

# COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

(Fourteenth Lok Sabha)

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## THIRTY-SEVENTH REPORT

(Presented on 23.10.2008)

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 Thirty-seventh Report.

2. The Committee met on 22 October, 2008 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. Allocation of time under Rule 294 (1) (e) of the Rules of Procedure to two Resolutions given notices of by Shri P.S. Gadhavi and Lt. Gen. (Retd.) Tej Pal Singh Rawat, M.Ps.

### Examination of the Constitution (Amendment) Bills

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

- (1) The Constitution (Amendment) Bill, 2008  
(Amendment of Part IVA)  
by Shri Mohan Singh, M.P.

The Bill seeks to amend the Constitution with a view to:-

(i) bring Part IVA and article 51A thereunder relating to Fundamental Duties before Part III of the Constitution relating to Fundamental Rights so as to lay more emphasis on Fundamental Duties of the citizens; and

(ii) insert a new article 11B to make the constitutional functionaries and public servants observe the Fundamental Duties enshrined in the Constitution more meticulously than other 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.

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- (2) The Constitution (Amendment) Bill, 2008  
(Insertion of new article 279A) by  
Shri Kashiram Rana, M.P.

The Bill seeks to amend the Constitution with a view to devolve powers on the States for implementation of schemes sponsored by the Union Government for delivery of public services and improvement in infrastructure in the States and to provide for guaranteed access to funds to the State Governments for the same.

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, 2008  
(Amendment of the Seventh Schedule) by  
Shri Kashiram Rana, M.P.

The Bill seeks to amend the Seventh Schedule to the Constitution with a view to enable the Central Government to raise a new force with special powers to tackle terrorist activities in the States and to maintain internal security in the country.

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, 2008  
(Amendment of article 130) by  
Shri Hansraj Gangaramji Ahir, M.P.

The Bill seeks to amend article 130 of the Constitution with a view to establish a permanent bench of the Supreme Court at Nagpur.

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, 2008  
(Insertion of new article 75A) by  
Shri L. Rajagopal, M.P.

The Bill seeks to amend the Constitution with a view to provide that the House of the People shall express its lack of confidence in the Prime Minister and his Council of Ministers only by electing his successor through a composite motion supported by a majority of the total members of the House and presenting an address to that effect to the President, who shall then appoint the person so elected as the new Prime Minister. The notice for such a motion shall be given by not less than one-fifth of the total membership of the House of the People.

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.

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

4. The Committee considered classification and allocation of time in respect of twenty-three Bills as shown in the Appendices.

5. After considering all aspects of the Bills, the Committee recommend that sixteen Bills shown in Appendix-I be placed in category 'A'. The Committee further recommend that the remaining seven 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.

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

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

- |      |  |   |         |
|------|--|---|---------|
| (i)  | Resolution by Shri P.S. Gadhavi regarding creation of new State of Telangana.  | - | 2 hours |
| (ii) | Resolution by Lt. Gen. (Retd.) Tej Pal Singh Rawat regarding relaxation in recruitment to Indian Army from the State of Uttarakhand. | - | 2 hours |

## Recommendations

7. The Committee recommend that-

- (i) Sarvashri Mohan Singh, Kashiram Rana and Hansraj Gangaramji Ahir be permitted to move for leave to introduce their Constitution (Amendment) Bills specified in paragraph 3 above;
- (ii) Shri L. Rajagopal may not be permitted to move for leave to introduce his Constitution (Amendment) Bill specified in paragraph 3 above;
- (iii) the classification and allocation of time to twenty-three Bills by the Committee, as shown in the Appendices, be agreed to by the House; and
- (iv) the allocation of time to two resolutions as shown in paragraph 6 above, be agreed to by the House.

NEW DELHI;

22 October, 2008

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**CHARNJIT SINGH ATWAL,**  
*Chairman,*  
*Committee on Private Members'*  
*Bills and Resolutions.*

## APPENDIX-I

(See para 5 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 Constitution (Amendment) Bill, 2007 ( <u>Insertion of new article 21B</u> ) by Shri L. Rajagopal, M.P.	77 of 2007	A	2 hours
2.	The Insurance Agents Welfare Bill, 2007 by Shri Basudeb Acharia, M.P.	85 of 2007	A	2 hours
3.	The Constitution (Amendment) Bill, 2007 ( <u>Amendment of article 73</u> ) by Adv. Suresh Kurup, M.P.	86 of 2007	A	2 hours
4.	The Sculptors, Artists and Artisans of Rural Areas Welfare Bill, 2008 by Shri Hansraj Gangaramji Ahir, M.P.	4 of 2008	A	2 hours
5.	The Anganwadi Workers (Regularisation of Service and Other Benefits) Bill, 2008 by Shri Hansraj Gangaramji Ahir, M.P.	13 of 2008	A	2 hours
6.	The Cotton Growers (Remunerative Price and Welfare) Bill, 2008 by Shri Hansraj Gangaramji Ahir, M.P.	6 of 2008	A	2 hours
7.	The National Minimum Pension (Guarantee) Bill, 2008 by Shri C.K. Chandrappan, M.P.	26 of 2008	A	2 hours
8.	The Working Elephants (Protection and Welfare) Bill, 2008 by Shri C.K. Chandrappan, M.P.	7 of 2008	A	2 hours

1	2	3	4	5
9.	The Minimum Wages (Amendment) Bill, 2008 ( <u>Amendment of section 3</u> ) by Shri Prabodh Panda, M.P.	9 of 2008	A	2 hours
10.	The Constitution (Amendment) Bill, 2008 ( <u>Amendment of the Eleventh Schedule</u> ) by Shri C.K. Chandrappan, M.P.	2 of 2008	A	2 hours
11.	The Narcotic Drugs and Psychotropic Substances (Amendment) Bill, 2008 ( <u>Amendment of section 2,</u> <u>etc.</u> ) by Dr. Laxminarayan Pandey, M.P.	15 of 2008	A	2 hours
12.	The Domestic Workers (Conditions of Service) Bill, 2008 by Shri Mohan Singh, M.P.	16 of 2008	A	2 hours
13.	The Flood Control Bill, 2008 by Shri Mohan Singh, M.P.	20 of 2008	A	2 hours
14.	The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Amendment Bill, 2008 ( <u>Amendment of section 2</u> ) by Shri L. Rajagopal, M.P.	35 of 2008	A	2 hours
15.	The Constitution (Scheduled Castes) Orders (Amendment) Bill, 2008 by Dr. K.S. Manoj, M.P.	37 of 2008	A	2 hours
16.	The Constitution (Amendment) Bill, 2008 ( <u>Amendment of the Seventh Schedule</u> ) by Shri Anantkumar Hegde, M.P.	36 of 2008	A	2 hours

## APPENDIX-II

(See para 5 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 Disruption of Proceedings of Parliament (Disentitlement of Daily Allowance to Members and Termination of Membership) Bill, 2008 by Shri L. Rajagopal, M.P.	10 of 2008	B	2 hours
2.	The Commission for the Formation of State of Vidarbha Bill, 2008 by Shri Hansraj Gangaramji Ahir, M.P.	5 of 2008	B	2 hours
3.	The Constitution (Scheduled Tribes) Order (Amendment) Bill, 2008 ( <u>Amendment of the Schedule</u> ) by Shri Avtar Singh Bhadana, M.P.	12 of 2008	B	2 hours
4.	The Constitution (Scheduled Tribes) Orders (Amendment) Bill, 2008 by Shri Haribhau Rathod, M.P.	3 of 2008	B	2 hours
5.	The Constitution (Amendment) Bill, 2008 ( <u>Amendment of article 15, etc.</u> ) by Shri Haribhau Rathod, M.P.	8 of 2008	B	2 hours
6.	The High Court of Kerala (Establishment of a Permanent Bench at Thiruvananthapuram) Bill, 2008 by Shri C.K. Chandrappan, M.P.	11 of 2008	B	2 hours
7.	The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Amendment Bill, 2008 ( <u>Amendment of sections 2 and 6</u> ) by Shri Anantkumar Hegde, M.P.	38 of 2008	B	2 hours