

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

**FIRST TO SIXTY-EIGHTH REPORTS  
(ENGLISH VERSION)**



**सत्यमेव जयते**

**EIGHTH LOK SABHA**

**Legislative Branch-II**

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

**(Eighth Lok Sabha)**

**THIRTY-EIGHTH REPORT**

*(Presented on 6-8-1987)*

1. 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 Thirty-eighth Report.

2. The Committee met on 3 August, 1987 for—

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

- (1) The Constitution (Amendment) Bill, 1987 (*Amendment of article 74, etc.*) by Prof. Madhu Dandavate.
- (2) The Constitution (Amendment) Bill, 1987 (*Amendment of article 78*) by Shri Shantaram Naik.

II. Reconsideration of classification of the following Bills:—

- (1) The Indian Penal Code (Amendment) Bill, 1986 (*Insertion of new sections 298A and 298B*) by Shri Shantaram Naik.
- (2) The Constitution (Amendment) Bill, 1986 (*Amendment of article 368*) by Shri Shantaram Naik.
- (3) The Standardisation of Style of Names of Citizens Bill, 1986 by Shri Shantaram Naik.
- (4) The Constitution (Amendment) Bill, 1987 (*Insertion of new articles 4A, 4B, 4C, etc.*) by Shri Shantaram Naik.

III. Allocation of time under rule 294(1)(e) of the Rules of Procedure to the Resolutions at item Nos. 2, 3 and 4 set down in the List of Business for Friday, 7 August, 1987.

*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, 1987 (*Amendment of article 74, etc.*) by Prof. Madhu Dandavate.

The Bill seeks to amend the Constitution with a view to provide that Parliament may inquire into whether any, and if so what, advice was tendered by the Council of Ministers to the President and whether the Prime Minister performed his duty as respects the furnishing of information, etc. to the President.

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

[P.T.O.]

- (2) The Constitution (Amendment) Bill, 1987 (*Amendment of article 78*) by Shri Shantaram Naik.

The Bill seeks to amend article 78 of the Constitution with a view to provide that the information supplied by the Prime Minister to the President may be in a summary form and the information so supplied shall not be questioned.

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 request of Shri Shantaram Naik to reconsider their earlier decisions (*vide* Eighteenth, Twenty-ninth and Thirty-third Reports) regarding the classification of following Bills from category 'B' to category 'A' :—

- (1) The Indian Penal Code (Amendment) Bill, 1986 (*Insertion of new sections 298A and 298B*).
- (2) The Constitution (Amendment) Bill, 1986 (*Amendment of article 368*).
- (3) The Standardisation of Style of Names of Citizens Bill, 1986.
- (4) The Constitution (Amendment) Bill, 1987 (*Insertion of new articles 4A, 4B, 4C, etc.*)

5. On reconsideration, the Committee did not see any justification for altering the original categorisation of all the four Bills.

#### *Allocation of time to Resolutions*

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

- (1) Resolution by Prof. Madhu Dandavate regarding White Paper on defence deals and FERA violations. 2 hours
- (2) Resolution by Shri Mohd. Mahfooz Ali Khan regarding measures to end food adulteration. 2 hours
- (3) Resolution by Shri B. N. Reddy regarding measures to remove drought conditions. 2 hours

#### *Recommendations*

7. The Committee recommend that—

- (i) Prof. Madhu Dandavate and Shri Shantaram Naik be permitted to move for leave to introduce their Constitution (Amendment) Bills; and
- (ii) the allocation of time to resolutions, as shown in paragraph 6 above, be agreed to by the House.

NEW DELHI;  
August 3, 1987  
Sraana 12, 1909 (Saka)

M. THAMBI DURAI,  
Chairman,  
Committee on Private Members'  
Bills and Resolutions.