

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

**Sixth Lok Sabha**

**Fifteenth Report**



**सत्यमेव जयते**

**LOK SABHA SECRETARIAT  
NEW DELHI**

**1978**

# COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

(Sixth Lok Sabha)

## FIFTEENTH REPORT

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

2. The Committee met on the 28th March, 1978 for—

I. Examination of the following Constitution (Amendment) Bills under Rule 294(1)(a) of the Rules of Procedure:—

(1) The Constitution (Amendment) Bill, 1978 (*Amendment of articles 292 and 293*) by Shri O. P. Tyagi.

(2) The Constitution (Amendment) Bill, 1978 (*Insertion of new article 16A*) by Shri Roop Nath Singh Yadav.

II. Classification and allocation of time for discussion of Bills (*vide Appendix*) 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 the Resolutions at items Nos. 2, 3 and 4 set down in the List of Business for Friday, the 31st March, 1978.

IV. Reconsideration of the classification of the following Bills:—

(i) The Price Fixation Bill, 1978 by Shri Vinayak Prasad Yadav.

(ii) The Constitution (Amendment) Bill, 1978 (*Substitution of article 16*) by Shri Vinayak Prasad Yadav.

### *Examination of Constitution (Amendment) Bills*

3. The Members-in-charge of the Bills were invited to attend the sitting. Shri Roop Nath Singh Yadav attended.

4. The Committee considered the Bills and arrived at the following findings as a result of their examination of the Bills:—

### *Findings of the Committee*

(1) The Constitution (Amendment) Bill, 1978 (*Amendment of articles 292 and 293*) by Shri O. P. Tyagi.

The Bill seeks to amend articles 292 and 293 of the Constitution with a view to put a check on the executive power of the Government to borrow on the security of the Consolidated Fund of India or the Consolidated Fund of the State, as the case may be.

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

(2) The Constitution (Amendment) Bill, 1978 (*Insertion of new article 16A*) by Shri Roop Nath Singh Yadav.

The Bill seeks to insert new article 16A in the Constitution with a view to provide that no law giving effect to the policy of the State towards securing the principles laid down in clause (4) of article 15 or clause (4) of article 16

[P.T.O.]

regarding advancement of socially and educationally backward classes of citizens or reservation of appointments or posts in their favour shall be deemed to be void on the ground that the reservation made under such law is on the basis of the total population of the backward classes of citizens.

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

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

5. The Members concerned had been invited to present before the Committee their views on their Bills. Sarvashri Bhagat Ram and L. L. Kapoor attended.

6. After considering all aspects of the Bills, the Committee recommend that the Constitution (Amendment) Bill, 1978 (*Omission of article 310, etc.*) by Shri Bhagat Ram be placed in category 'A' and all the remaining Bills be placed in category 'B'. The Committee recommend allocation of time for each of the Bills as shown in column 5 of the Appendix.

#### *Allotment of time to Resolutions*

7. The Members concerned had been invited to present their views on their resolutions before the Committee. Sarvashri Giridhar Gomango and P. K. Deo attended.

8. The Committee recommend the allocation of time as follows:—

- |   |        |
|---|--------|
| (1) Resolution regarding setting up of Netaji National Academy          | 2 hrs. |
| (2) Resolution regarding constitutional safeguards for Scheduled Tribes | 2 hrs. |
| (3) Resolution regarding deterioration in standard of sports            | 2 hrs. |

#### *Reconsideration of the Classification of Bills*

9. The Committee then considered the request of Shri Vinayak Prasad Yadav to reconsider their earlier decision (*vide* Fourteenth Report) classifying the following Bills in Category 'B':—

- (1) The Price Fixation Bill, 1978 by Shri Vinayak Prasad Yadav.
- (2) The Constitution (Amendment) Bill, 1978 (*Substitution of article 16*) by Shri Vinayak Prasad Yadav.

10. In this connection, the Committee noted the following recommendation made in their Fortieth Report (First Lok Sabha):—

“That in regard to the Bills which have been categorised as 'B' in any one session, the question of recategorising them be reconsidered by the Committee on an application made by the sponsor of the Bill at a later session.”

11. The Committee also took note of rule 338 of the Rules of Procedure and Conduct of Business in Lok Sabha and observed that the House had given a decision on the question of classification of the above two Bills when the motion regarding Fourteenth Report (Sixth Lok Sabha) of the Committee, containing recommendation for classification of these Bills in category 'B', was adopted by the House on 17 March, 1978 during the current session.

12. After considering all aspects of the matter, the Committee reiterate their above recommendation made in their Fortieth Report (First Lok Sabha) and are of the opinion that the question of re-classification of the two Bills referred to in para 9 above, may be considered at a later session if an application is made to that effect by the Member-in-charge of the Bills,

*Recommendations*

13. The Committee recommend that—

- (i) Sarvashri O. P. Tyagi and Roop Nath Singh Yadav be permitted to move for leave to introduce their Constitution (Amendment) Bills;
- (ii) The classification and allocation of time to Bills by the Committee as shown in the Appendix be agreed to by the House; and
- (iii) the allocation of time to resolutions, as shown in paragraph 8 above, be agreed to by the House.

14. The Committee reiterate the recommendation that with regard to Bills which have been categorised as 'B' in any one session, the question of re-categorising them may be considered by the Committee on an application made by the sponsor of the Bill at a later session.

NEW DELHI;  
March 28, 1978  
Chaitra 6, 1900 (Saka)

YADVENDRA DUTT,  
*Acting Chairman,*  
*Committee on Private Members'*  
*Bills and Resolutions.*

## APPENDIX

S. No.	Name of the Bill and the Member-in-charge	Bill No.	Category recommended	Time recommended by the Committee
1	2	3	4	5
1	The Small Farmers and Agricultural Workers Security Bill, 1978 by Shri P. Rajagopal Naidu.	45 of 1978	B	2 hours
2	The Reservation of (Certain Categories of) Cloth to Handlooms Bill, 1978 by Shri P. Rajagopal Naidu.	46 of 1978	B	2 hours
3	The Sugarcane Price (Fixation) Bill, 1978 by Shri P. Rajagopal Naidu.	44 of 1978	B	2 hours
4	The Constitution (Amendment) Bill, 1978 ( <i>Omission of article 310, etc.</i> ) by Shri Bhagat Ram.	38 of 1978	A	2 hours
5	The Constitution (Amendment) Bill, 1977 ( <i>Amendment of articles 330 and 332</i> ) by Shri Hukam Chand Kachwai.	113 of 1977	B	2 hours
6	The Constitution (Amendment) Bill, 1977 ( <i>Amendment of Seventh Schedule</i> ) by Shri Hukam Chand Kachwai.	105 of 1977	B	2 hours
7	The Constitution (Amendment) Bill, 1977 ( <i>Amendment of article 348</i> ) by Shri Hukam Chand Kachwai.	98 of 1977	B	2 hours
8	The Constitution (Amendment) Bill, 1978 ( <i>Amendment of article 19, etc.</i> ) by Shri L. L. Kapoor.	27 of 1978	B	2 hours