

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

(Sixteenth Lok Sabha)

SIXTH REPORT

(Presented on 3.3.2015)

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 Sixth Report.

2. The Committee met on 2 March, 2015 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 Constitution (Amendment) Bills:-

- (1) The Constitution (Amendment) Bill, 2015
(Amendment of articles 123 and 213)
by Shri Bhartruhari Mahtab, M.P.

The Bill seeks to amend article 123 of the Constitution with a view to provide that an Ordinance shall not be promulgated if it contains, in substance, all or any of the provisions of-

- (a) a Bill, which, having been introduced by a Minister, is pending in either House of Parliament;
- (b) a Bill, which, having been introduced in either House of Parliament by a Minister, has been rejected by either House; and
- (c) an earlier Ordinance, which has ceased to operate or withdrawn in terms of clause (2) of article 123 of the Constitution.

The Bill also seeks to make corresponding amendments in article 213 in relation to promulgation of ordinances by the Governor of a 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.

- (2) The Constitution (Amendment) Bill, 2015
(Amendment of article 24)
by Shri A.T. Nana Patil, M.P.

The Bill seeks to amend article 24 of the Constitution with a view to prohibit the employment of children below the age of eighteen years in factories, mines and hazardous industries, which at present is fourteen years.

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, 2015
(Insertion of new article 370A)
by Shri Nishikant Dueby, M.P.

The Bill seeks to insert a new article 370A in the Constitution with a view to provide for five seats in the House of the People for the territory of State of Jammu and Kashmir under the illegal occupation of Pakistan and keep them vacant until that territory is reunited with the State of Jammu and Kashmir.

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.

- (4) The Constitution (Amendment) Bill, 2015
(Insertion of new article 371CA)
by Dr. Thokchom Meinya, M.P.

The Bill seeks to insert a new article 371CA in the Constitution with a view to provide that the provisions of article 3 shall not apply in relation to the State of Manipur.

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, 2015
(Insertion of new article 279A)
by Shri Om Prakash Yadav, M.P.

The Bill seeks to insert a new article 279A in the Constitution with a view to provide that for all schemes announced by the Union Government for delivery of public services to the poor and for improvement of infrastructure, the State Governments shall formulate provisions for meeting the specified objectives of such schemes and the Union Government shall guarantee to the States access to adequate funds required for the implementation of the schemes.

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, 2015
(Insertion of new article 220A)
by Shri P.P. Chaudhary, M.P.

The Bill seeks to insert a new article 220A in the Constitution with a view to provide that the Chief Justice or any other Judge of a High Court shall not be eligible for further office either under the Government of India or under the Government of any State or in any Public Sector Undertaking after he has ceased to hold his office.

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, 2015
(Amendment of article 124)
by Shri P.P. Chaudhary, M.P.

The Bill seeks to amend article 124 of the Constitution with a view to provide that the Chief Justice of India or any other Judge of the Supreme Court shall not be eligible for further office either under the Government of India or under the Government of any State or in any Public Sector Undertakings after he has ceased to hold his office.

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

Recommendation

4. The Committee recommend that -

- (i) Sarashri Bhartruhari Mahtab, A.T. Nana Patil, Dr. Thokchom Meinya, Sarvashri Om Prakash Yadav and P.P. Chaudhary, M.Ps. may be permitted to move for leave to introduce their Constitution (Amendment) Bills specified in sub-paras (1), (2), (4), (5), (6) and (7) of paragraph 3 above; and
- (ii) Shri Nishikant Dubey, M.P. may not be permitted to move for leave to introduce his Constitution (Amendment) Bill specified in sub-para (3) of paragraph 3 above.

NEW DELHI;

2 March, 2015

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DR. M. THAMBI DURAI

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