

**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-EIGHTH REPORT

(Presented on 22.3.1995)

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 Thirty-eighth Report.

2. The Committee met on 20 March, 1995 for—

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

(1) The Constitution (Amendment) Bill, 1995 (*Amendment of article 39, etc.*) by Shri M. Krishnaswamy.

(2) The Constitution (Amendment) Bill, 1995 (*Amendment of article 269, etc.*) by Shri Chitta Basu.

II. Incorporation of recommendations regarding examination of Constitution (Amendment) Bill and classification and allocation of time to six Bills contained in the Thirty-seventh Report of the Committee, which was presented to the House on 22 December, 1994 but could not be adopted on 23 December, 1994 as Lok Sabha was adjourned without transacting Private Members' Business on that date.

III. Allocation of time under rule 294 (1) (c) of the Rules of Procedure to the Resolutions at item Nos. 2, 3 and 4 set down in the List of Business for Friday, 24 March, 1995.

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, 1995 (*Amendment of article 39, etc.*) by Shri M. Krishnaswamy.

The Bill seeks to amend the Constitution with a view to providing that the State shall endeavour to generate employment and for providing necessary facilities for self-employment so that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment.

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, 1995 (*Amendment of article 269, etc.*) by Shri Chitta Basu.

The Bill seeks to amend the Constitution with a view to levying tax on advertisements, broadcast by radio or television and for distribution of revenues collected from corporation tax, surcharge on any tax or duty and customs duty to States also and for restructuring Union Finance Commission.

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

Incorporation of recommendations regarding examination of Constitution (Amendment) Bill and classification and allocation of time to Bills contained in the Thirty-seventh Report.

4. The Committee recommend that all recommendations contained in their Thirty-seventh Report regarding examination of Constitution (Amendment) Bill and classification and allocation of time for discussion of the Bills, now included in this Report as follows, may be agreed to.

Examination of Constitution (Amendment) Bill

5. The Committee considered the Constitution (Amendment) Bill, 1994 (Amendment of article 102, etc.) by Shri K. Ramamurthy and arrived at the following findings as a result of their examination of the Bill:—

Findings of the Committee

The Bill seeks to amend articles 102 and 191 of the Constitution with a view to providing that a person shall be disqualified for being chosen as, and for being, a member of either House of Parliament or Legislature of a State if he has held any office of profit under the Government of India or the Government of any State or any office in any international agency or organisation and a period of five years has not elapsed between the date he ceased to hold such office and the date he was elected or nominated as such member. It also seeks to amend the Tenth Schedule with a view to omitting provisions which provide that the disqualification on ground of defection shall not apply in the case of a split or merger.

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

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

7. After considering all aspects of the Bills, the Committee recommend that all the six 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.

Allocation of time to Resolutions

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

- (1) Resolution by Shri Girdhari Lal Bhargava regarding 2 hours appointment of Lokpal.
- (2) Resolution by Shri Raj Narain regarding steps for develop- 2 hours ment of U.P.
- (3) Resolution by Shri Chitta Basu regarding price rise. 2 hours

Recommendations

9. The Committee recommend that—

- (i) Sarvashri M. Krishnaswamy, Chitta Basu and K. Ramamurthy 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 allocation of time to resolutions, as shown in paragraph 8 above, be agreed to by the House.

NEW DELHI;
March 20, 1995

Phalguna 29, 1916 (Saka)

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

APPENDIX

| Sl. No. | Name of the Bill and member-in-charge | Bill No. | Category recommended | Time recommended |
|---------|---|------------|----------------------|------------------|
| 1. | The Constitution (Scheduled Tribes) Order (Amendment) Bill, 1994 (<i>Amendment of the Schedule</i>) by Shri Basudeb Acharia. | 90 of 1994 | B | 2 hours |
| 2. | The Constitution (Scheduled Tribes) Order (Amendment) Bill, 1994 (<i>Amendment of the Schedule</i>) by Shri Yaima Singh Yumnam. | 91 of 1994 | B | 2 hours |
| 3. | The Prevention of Cruelty to Animals (Amendment) Bill, 1994 (<i>Amendment of section 11, etc.</i>) by Shri Guman Mal Lodha. | 93 of 1994 | B | 2 hours |
| 4. | The Maintenance of Uninterrupted Power Supply to Industries of Backward States Bill, 1994 by Shrimati Bhavna Chikhalia. | 95 of 1994 | B | 2 hours |
| 5. | The Cyclone, Earthquake and Flood Victims (Financial Relief and Rehabilitation) Bill, 1994 by Shrimati Bhavna Chikhalia. | 92 of 1994 | B | 2 hours |
| 6. | The Slums and Jhuggi Jhopri Areas (Basic Amenities and Clearance) Bill, 1994 by Shrimati Bhavna Chikhalia. | 94 of 1994 | B | 2 hours |