

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

**FIRST TO THIRTEENTH REPORTS
(ENGLISH VERSION)**



सत्यमेव जयते

Ninth Lok Sabha

Legislative Branch-II

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS
(Ninth Lok Sabha)

SEVENTH REPORT

(Presented on 9-8-1990)

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 Seventh Report.

2. The Committee met on 7 August, 1990 for—

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

- (1) The Constitution (Amendment) Bill, 1990 (*Insertion of new articles 23A, 23B and 23C*) by Shrimati Basavarajeswari.
- (2) The Constitution (Amendment) Bill, 1990 (*Amendment of Tenth Schedule*) by Shrimati Basavarajeswari.
- (3) The Constitution (Amendment) Bill, 1990 (*Insertion of new article 48B, etc.*) by Shri K. Ramamurthy.
- (4) The Constitution (Amendment) Bill, 1990 (*Substitution of new Schedule for Eighth Schedule*) by Shri Satyagopal Misra.
- (5) The Constitution (Amendment) Bill, 1990 (*Amendment of article 371*) by Shri Vamanrao Mahadik.
- (6) The Constitution (Amendment) Bill, 1990 (*Amendment of article 29, etc.*) by Shri Sudhir Giri.
- (7) The Constitution (Amendment) Bill, 1990 (*Amendment of article 335*) by Shri Harish Rawat.
- (8) The Constitution (Amendment) Bill, 1990 (*Insertion of new article 31*) by Prof. Mahadeo Shiwankar.
- (9) The Constitution (Amendment) Bill, 1990 (*Amendment of article 311*) by Shri Chitta Basu.
- (10) The Constitution (Amendment) Bill, 1990 (*Amendment of article 124, etc.*) by Shri Prakash Koko Brahmblhatt.

II. Classification of and allocation of time for discussion to the Bills contained in the Sixth Report of the Committee which was presented to the House on 23 May 1990 but could not be adopted due to adjournment of the House on 25 May 1990.

III. Reconsideration of classification of the Constitution (Scheduled Castes) Order (Amendment) Bill, 1989 (*Amendment of the Schedule*) by Shri K.S. Chavda.

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, 1990 (*Insertion of new articles 23A, 23B and 23C*) by Shrimati Basavarajeswari.

The Bill seeks to provide for (i) right to guaranteed employment, house to live, food to eat to every citizen and cash allowance in case of failure of the

Government to provide these; (ii) right to free education upto the age of 20 years for all children, compulsory education till they have passed Tenth Class and free medical and technical education to all those students who secure good marks but are not able to meet the expenses of their higher education; and (iii) monetary assistance to every citizen who has completed the age of twenty years and remains chronically sick or is permanently incapacitated or is disabled.

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, 1990 (*Amendment of Tenth Schedule*) by Shrimati Basavarajswari.

The Bill seeks to amend the Tenth Schedule to the Constitution with a view to provide that a nominated member of either House of Parliament or either House of the Legislature of a State, who is not a member of any political party on the date of his nomination, if joins any political party after his nomination, shall be disqualified from being such a member.

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, 1990 (*Insertion of new article 48B, etc.*) by Shri K. Ramamurthy.

The Bill seeks to amend Seventh Schedule to the Constitution with a view to conferring on the Union Government unrestricted authority in the matter of regulation and development of inter-State rivers, river valleys and mountain ranges spreading in two or more States and to provide for setting up of a corporation to develop and protect such inter-State rivers, etc.

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, 1990 (*Substitution of new Schedule for Eighth Schedule*) by Shri Satyagopal Misra.

The Bill seeks to substitute new Schedule for the existing Eighth Schedule to the Constitution with a view to including Bhojpuri, Dogri, Konkani and Nepali languages in the Schedule.

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, 1990 (*Amendment of article 371*) by Shri Vamanrao Mahadik.

The Bill seeks to amend article 371 of the Constitution with a view to enabling the President to establish a separate Development Board for the Konkan region of the Maharashtra State.

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, 1990 (*Amendment of article 29, etc.*) by Shri Sudhir Giri.

The Bill seeks to amend the Constitution with a view to making the right to free and compulsory education a fundamental right for all citizens until they complete the age of fourteen years. It also provides that the State shall take steps for the eradication of illiteracy in the country.

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

(7) The Constitution (Amendment) Bill, 1990 (*Amendment of article 335*) by Shri Harish Rawat.

The Bill seeks to amend article 335 of the Constitution with a view to ensuring that the industries in the private sector shall provide facilities, concessions, etc. to Scheduled Castes, Scheduled Tribes and other economically weaker sections of society as are provided to them by public sector enterprises.

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

(8) The Constitution (Amendment) Bill, 1990 (*Insertion of new article 31*) by Prof. Mahadeo Shiwankar.

The Bill seeks to provide that all citizens who have attained the age of eighteen years and above shall have the right to work and shall be entitled to assistance at the rate of rupees five hundred per month in case they are not provided with employment.

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

(9) The Constitution (Amendment) Bill, 1990 (*Amendment of article 311*) by Shri Chitta Basu.

The Bill seeks to amend article 311 of the Constitution with a view to omitting provisions relating to dismissal, removal or reduction in rank of persons employed in civil capacities under the Union or a State without holding an inquiry.

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

(10) The Constitution (Amendment) Bill, 1990 (*Amendment of article 124, etc.*) by Shri Prakash Koko Brahmhatt.

The Bill seeks to amend the Constitution with a view to constituting National Judicial Commission for appointment, promotion and transfer of Judges of Supreme Court (other than the Chief Justice), High Courts and District Courts and to enquire into allegations against them and recommend suitable punishment for the guilty.

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 contained in the Sixth Report

4. The Committee recommend that all recommendations contained in their Sixth Report regarding categorisation of and allocation of time for discussion of Bills, now included in this Report (*Vide Appendix*), may be agreed to.

Reconsideration of the classification of a Bill

5. The Committee then considered the request of Shri K.S. Chavda to reconsider their earlier recommendation giving category 'B' (*vide* First Report) to his Bill, namely, the Constitution (Scheduled Castes) Order (Amendment) Bill, 1989 (*Amendment of the Schedule*) and place it in category 'A'.

6. On reconsideration, the Committee recommend that the Bill may be placed in category 'A'.

Recommendations

7. The Committee recommend that —

- (i) Shrimati Basavarajeswari, Sarvashri K. Ramamurthy, Satyagopal Misra, Vamanrao Mahadik, Sudhir Giri, Harish Rawat, Prof. Mahadeo Shiwankar and Sarvashri Chitta Basu and Prakash Koko Brahmhatt 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 reclassification of the Bill, as shown in paragraph 6 above, be agreed to by the House.

NEW DELHI;

August 7, 1990

Sravana 16, 1912 (Saka)

SHIVRAJ V. PATIL,

Chairman,

Committee on Private Members'

Bills and Resolutions.

APPENDIX

Sl. No.	Name of the Bill and the member-in-charge	Bill No.	Category recommended	Time recommended
1	2	3	4	5
1.	The Employment Bill, 1990 by Shri Anadi Charan Das.	54 of 1990	B	1½ hours
2.	The Building and Construction Workers (Conditions of Employment) Bill, 1990 by Shri Satyagopal Misra.	50 of 1990	A	2 hours
3.	The Constitution (Scheduled Tribes) Order (Amendment) Bill, 1990 (<i>Amendment of the Schedule</i>) by Shri Uttamrao Patil.	68 of 1990	B	1½ hours
4.	The Constitution (Amendment) Bill, 1990 (<i>Amendment of article 155</i>) by Shri Prakash Koko Brahm-bhatt.	57 of 1990	A	2 hours
5.	The Mother's Lineage Bill, 1990 by Km. Umabharti.	66 of 1990	A	2 hours
6.	The Reservation of Vacancies in Posts and Services (For Scheduled Castes and Scheduled Tribes) Bill, 1990 by Shri Chhaviram Argal.	61 of 1990	A	2 hours
7.	The Marginal Farmers and Agricultural Workers Family Security Bill, 1990 by Km. Umabharti.	64 of 1990	A	2 hours
8.	The Working Women Welfare Bill, 1990 by Km. Umabharti	65 of 1990	A	2 hours
9.	The Constitution (Amendment) Bill, 1990 (<i>Substitution of new article for article 263</i>) by Shri Prakash Koko Brahm-bhatt.	60 of 1990	A	2 hours
10.	The Constitution (Amendment) Bill, 1990 (<i>Insertion of new Part XVII A</i>) by Shri C.P. Mudalagiri- appa.	67 of 1990	A	2 hours
11.	The Code of Civil Procedure (Amendment) Bill, 1990 (<i>Amendment of section 34</i>) by Shri Mullapally Ramachandran.	74 of 1990	B	1½ hours
12.	The Provision of Employment Bill, 1990 by Shri Prakash Koko Brahm-bhatt.	71 of 1990	B	1½ hours
13.	The Citizens (Provision of Compulsory Housing) Bill, 1990 by Shri Prakash Koko Brahm-bhatt.	72 of 1990	A	2 hours