

**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)

THIRTY-FIRST REPORT

(Presented on 4-5-1994)

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-first Report.

2. The Committee met on 3 May, 1994 for —

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

- (1) The Constitution (Amendment) Bill, 1994 (*Amendment of article 276*) by Shri Kashiram Rana.
- (2) The Constitution (Amendment) Bill, 1994 (*Substitution of new article for article 81, etc.*) by Shri Syed Shahabuddin.
- (3) The Constitution (Amendment) Bill, 1994 (*Amendment of article 16*) by Shri K. Ramamurthy.
- (4) The Constitution (Amendment) Bill, 1994 (*Amendment of article 51A*) by Shri Kashiram Rana.

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.

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, 1994 (*Amendment of article 276*) by Shri Kashiram Rana.

The Bill seeks to amend article 276 of the Constitution with a view to providing that any law made by the State Legislature for the imposition and collection of tax on professions, trades, callings and employments shall not bring the employees of the Central Government or the State Government within its ambit.

After considering all aspects of the Bill, the Committee recommend that the member may not be permitted to move for leave to introduce the Bill.

- (2) The Constitution (Amendment) Bill, 1994 (*Substitution of new article for article 81, etc.*) by Shri Syed Shahabuddin.

The Bill seeks to amend the Constitution with a view to providing for (i) re-adjustment of territorial constituencies of the House of the People, without fixing any maximum strength, so as to cover a population unit of one and a half million per constituency; (ii) constituencies in which the population of the Scheduled Castes or the Scheduled Tribes exceeds their average population per constituency shall be permanently reserved for Scheduled Castes and Scheduled Tribes and rest of the constituencies reserved for them shall be rotated once in

every five years; and (iii) constituency in which population of a religious minority exceeds the population of the Scheduled Castes or the Scheduled Tribes shall not be reserved for the Scheduled Castes or the Scheduled Tribes, as the case may be.

After considering all aspects of the Bill, the Committee recommend that the member may not be permitted to move for leave to introduce the Bill.

- (3) The Constitution (Amendment) Bill, 1994 (*Amendment of article 16*) by Shri K. Ramamurthy.

The Bill seeks to amend article 16 of the Constitution with a view to enabling the State to make provision for the reservation of appointments or posts in services under the State in favour of any backward class of citizens in the same proportion as their population bears to the total population 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.

- (4) The Constitution (Amendment) Bill, 1994 (*Amendment of article 51A*) by Shri Kashiram Rana.

The Bill seeks to amend article 51A of the Constitution with a view to making it the fundamental duty of every citizen to adopt small family norm.

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 nine Bills specified in Appendix.

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

- (1) The Lotteries (Prohibition) Bill, 1994 by Shri Shravan Kumar Patel.
- (2) The ~~Protection of Human Rights~~ (Amendment) Bill, 1994 (*Amendment of section 2, etc.*) by Shri Ramesh Chennithala.
- (3) The Constitution (Sikkim) Scheduled Tribes Order (Amendment) Bill, 1994 (*Substitution of new Schedule for the Schedule*) by Shrimati Dil Kumari Bhandari.
- (4) The Railway Protection Force (Amendment) Bill, 1994 (*Substitution of new Long Title for Long Title, etc.*) by Shri P.R. Kumaramangalam.
- (5) The Constitution (Amendment) Bill, 1994 (*Insertion of new article 243ZDD*) by Shri Jeevan Sharma.
- (6) The Constitution (Amendment) Bill, 1994 (*Amendment of article 244, etc.*) by Shri Yaima Singh Yumnam.
- (7) The Constitution (Scheduled Castes) Orders (Amendment) Bill, 1994 by Prof. P.J. Kurien.

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.

Recommendations

6. The Committee recommend that—

- (i) Sarvashri Kashiram Rana and Syed Shahabuddin be *not* permitted to move for leave to introduce their Constitution (Amendment) Bills specified in sub-paras (1) and (2) of paragraph 3 above;

- (ii) Sarvashri K. Ramamurthy and Kashiram Rana be permitted to move for leave to introduce their Constitution (Amendment) Bills specified in sub-paras (3) and (4) of paragraph 3 above; and
- (iii) the classification and allocation of time to Bills by the Committee, as shown in the Appendix, be agreed to by the House.

NEW DELHI;
3 May, 1994
13 Vaisakha, 1916 (Saka)

S. MALLIKARJUNAIAH,
Chairman,
Committee on Private Members'
Bills and Resolutions.

APPENDIX

Sl. No.	Name of the Bill and member-in-charge	Bill No.	Category recommended	Time recommended
1	2	3	4	5
1.	The Lotteries (Prohibition) Bill, 1994 by Shri Shravan Kumar Patel.	6 of 1994	A	2 hours
2.	The Protection of Human Rights (Amendment) Bill, 1994 (<i>Amendment of section 2, etc.</i>) by Shri Ramesh Chennithala.	11 of 1994	A	2 hours
3.	The Constitution (Amendment) Bill, 1994 (<i>Amendment of Tenth Schedule</i>) by Shri Ramesh Chennithala.	14 of 1994	B	2 hours
4.	The Representation of the People (Amendment) Bill, 1994 (<i>Amendment of section 20</i>) by Shri Ramesh Chennithala.	13 of 1994	B	2 hours
5.	The Constitution (Sikkim) Scheduled Tribes Order (Amendment) Bill, 1994 (<i>Substitution of new Schedule for the Schedule</i>) by Shrimati Dil Kumari Bhandari.	10 of 1994	A	2 hours
6.	The Railway Protection Force (Amendment) Bill, 1994 (<i>Substitution of new Long Title for Long Title, etc.</i>) by Shri P.R. Kumaramangalam.	16 of 1994	A	2 hours
7.	The Constitution (Amendment) Bill, 1994 (<i>Insertion of new article 243ZDD</i>) by Shri Jeevan Sharma.	30 of 1994	A	2 hours
8.	The Constitution (Amendment) Bill, 1994 (<i>Amendment of article 244, etc.</i>) by Shri Yaima Singh Yumnam.	29 of 1994	A	2 hours
9.	The Constitution (Scheduled Castes) Order (Amendment) Bill, 1994 by Prof. P.J. Kurien.	31 of 1994	A	2 hours