

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

(Thirteenth Lok Sabha)

THIRTY-SEVENTH REPORT

(Presented on 10.12.2003)

On behalf of the Committee on Private Members' Bills and Resolutions, I having been authorised by the Committee to present the Report, present this Thirty-seventh Report.

2. The Committee met on 8 December, 2003 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 nine 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 three Resolutions given notices of by Shri Suresh Chandel, Shrimati Renuka Chowdhury and Shri Sunil Khan, M.Ps.

Examination of Constitution (Amendment) Bills

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

- (1) The Constitution (Amendment) Bill, 2003
(Insertion of new article 371EA) by
Shri Ramesh Chennithala, M.P.

The Bill seeks to amend the Constitution with a view to making provision for setting up of a Medical University and an Institute of Technology in the State of Kerala.

- (2) The Constitution (Amendment) Bill, 2003
(Insertion of new article 21B, etc.)
Shri Basudeb Acharia, M.P.

The Bill seeks to amend the Constitution with a view to making "Right to Social Security" as a fundamental right of the citizens.

- (3) The Constitution (Amendment) Bill, 2003
(Amendment of Eleventh and Twelfth Schedules)
by Shri Chandrakant Khaire, M.P.

The Bill seeks to amend the Constitution with a view to including 'recognition and promotion of local scientific talent' in the Eleventh and Twelfth Schedules to the Constitution in order to generate and sustain scientific spirit and temper among people by developing institutional mechanism at the local level.

- (4) The Constitution (Amendment) Bill, 2003
(Amendment of article 103, etc.) by
Shri G.M. Banatwalla, M.P.

The Bill seeks to amend the articles 103, 192 and Tenth Schedule to the Constitution with a view to omitting the existing distinction between defection and group split which legitimises mass defections under the garb of a split. The Bill further seeks to provide that the question of disqualification for being a member of the Parliament/State Legislature on ground of defection shall be referred to the President/Governor instead of the Presiding Officer of the Legislature concerned as at present. The Bill also provides that a person who is disqualified for being a member of the Parliament/State Legislature under the Tenth Schedule shall not be appointed as a Minister and to any public post for a period of three years. The Bill also seeks to introduce concept of unattached member, i.e. a member who has been expelled or suspended from the membership of his original political party.

- (5) The Constitution (Amendment) Bill, 2003
(Amendment of Eleventh and Twelfth Schedules) by
Prof. I.G. Sanadi, M.P.

The Bill seeks to amend the Constitution with a view to including 'recognition and promotion of local scientific talent' in the Eleventh and Twelfth Schedules to the Constitution in order to generate and sustain scientific spirit and temper among people by developing institutional mechanism at the local level.

Classification and allocation of time to Bills

4. The Committee considered classification and allocation of time in respect of nine Bills as shown in Appendices.

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

Allocation of time to resolutions

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

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|-------|---|---|---------|
| (i) | Resolution by Shri Suresh Chandel regarding unemployment. | - | 2 hours |
| (ii) | Resolution by Shrimati Renuka Chowdhury regarding National Policy for children. | - | 2 hours |
| (iii) | Resolution by Shri Sunil Khan regarding right to strike. | - | 2 hours |

Recommendations

- (i) The Committee recommend that Sarvashri Ramesh Chennithala, Basudeb Acharia, Chandrakant Khaire, G.M. Banatwalla and Prof. I.G. Sanadi be permitted to move for leave to introduce their Constitution (Amendment) Bills;
- (ii) The Committee also recommend that the classification and allocation of time in respect of Bills by the Committee, as shown in the Appendix, be agreed to by the House; and
- (iii) The Committee further recommend that the allocation of time to resolutions, as shown in paragraph 6 above, be agreed to by the House.

NEW DELHI;

8 December 2003

17 Agrahayana 1925 (Saka)

M.O.H. FAROOK ,
Acting 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.	Name of the Bill and member-in-charge	Bill No.	Category recommended	Time recommended
1.	The Constitution (Amendment) Bill, 2003 (<u>Insertion of new article 356A, etc.</u>) by Dr. Nitish Sengupta, M.P.	21 of 2003	A	2 hours
2.	The Abolition of Child Labour Bill, 2003 by Shri Iqbal Ahmed Saradgi, M.P.	47 of 2003	A	2 hours
3.	The Constitution (Amendment) Bill, 2003 (<u>Amendment of articles 243ZD and 243ZE</u>) by Shri Ramesh Chennithala, M.P.	57 of 2003	A	2 hours
4.	The Railways (Amendment) Bill, 2003 (<u>Insertion of new section 124B</u>) by Dr. V. Saroja, M.P.	56 of 2003	A	2 hours
5.	The Prevention of Food Adulteration (Amendment) Bill, 2003 (<u>Amendment of sections 2 and 16</u>) by Dr. V. Saroja, M.P.	61 of 2003	A	2 hours
6.	The Indian Penal Code (Amendment) Bill, 2003 (<u>Amendment of section 302</u>) by Shri P.H. Pandian, M.P.	52 of 2003	A	2 hours
7.	The Constitution (Amendment) Bill, 2003 (<u>Amendment of article 51A</u>) by Dr. V. Saroja, M.P.	53 of 2003	A	2 hours

APPENDIX-II

(See para 5 of the Report)
(List of Bills placed in category 'B' and allocation of time)

Sl. No.	Name of the Bill and member-in-charge	Bill No.	Category recommended	Time recommended
1.	The Constitution (Amendment) Bill, 2003 (<u>Amendment of article 275</u>) by Shri Ramesh Chennithala, M.P.	60 of 2003	B	2 hours
2.	The Code of Criminal Procedure (Amendment) Bill, 2003 (<u>Insertion of new section 389A</u>) by Shri P.H. Pandian, M.P.	55 of 2003	B	2 hours
