

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

**FIRST TO FORTY-NINE REPORTS
(ENGLISH VERSION)**



सत्यमेव जयते

Tenth Lok Sabha

Legislative Branch-II

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

ELEVENTH REPORT

(Presented on 15-7-1992)

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 Eleventh Report.

2. The Committee met on 13 July, 1992 for —

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

- (1) The Constitution (Amendment) Bill, 1992 (*Amendment of article 371*) by Shri Dileepbhai Sanghani.
- (2) The Constitution (Amendment) Bill, 1992 (*Amendment of article 22*) by Shri Chitta Basu.
- (3) The Constitution (Amendment) Bill, 1992 (*Amendment of article 124, etc.*) by Shri R. Surender Reddy.
- (4) The Constitution (Amendment) Bill, 1992 (*Insertion of new article 31, etc.*) by Shri Bhagwan Shankar Rawat.

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 classification of the Constitution (Amendment) Bill, 1991 (*Amendment of article 58, etc.*) by Shri (Pandit) Vishwanath Sharma.

IV. 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, 17 July, 1992.

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, 1992 (*Amendment of article 371*) by Shri Dileepbhai Sanghani.

The Bill seeks to amend article 371 of the Constitution with a view to provide for the establishment of separate development boards for Saurashtra and Kutch areas of Gujarat State within one year from the commencement of this Act.

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, 1992 (*Amendment of article 22*) by Shri Chitta Basu.

The Bill seeks to amend article 22 of the Constitution with a view to omit the provision which provides that if any person is detained in pursuance of an order made under any law providing for preventive detention, the authority making

such order may withhold the facts or grounds of detention in respect of the detenu, if the authority considers it to be against public interest to disclose such facts or grounds.

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, 1992 (*Amendment of article 124, etc.*) by Shri R. Surender Reddy.

The Bill seeks to amend the Constitution with a view to make provision for the establishment of a Bench of the Supreme Court at Hyderabad and also provides for the appointment of a Deputy Chief Justice of India to preside over the Bench established at Hyderabad.

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, 1992 (*Insertion of new article 31, etc.*) by Shri Bhagwan Shankar Rawat.

The Bill seeks to insert a new article 31 in the Constitution with a view to making pollution free environment a fundamental right and to provide for afforestation of thirty per cent. of the total land area of 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.

Classification and allocation of time to Bills

4. The Committee then considered classification and allocation of time to sixteen Bills specified in the Appendix.

5. After considering all aspects of the Bills, the Committee recommend that the following Bills be placed in category 'A':—

- (1) The Constitution (Amendment) Bill, 1992 (*Amendment of article 155*) by Shri Sudhir Giri.
- (2) The Constitution (Amendment) Bill, 1992 (*Amendment of article 158*) by Shri Mohan Singh.
- (3) The All India Council for Technical Education (Amendment) Bill 1992 (*Amendment of section 10*) by Shri Anna Joshi.
- (4) The Doctors and Engineers (Regulation of Migration to Foreign Countries) Bill, 1992 by Shri Kashiram Rana.
- (5) The Special Educational Facilities (For Children of Economically Backward Parents) Bill, 1992 by Shri Kashiram Rana.
- (6) The College Education Bill, 1992 by Dr. P. Vallal Peruman.
- (7) The Reservation of Posts for Scheduled Castes and Scheduled Tribes (In Government Services) Bill, 1992 by Dr. P. Vallal Peruman.
- (8) The Code of Civil Procedure (Amendment) Bill, 1992 (*Substitution of new section for section 115*) by Shri Sriballav Panigrahi.
- (9) The Construction Workers (Regulation of Employment and Conditions of Service) Bill, 1992 by Shri Hannan Mollah.
- (10) The Employees' Provident Funds and Miscellaneous Provisions (Amendment) Bill, 1992 (*Amendment of section 6A*) by Shri Kashiram Rana.
- (11) The Official Residence for Dignitaries Bill, 1992 by Shri Kashiram Rana.
- (12) The Unorganised Labour Welfare Bill, 1992 by Shri Dwarka Nath Das.
- (13) The Ex-tea Garden Labour Welfare Bill, 1992 by Shri Dwarka Nath Das.
- (14) The Agricultural labour (Equal pay for Men and Women) Bill, 1992 by Shrimati Suryakanta Patil.

The Committee further recommend that the remaining two 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 a Bill

6. The Committee then considered the request of Shri (Pandit) Vishwanath Sharma to reconsider their earlier recommendation giving category 'B' (vide Second Report) to his Bill, namely, the Constitution (Amendment) Bill, 1991 (Amendment of article 58, etc.) and place it in category 'A'. Shri Sharma, who had been invited to attend the sitting to present before the Committee his views on his Bill attended the sitting.

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

Allocation of time to Resolutions

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

- | | |
|---|---------|
| (1) Resolution by Shri Rupchand Pal regarding review of disinvestment policy. | 2 hours |
| (2) Resolution by Shri Era Anbarasu regarding constitution of a Constituent Assembly. | 2 hours |
| (3) Resolution by Shri M. Ramanna Rai regarding financial assistance to States. | 2 hours |

Recommendations

9. The Committee recommend that —

- (i) Sarvashri Dileepbhai Sanghani, Chitta Basu, R. Surender Reddy and Bhagwan Shankar Rawat 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;
- (iii) the reclassification of the Bill, as shown in paragraph 7 above, be agreed to by the House; and
- (iv) the allocation of time to resolutions, as shown in paragraph 8 above, be agreed to by the House.

NEW DELHI;
July 13, 1992

Asadha 22, 1914 (Saka)

S. MALLIKARJUNAIAH,
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 Constitution (Amendment) Bill, 1992 (<i>Amendment of article 155</i>) by Shri Sudhir Giri. | 71 of 1992 | A | 2 hours |
| 2. | The High Court at Guwahati (Establishment of a permanent Bench at Silchar) Bill, 1992 by Shri Kabindra Purkayastha. | 73 of 1992 | B | 2 hours |
| 3. | The Constitution (Amendment) Bill, 1992 (<i>Amendment of article 158</i>) by Shri Mohan Singh. | 74 of 1992 | A | 2 hours |
| 4. | The Constitution (Amendment) Bill, 1992 (<i>Amendment of article 371</i>) by Shri Moreshwar Save. | 75 of 1992 | B | 2 hours |
| 5. | The All India Council for Technical Education (Amendment) Bill, 1992 (<i>Amendment of section 10</i>) by Shri Anna Joshi. | 67 of 1992 | A | 2 hours |
| 6. | The Doctors and Engineers (Regulation of Migration to Foreign Countries) Bill, 1992 by Shri Kashiram Rana | 65 of 1992 | A | 2 hours |
| 7. | The Special Educational Facilities (For Children of Economically Backward Parents) Bill, 1992 by Shri Kashiram Rana. | 64 of 1992 | A | 2 hours |
| 8. | The College Education Bill, 1992 by Dr. P. Vallal Peruman. | 84 of 1992 | A | 2 hours |
| 9. | The Reservation of Posts for Scheduled Castes and Scheduled Tribes (In Government Services) Bill, 1992 by Dr. P. Vallal Peruman. | 85 of 1992 | A | 2 hours |
| 10. | The Code of Civil Procedure (Amendment) Bill, 1992 (<i>Substitution of new section for section 115</i>) by Shri Sriballav Panigrahi. | 76 of 1992 | A | 2 hours |
| 11. | The Construction Workers (Regulation of Employment and Conditions of Service) Bill, 1992 by Shri Hannan Mollah. | 81 of 1992 | A | 2 hours |
| 12. | The Employees' Provident Funds and Miscellaneous Provisions (Amendment) Bill, 1992 (<i>Amendment of section 6A</i>) by Shri Kashiram Rana. | 83 of 1992 | A | 2 hours |

| 1 | 2 | 3 | 4 | 5 |
|-----|--|------------|---|---------|
| 13. | The Official Residence for Dignitaries Bill, 1992 by Shri Kashiram Rana. | 80 of 1992 | A | 2 hours |
| 14. | The Unorganised Labour Welfare Bill, 1992 by Shri Dwarka Nath Das. | 86 of 1992 | A | 2 hours |
| 15. | The Ex-tea Garden Labour Welfare Bill, 1992 by Shri Dwarka Nath Das. | 89 of 1992 | A | 2 hours |
| 16. | The Agricultural Labour (Equal Pay for Men and Women) Bill, 1992 by Shrimati Suryakanta Patil. | 90 of 1992 | A | 2 hours |