

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

Sixth Lok Sabha

Twenty Second Report



सत्यमेव जयते

**LOK SABHA SECRETARIAT
NEW DELHI**

1978

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

(Sixth Lok Sabha)

TWENTY-SECOND REPORT

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 Twenty-Second Report.

2. The Committee met on the 8th August, 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 (*Omission of article 14*) by Shri Manohar Lal.

(2) The Constitution (Amendment) Bill, 1978 (*Amendment of article 18*) by Sarvashri Narmada Prasad Rai, Rasheed Masood and Sharad Yadav.

(3) The Constitution (Amendment) Bill, 1978 (*Amendment of article 22, etc.*) by Shri Ram Jethmalani.

(4) The Constitution (Amendment) Bill, 1978 (*Amendment of article 75*) by Shri Narmada Prasad Rai.

(5) The Constitution (Amendment) Bill, 1978 (*Amendment of article 75*) by Shri Rasheed Masood.

(6) The Constitution (Amendment) Bill, 1978 (*Amendment of article 75*) by Shri Sharad 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. 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.

(iii) The Backward Areas Development Board Bill, 1978 by Shri Yadvendra Dutt.

IV. Allocation of time under Rule 294(1) (e) of the Rules of Procedure to the Resolutions at items Nos. 2 and 3 set down in the List of Business for Friday, the 11th August, 1978.

3. The Committee then 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 (*Omission of article 14*) by Shri Manohar Lal.

The Bill seeks to omit article 14 of the Constitution which guarantees 'equality before the law or the equal protection of the laws within the territory of India'.

[P.T.O.]

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, 1978 (*Amendment of article 18*) by Sarvashri Narmada Prasad Rai, Rasheed Masood and Sharad Yadav

The Bill seeks to amend article 18 of the Constitution with a view to provide that no citizen shall prefix or suffix to his name any surname indicating the caste.

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, 1978 (*Amendment of article 22, etc.*) by Shri Ram Jethmalani

The Bill seeks to amend the Constitution with a view to provide, *inter alia*, for restoration of the Rule of Law in the country, abolition of Right to Property and enjoining upon the legislatures to pass legislation regarding their powers, privileges and immunities within the specified period.

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, 1978 (*Amendment of article 75*) by Shri Narmada Prasad Rai

The Bill seeks to amend article 75 of the Constitution with a view to provide that the Prime Minister shall hold office for a period not exceeding 12 years or for two terms of Lok Sabha, whichever is less, and Prime Minister who has held office for at least 10 years shall not be eligible for re-appointment as Prime Minister.

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, 1978 (*Amendment of article 75*) by Shri Rasheed Masood

The Bill seeks to amend article 75 of the Constitution with a view to provide that the Prime Minister shall hold office for a period not exceeding 6 years or till the dissolution of Lok Sabha following his assumption of office of Prime Minister, whichever is less, and Prime Minister who has held office for 5 years or more, shall not be eligible for re-appointment as Prime Minister.

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, 1978 (*Amendment of article 75*) by Shri Rasheed Masood

The Bill seeks to amend article 75 of the Constitution with a view to provide that the Prime Minister shall hold office for a period not exceeding 11 years or for two terms of Lok Sabha, whichever is less, and a Prime Minister who has held office for such period shall not be eligible for re-appointment as Prime Minister.

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

Classification and allocation of time to Bills

4. The Members concerned had been invited to present before the Committee their views on their Bills. Sarvashri Manohar Lal, Kanwar Lal Gupta, Ram Jethmalani and Dr. Ramji Singh attended.

5. After considering all aspects of the Bills, the Committee recommend that
 (i) The Gold (Control) Repeal Bill, 1978 by Shri Kanwar Lal Gupta and
 (ii) The Emergency Courts Bill, 1978 by Shri Ram Jethmalani 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.

Reconsideration of the Classification of Bills

6. The Committee then considered the requests of Sarvashri Vinayak Prasad Yadav and Yadendra Dutt, to reconsider their earlier decisions (*vide* Fourteenth and Sixteenth Reports respectively) regarding the classification of the following Bills:—

- (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.
- (3) The Backward Areas Development Board Bill, 1978 by Shri Yadendra Dutt.

7. The Members-in-charge of the Bills were invited to attend the sitting. None of them attended.

8. The Committee did not see any justification in altering, for the present, the original categorisation of any of the Bills.

Allotment of time to Resolutions

9. The Members concerned had been invited to present their views on their resolutions before the Committee. Shri Girdhar Gomango attended.

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

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| (1) Resolution regarding reasons for recent resignations from the Council of Ministers | 2 hrs. |
| (2) Resolution regarding socio-economic programmes for upliftment of Scheduled Castes and Scheduled Tribes | 2 hrs. |

Recommendations

11. The Committee recommend that—

- (i) Sarvashri Manohar Lal, Narmada Prasad Rai, Rasheed Masood, Sharad Yadav, Ram Jethmalani 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 10 above, be agreed to by the House.

NEW DELHI;

August 8, 1978

Sravana 17, 1900 (Saka)

GODEY MURAHARI,

Chairman,
 Committee on Private Members'
 Bills and Resolutions.

[P.T.O.]

APPENDIX

S. No.	Name of the Bill and the Member-in-charge	Bill No.	Category recommended	Time allocated by the Committee
1	2	3	4	5
1	The Constitution (Amendment) Bill, 1978 (<i>Insertion of new articles 23A, 23B and 23C</i> , by Shri Ugrasen.	21 of 1978	B	2 hrs.
2	The Indian Trusteeship Bill, 1978 by Shri Ugrasen.	65 of 1978	B	2 hrs.
3	The Codes of Civil and Criminal Procedure (Amendment) Bill, 1978 by Shri Manohar Lal.	68 of 1978	B	2 hrs.
4	The Constitution (Amendment) Bill, 1978 (<i>Amendment of Seventh Schedule</i>) by Shri K. Lakkappa.	118 of 1978	B	2 hrs.
5	The Code of Criminal Procedure (Amendment) Bill, 1978 (<i>Amendment of section 2 etc.</i>) by Shri Baldev Singh Jasrotia.	121 of 1978	B	2 hrs.
6	The Abolition of Death Penalty Bill, 1978 by Dr. Ramji Singh.	116 of 1978	B	2 hrs.
7	The Salary, Allowances and Pension of Members of Parliament (Amendment) Bill, 1978 (<i>Amendment of section 8A</i>) by Shri Vinayak Prasad Yadav.	101 of 1978	B	2 hrs.
8	The Pharmacy (Amendment) Bill, 1978 (<i>Amendment of section 2, etc.</i>) by Dr. Vasant Kumar Pandit.	117 of 1978	B	2 hrs.
9	The Gold (Control) Repeal Bill, 1978 by Shri Kanwar Lal Gupta.	108 of 1978	A	2 hrs.
10	The Emergency Courts Bill, 1978 by Shri Ram Jethmalani.	115 of 1978	A	2 hrs.