

**REPORTS OF THE COMMITTEE ON
PRIVATE MEMBERS' BILLS AND
RESOLUTIONS**

Fifth Session—Second Lok Sabha

Twenty Fourth Report



**LOK SABHA SECRETARIAT
NEW DELHI**

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**COMMITTEE ON PRIVATE MEMBERS' BILLS AND
RESOLUTIONS**

TWENTY-FOURTH REPORT

(SECOND LOK SABHA)

On behalf of the Committee on Private Members' Bills and Resolutions, I, having been authorised by the Committee, present on their behalf, this their Twenty-fourth Report.

2. The Committee met on the 18th August, 1958 for—

- (1) categorisation and allocation of time to Bills (*vide* Appendix I) under Rule 294(1) (b) and 294(1) (c) of the Rules of Procedure respectively.
- (2) examination under Rule 294(1) (c) of the Rules of Procedure of the following Bills:—
 - (i) Constitution (Amendment) Bill (*Amendment of Articles 134 and 136*) by Shri Subiman Ghose.
 - (ii) Constitution (Amendment) Bill (*Amendment of Article 136*) by Shri Balkrishna Wasnik.

II. Categorisation of and allocation of time to Bills

3. The Members in charge of the Bills due for categorisation and allocation of time and the representatives of the Ministries concerned had been invited to present their views on these Bills before the Committee. The representatives of the Ministries concerned with the Bills were present at the sitting. Amongst the members in charge of the Bills who were invited to attend the sitting, Sarvashri S. Easwara Iyer, M. R. Masani, Hem Raj and Aurobindo Ghosal attended the sitting.

4. After hearing the views of the representatives of the Ministries and members in charge and considering all aspects of the Bills, the Committee placed all Bills under category B and allotted time for each Bill as shown in Appendix I.

III. Examination of the Constitution (Amendment) Bills

5. The members who had given notice of the Bills and the representatives of the Ministries concerned with the Bills, had been invited to be present at the sitting. The members concerned could not attend. The representative of the Ministry of Home Affairs was present.

6. The Committee examined the Bills in the light of the principles laid down in paragraph 6 of the First Report of the Committee on Private Members' Bills and Resolutions approved by the First Lok Sabha. The Committee arrived at the following findings:—

FINDINGS OF THE COMMITTEE

(a) *Constitution (Amendment) Bill* (Amendment of Articles 134, 136 and 145) by *Shri Subiman Ghose*.

7. At present, under article 134(1) (c) of the Constitution of India, when certificate for leave to appeal to the Supreme Court is asked for before any High Court and on its refusal, when the application for special leave to appeal is filed in the Supreme Court, and on its being allowed when there is hearing for admission of the appeal in the Supreme Court in all these three stages, practically the same arguments are repeated. The Bill sought to amend articles 134, 136 and 145 so as to avoid duplication of work and congestion in High Courts and the Supreme Court.

The Committee were of the opinion that the Bill raised an important issue which the House should discuss. It, therefore, recommends that the Bill might be allowed to be introduced.

(b) *Constitution (Amendment) Bill, 1958* (Amendment of Article 136) by *Shri Balkrishna Wasnik*.

The Bill sought to amend Article 136 of the Constitution with a view to discourage reference or appeals to the Supreme Court with regard to industrial disputes so that delays involved in litigation and consequent expenditure to workers might be avoided.

The Committee were of the opinion that as the Bill raised an important issue of public interest, it might be allowed to be introduced.

IV. Recommendations

8. The Committee recommend—

- (i) that the categorisation and allocation of time to Bills by the Committee as shown in Appendix I be agreed to by the House;

- (ii) that the Constitution (Amendment) Bill (*Amendment of Articles 134, 136 and 145*) by Shri Subiman Ghose be allowed to be introduced.
- (iii) that the Constitution (Amendment) Bill (*Amendment of Article 136*) by Shri Balkrishna Wasnik be allowed to be introduced.

AMAR SINGH SAIGAL

NEW DELHI;
The 20th August, 1958.

APPENDIX I

Sl. No.	Name of the Bill and the Member in charge	Bill No.	Category assigned	Time allotted by the Committee	Remarks
1.	Institution of Chartered Engineers Bill by Shri Nath Pai.	47 of 1958	B	2 hours	
2.	Hindu Marriage (Amendment) Bill (Amendment of Section 13 and insertion of new section 13A) by Shri S. Easwara Iyer.	36 of 1958	B	1½ hours	
3.	Dissolution of Muslim Marriage (Amendment) Bill (Amendment of sections 1 and 2) by Shri S. Easwara Iyer.	40 of 1958	B	1 hour	
4.	Hindu Disposition of Property Bill by Shri S. Easwara Iyer.	42 of 1958	B	2 hours	[Adopted on 22nd August]
5.	Hindu Succession (Amendment) Bill (Amendment of section 14 etc.) by Shri S. Easwara Iyer.	45 of 1958	B	2 hours	
6.	Hindu Succession (Amendment) Bill (Amendment of section 14) by Shri P. Subbiah Ambalam.	43 of 1958	B	1 hour	
7.	Constitution (Amendment) Bill (Omission of Article 143) by Shri Naushir Bharucha.	38 of 1958	B	2 hours	
8.	Indian Trusts (Amendment) Bill (Amendment of sections 19, 23 and 51) by Shri Ram Krishan.	53 of 1958	B	1 hour	
9.	Hindu Succession (Amendment) Bill (Amendment of section 30) by Shri Hem Rai.	54 of 1958	B	1 hour	
10.	Indian Income Tax (Amendment) Bill (Amendment of section 54) by Shri Ram Krishan.	41 of 1958	B	1 hour	
11.	Salaries and Allowances of Members of Parliament (Amendment) Bill (Amendment of Sections 2 and 6) by Shri M. R. Masani.	46 of 1958	B	2 hours	
12.	Prevention of Corruption (Amendment) Bill (Omission of section 6) by Shri Sinhasan Singh.	29 of 1958	B	1½ hours	

Sl. No.	Name of the Bill and the Member in charge	Bill No.	Category assigned.	Time allotted by the Committee	Remarks
13.	Code of Criminal Procedure (Amendment) Bill (<i>Amendment of section 198</i>) by Shri Sinhasan Singh.	30 of 1958	B	1 hour	
14.	Code of Criminal Procedure (Amendment) Bill (<i>Amendment of schedule II</i>) by Shri Subiman Ghose.	37 of 1958	B	1 hour	
15.	Abolition of employment of casual labour Bill by Shri Aurobindo Ghosal.	52 of 1958	B	2 hours	
✓ 16.	Abolition of Supply of Labour through Contractors Bill by Shri Aurobindo Ghosal.	51 of 1958	B	2 hours	
17.	Industrial Disputes (Amendment) Bill (<i>Amendment of section 2</i>) by Shri Aurobindo Ghosal.	58 of 1958	B	2 hours	
18.	Minimum Wages (Amendment) Bill (<i>Amendment of section 14</i>) by Shri Kanhaiya Lal Balmiki.	50 of 1958	B	2 hours	