

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

Sixth Lok Sabha

Twenty Fourth Report



सत्यमेव जयते

**LOK SABHA SECRETARIAT
NEW DELHI**

1978

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

(Sixth Lok Sabha)

TWENTY-FOURTH 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-Fourth Report.

2. The Committee met on the 21st November, 1978 for—

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

- (1) The Constitution (Amendment) Bill, 1978
(Amendment of article 19) by
Shri R. D. Gattani.
- (2) The Constitution (Amendment) Bill, 1978
(Amendment of Eighth Schedule) by
Dr. Karan Singh.
- (3) The Constitution (Amendment) Bill, 1978
(Insertion of new article 41A) by
Shri Roop Nath Singh Yadav.
- (4) The Constitution (Amendment) Bill, 1978
(Insertion of new article 332A) by
Shri Roop Nath Singh Yadav.
- (5) The Constitution (Amendment) Bill, 1978
(Amendment of article 21) by
Shri G. M. Banatwalla.
- (6) The Constitution (Amendment) Bill, 1978
(Amendment of Eighth Schedule) by
Shri Saugata Roy.

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

- (i) The Commissions of Inquiry (Amendment) Bill, 1978 (Amendment of section 5) by Shri Ram Jethmalani.
- (ii) The Representation of the People (Amendment) Bill, 1978 (Insertion of new section 10B and Amendment of section 11) by Shri Ram Jethmalani.
- (iii) The Constitution (Amendment) Bill, 1977 (Omission of article 370) by Shri P. K. Deo.
- (iv) The Constitution (Amendment) Bill, 1978 (Substitution of article 16) by Shri Vinayak Prasad Yadav.
- (v) The Salary, Allowances and Pension of Members of Parliament (Amendment) Bill, 1978 by Shri Vinayak Prasad Yadav.

[P.T.O.]

Examination of Constitution (Amendment) Bills

3. 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 article 19) by
Shri R. D. Gattani.

The Bill seeks to amend article 19 of the Constitution with a view to put restriction on the fundamental right to freedom of speech and expression to the extent that it shall not prevent the State from making any law in relation to contempt of any Commission of Inquiry so that a Commission can also be termed as a Court and its proceedings can be treated as judicial proceedings. The object is to empower the Commissions of Inquiry to punish a person who shows contempt to the Commission and interrupts its work.

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 Eighth Schedule) by
Dr. Karan Singh.

The Bill seeks to amend the Eighth Schedule to the Constitution with a view to include 'Dogri' and 'Nepali' languages therein.

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
(Insertion of new article 41A) by
Shri Roop Nath Singh Yadav.

The Bill seeks to insert a new article 41A in Chapter IV of the Constitution regarding Directive Principles of State Policy with a view to provide for removal of unemployment within a period of 10 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.

- (4) The Constitution (Amendment) Bill, 1978
(Insertion of article 332A) by
Shri Roop Nath Singh Yadav.

The Bill seeks to amend the Constitution with a view to provide for reservation of seats for Scheduled Castes and Scheduled Tribes in the local bodies in the proportion of their population as also for reservation of the office of the Chairman, President or Mayor, as the case may be, of such bodies for Scheduled Castes and Scheduled Tribes.

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 21) by
Shri G. M. Banatwalla.

The Bill seeks to amend article 21 of the Constitution with a view to provide that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

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 Eighth Schedule) by
Shri Saugata Roy.

The Bill seeks to include 'Dogri', 'Konkani', 'Manipuri' and 'Nepali' languages in the Eighth Schedule to the Constitution.

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

Reconsideration of the Classification of Bills

4. The Committee then considered the requests of Sarvashri Ram Jethmalani, P. K. Deo and Vinayak Prasad Yadav, for re-classification of the Bills mentioned in paragraph 2 above.

The Committee noted that 19 Bills of category 'A' were already pending in the House for consideration and, therefore, decided that the consideration of requests for re-classification of Bills be postponed for the time being. The Committee observed that the Members concerned might renew their requests later.

Recommendation

5. The Committee recommend that Sarvashri R. D. Gattani, Roop Nath Singh Yadav, G. M. Banatwalla, Saugata Roy and Dr. Karan Singh be permitted to move for leave to introduce their Constitution (Amendment) Bills.

NEW DELHI;
November 21, 1978
Kartika 30, 1900 (Saka)

GODEY MURAHARI,
Chairman,
Committee on Private Members'
Bills and Resolutions.