

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

(Fifteenth Lok Sabha)

SEVENTEENTH REPORT

(Presented on 4.8.2011)

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 Seventeenth Report.

2. The Committee met on 2 August, 2011 for –

- I. Examination of four Constitution (Amendment) Bills under rule 294(1) (a) of the Rules of Procedure.
- II. Reconsideration of classification of three Bills.

Examination of the Constitution (Amendment) Bills

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

- (1) The Constitution (Amendment) Bill, 2011
(Insertion of new articles 16A and 29A)
by Shri Nishikant Dubey, M.P.

The Bill seeks to insert new articles 16A and 29A in the Constitution with a view to provide for fifteen per cent reservation in posts and services and in all educational institutions under the State in favour of persons belonging to the economically weaker sections of the society.

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, 2011
(Amendment of article 370)
by Shri Hansraj Gangaram Ahir, M.P.

The Bill seeks to amend article 370 of the Constitution in order to provide that the special provisions relating to Jammu and Kashmir shall cease to operate after sixty-five 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 not be permitted** to move for leave to introduce the Bill.

- (3) The Constitution (Amendment) Bill, 2011
(Amendment of article 72)
by Dr. Kirit Premjibhai Solanki, M.P.

The Bill seeks to amend article 72 of the Constitution with a view to provide that the power conferred on the President to grant pardons, reprieves, respites or remission of punishment or to suspend, remit or commute the sentence of any person convicted of any offence relating to sedition or waging war against the State or terrorist activities in any part of the Country, shall be exercised by the President, within a period of one year from the date of receipt of the mercy petition.

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, 2011
(Insertion of new article 16A, etc.)
by Shri P.L. Punia, M.P.

The Bill seeks to insert new article 16A and amend article 335 of the Constitution with a view to:-

(i) enable the State to encourage the private enterprises to provide reservation in the matters of employment in favour of persons belonging to the Scheduled Castes and the Scheduled Tribes; and

(ii) omit the words 'consistent with the maintenance of efficiency of administration' from article 335 to remove any hindrance in the way of implementation of reservation policy effectively.

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

Reconsideration of classification of Bills

4. The Committee took up for reconsideration of classification of the following three Bills:-

- (1) The Constitution (Amendment) Bill, 2010
(Insertion of new article 30A)
by Shri P.L. Punia, M.P.

The Committee considered the request of Shri P.L. Punia, M.P. to reconsider their earlier decision (*vide* Fifteenth Report) regarding classification of the Bill from category 'B' to Category 'A'.

On reconsideration, the Committee decided to recommend that the Bill may be placed in category 'A'.

- (2) The Renewable Energy Resources Commission Bill, 2010
by Shri P.L. Punia, M.P.

The Committee considered the request of Shri P.L. Punia, M.P. to reconsider their earlier decision (*vide* Fifteenth Report) regarding classification of the Bill from category 'B' to Category 'A'.

On reconsideration, the Committee decided to recommend that the Bill may be placed in category 'A'.

- (3) The Scheduled Castes and the Scheduled Tribes
(Prevention of Atrocities) Amendment Bill, 2010
(Amendment of section 3, etc.)
by Shri P.L. Punia, M.P.

The Committee considered the request of Shri P.L. Punia, M.P. to reconsider their earlier decision (*vide* Fifteenth Report) regarding classification of the Bill from category 'B' to Category 'A'.

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

Recommendations

5. The Committee recommend that-

- (i) Shri Nishikant Dubey, Dr. Kirit Premjibhai Solanki and Shri P.L. Punia be permitted to move for leave to introduce their Constitution (Amendment) Bills specified in sub-paras (1), (3) and (4) of paragraph 3 above;
- (ii) Shri Hansraj Gangaram Ahir may not be permitted to move for leave to introduce his Constitution (Amendment) Bill specified in sub-para (2), of paragraph 3 above; and
- (iii) the reclassification of the Bills, as shown in paragraph 4, be agreed to by the House.

NEW DELHI;

2 August, 2011

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KARIYA MUNDA

Chairman,

*Committee on Private Members'
Bills and Resolutions.*