconsideration, the Committee did not see any justification for altering the original categorisation of the Bill.

### **Allocation of time to Resolutions**

7. The Committee recommend allocation of time to three resolutions as follows :-

- |       |   |   |         |
|-------|---|---|---------|
| (i)   | Resolution by Prof. Rasa Singh Rawat regarding Commission for framing uniform civil code.   | - | 2 hours |
| (ii)  | Resolution by Shri Kiren Rijiju regarding special status to the State of Arunachal Pradesh. | - | 2 hours |
| (iii) | Resolution by Shri Avinash Rai Khanna regarding creation of new State of Telangana.         | - | 2 hours |

### **Recommendations**

- (i) Sharvashri C.K. Chandrappan, L. Rajagopal and Bachi Singh Rawat be permitted to move for leave to introduce their Constitution (Amendment) Bills;
- (ii) the classification and allocation of time to twenty-four Bills by the Committee, as shown in the Appendices, be agreed to by the House;
- (iii) the reclassification of the Bill, as shown in paragraph 6, be agreed to by the House; and
- (iv) the allocation of time to three resolutions as shown in paragraph 7 above, be agreed to by the House.

NEW DELHI;

*27 November 2006*

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*6 Agrahayna 1928 (Saka)*

CHARNJIT SINGH ATWAL,

*Chairman,*

*Committee on Private Members’  
Bills and Resolutions.*

## APPENDIX-I

(See para 4 of the Report)  
(List of Bills placed in category 'A' and allocation of time)

Sl. No.	Title of the Bill and member-in-charge	Bill No.	Category recommended	Time recommended
1	2	3	4	5
1.	The Compulsory Registration of Marriages Bill, 2005 by Shri Subodh Mohite, M.P.	141 of 2005	A	2 hours
2.	The Code of Criminal Procedure (Amendment) Bill, 2005 ( <u>Amendment of section 2, etc.</u> ) by Shri Subodh Mohite, M.P.	142 of 2005	A	2 hours
3.	The Indian Medicines Development Corporation Bill, 2005 by Shri Subodh Mohite, M.P.	144 of 2005	A	2 hours
4.	The Constitution (Amendment) Bill, 2005 ( <u>Insertion of new article 335A</u> ) by Shri Chengara Surendran, M.P.	152 of 2005	A	2 hours
5.	The Constitution (Amendment) Bill, 2005 ( <u>Amendment of articles 341 and 342</u> ) by Shri Chengara Surendran, M.P.	156 of 2005	A	2 hours
6.	The Tailoring Workers (Welfare) Bill, 2006 by Shri P. Karunakaran, M.P.	6 of 2006	A	2 hours
7.	The Indian Penal Code (Amendment) Bill, 2006 ( <u>Insertion of new section 382A</u> ) by Shri Bachi Singh Rawat, M.P.	53 of 2006	A	2 hours
8.	The Prevention of Female Infanticide Bill, 2006 by Shri Mohan Singh, M.P.	54 of 2006	A	2 hours
9.	The Constitution (Amendment) Bill, 2006 ( <u>Amendment of articles 75 and 164</u> ) by Shri Bachi Singh Rawat, M.P.	51 of 2006	A	2 hours
10.	The National Commission for Horticulture Development Bill, 2006 by Shri K.S. Rao, M.P.	25 of 2006	A	2 hours

1	2	3	4	5
11.	The Environmental Clearance (Self-Certification) Bill, 2006 by Shri K.S. Rao, M.P.	26 of 2006	A	2 hours
12.	The Infrastructure Development Board Bill, 2006 by Shri K.S. Rao, M.P.	27 of 2006	A	2 hours
13.	The Price Regulatory Authority Bill, 2006 by Shri K.S. Rao, M.P.	28 of 2006	A	2 hours
14.	The Consumer Goods (Mandatory Printing of Cost of Production and Maximum Retail Price) Bill, 2006 by Shri Hansraj Gangaramji Ahir, M.P.	57 of 2006	A	2 hours
15.	The Forest Produce Management Board Bill, 2006 by Shri Hansraj Gangaramji Ahir, M.P.	56 of 2006	A	2 hours
16.	The Promotion of Self-Employment Bill, 2006 by Shri Chandrakant Khaire, M.P.	34 of 2006	A	2 hours
17.	The Rights of Persons Suffering from Acquired Immuno Deficiency Syndrome Bill, 2006 by Shri Chandrakant Khaire, M.P.	37 of 2006	A	2 hours
18.	The Girl Child (Welfare) Bill, 2006 by Shri Chandrakant Khaire, M.P.	35 of 2006	A	2 hours

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## APPENDIX-II

(See para 4 of the Report)  
(List of Bills placed in category 'B' and allocation of time)

Sl. No.	Title of the Bill and member-in-charge	Bill No.	Category recommended	Time recommended
1	2	3	4	5
1.	The Cinematograph (Amendment) Bill, 2005 ( <u>Amendment of section 5B</u> ) by Shri Subodh Mohite, M.P.	145 of 2005	B	2 hours
2.	The Wild Life (Protection) Amendment Bill, 2006 ( <u>Amendment of section 9</u> ) by Shri Bachi Singh Rawat, M.P.	52 of 2006	B	2 hours
3.	The Constitution (Amendment) Bill, 2006 ( <u>Amendment of article 217</u> ) by Adv. Tukaram Renge Patil, M.P.	40 of 2006	B	2 hours
4.	The House of the People (Administration) Bill, 2006 by Shri Mohan Singh, M.P.	55 of 2006	B	2 hours
5.	The National Commission for Exploitation of Natural Resources Bill, 2006 by Shri Chandrakant Khaire, M.P.	36 of 2006	B	2 hours
6.	The Constitution (Amendment) Bill, 2006 ( <u>Amendment of article 117, etc.</u> ) by Shri Anandrao Vithoba Adsul, M.P.	4 of 2006	B	2 hours

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