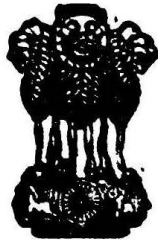


**COMMITTEE ON PRIVATE MEMBERS'
BILLS AND RESOLUTIONS**

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



सत्यमेव जयते

Third LOK SABHA

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

FIFTY-SECOND REPORT

(Third Lok Sabha)

1. The Chairman of the Committee on Private Members' Bills and Resolutions having been authorised by the Committee, present on their behalf this their Fifty-second Report.

2. The Committee met on the 30th November, 1964 for—

(I) Classification and allocation of time for discussion of the following Bills :—

(1) The Constitution (Amendment) Bill, 1964 (*Amendment of the Seventh Schedule*) by Shri Balkrishna Wasnik.

(2) The Hire-purchase Bill, 1964 by Shri Yashpal Singh.

(II) Re-allocation of time for discussion of the Constitution (Amendment) Bill, 1962 (*Amendment of article 343*) by Shri C. K. Bhattacharyya under Rule 294 (1) (c) of the Rules of Procedure.

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

• (1) The Constitution (Amendment) Bill, 1964 (*Amendment of article 368*) by Shri Yashpal Singh.

• (2) The Constitution (Amendment) Bill, 1964 (*Amendment of articles 1, 2, 3, 4 etc.*) by Shri Prakash Vir Shastri.

Classification and Allocation of Time to Bills

3. The Members concerned had been invited to present before the Committee their views on their Bills. Shri Yashpal Singh (who is also a member of the Committee) attended the sitting.

4. After considering all aspects of the Bills, the Committee placed both the Bills in category 'B' and recommended allocation of time to them as indicated below:—

(1) The Constitution (Amendment) Bill, 1964 (*Amendment of the Seventh Schedule*). 1½ hours

(2) The Hire-purchase Bill, 1964. 1½ hours

Re-allocation of Time to Bill

5. The Constitution (Amendment) Bill, 1962 (*Amendment of article 343*) by Shri C. K. Bhattacharyya was allotted 2 hours (*vide* Tenth Report of the Committee). The time was subsequently increased by the House to 4 hours. The time allotted to the Bill was exhausted during the discussion on the motion for circulation of the Bill which was negatived on the 20th December, 1963.

After considering all aspects of the Bill, the Committee re-allocated 1 hour for discussion of the Bill.

Examination of the Constitution (Amendment) Bills

6. The Members who had given notices of the Bills and representative of the Ministry concerned with the Bills had been invited to be present at the sitting. Sarvashri Yashpal Singh and Prakash Vir Shastri (who are also members of the Committee) attended the sitting. The representative of the Ministry of Law was present.

7. The Committee considered the Bills and the reactions of the Government thereto. The Committee arrived at the following findings as a result of their examination of the Bills.

Findings of the Committee

- (1) The Constitution (Amendment) Bill, 1964 (*Amendment of article 368*) by Shri Yashpal Singh.

The Bill sought to include Part III of the Constitution relating to Fundamental Rights in the proviso to article 368 so as to make any amendment of that Part subject to ratification by the State Legislatures.

After hearing the representative of the Ministry of Law and considering all aspects of the matter, the Committee recommended that the Member might be permitted to move for leave to introduce the Bill.

- (2) The Constitution (Amendment) Bill, 1964 (*Amendment of articles 1, 2, 3, 4 etc.*) by Shri Prakash Vir Shastri.

The Bill sought to change the federal character of the Constitution into unitary.

The Committee recalled that they had examined identical Bills given notice of by the same Member on three earlier occasions in 1962, 1963 and March, 1964. On all the three previous occasions the Committee were of the opinion that the Bill be not allowed to be introduced.

The Committee also recalled that in August, 1962, at the time of adoption of the Report of the Committee by the House, the Member urged that the House might agree to the introduction of his Bill. The House, however, negatived his amendment to that effect and the Report was adopted. In August, 1963 and March, 1964 also, the House adopted the Report of the Committee which said that the Bill be not allowed to be introduced.

After hearing the Member and considering all the facts stated above and also the principles laid down in paragraph 6 of the First Report of the Committee on Private Members' Bills and Resolutions of the First Lok Sabha which had been adopted by the House, the Committee were of the opinion that the Member might be permitted to move for leave to introduce the Bill this time.

Recommendations

8. The Committee recommend that—

- (i) the categorisation and allocation of time to Bills as shown in paragraph 4 above be agreed to by the House;

~~(ii) Sarvashri Yashpal Singh and Prakash Vir Shastri be permitted to move for~~
Shri C. K. Bhattacharyya as shown in paragraph 5 above be also agreed to by the House; and

- (iii) Sarvashri Yashpal Singh and Prakash Vir Shastri be permitted to move for leave to introduce their Constitution (Amendment) Bills.

NEW DELHI;
November 30, 1964.
Agrahayana 9, 1886 (Saka).

S. V. KRISHNAMOORTHY RAO,
Chairman,
Committee on Private Members'
Bills and Resolutions.

- (ii) the re-allocation of time to the Constitution (Amendment) Bill, 1962 by

LOK SABHA

CORRIGENDUM

to

Eleventh
~~FIFTY-SECOND~~ REPORT OF COMMITTEE ON PRIVATE
MEMBERS' BILLS AND RESOLUTIONS PRESENTED
TO LOK SABHA ON 2-12-1964
S-4-1972

After part (1) of para 8, under the heading Recommendations,

for "(11) Sarvashri Yashpal Singh and Prakash Vir
Shastri be permitted to move for"

read "(11) the re-allocation of time to the Constitu-
tion (Amendment) Bill, 1962 by"

NEW DELHI;
December 3, 1964 *to be done*
Agrahayana 12, 1886 (Saka)