

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

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



सत्यमेव जयते

Fourth Lok Sabha

Legislative Branch-II

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

THIRTEENTH REPORT

(Fourth 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 Thirteenth Report.

2. The Committee met on the 14th November, 1967, for—

(I) Classification and allocation of time for discussion of the Bills (*vide* Appendix).

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

- (1) The Constitution (Amendment) Bill, 1967 (*Amendment of the Eighth Schedule*) by Shri Erasmo de Sequeira.
- (2) The Constitution (Amendment) Bill, 1967 (*Omission of articles 291, 362 etc.*) by Shri George Fernandes.
- (3) The Constitution (Amendment) Bill, 1967 (*Amendment of article 326*) by Shri George Fernandes.
- (4) The Constitution (Amendment) Bill, 1967 (*Omission of article 331*) by Shri Raghuvir Singh Shastri.
- (5) The Constitution (Amendment) Bill, 1967 (*Omission of article 314*) by Shri Madhu Limaye.
- (6) The Constitution (Amendment) Bill, 1967 (*Amendment of article 100*) by Shri Madhu Limaye.
- (7) The Constitution (Amendment) Bill, 1967 (*Amendment of article 51*) by Shri Amiya Kumar Kisku.
- (8) The Constitution (Amendment) Bill, 1967 (*Insertion of new articles 125A and 221A*) by Shri Sachindra Nath Maiti.
- (9) The Constitution (Amendment) Bill, 1967 (*Substitution of article 150 etc.*) by Shri P. K. Deo.
- (10) The Constitution (Amendment) Bill, 1967 (*Amendment of article 164*) by Shri P. K. Deo.
- (11) The Constitution (Amendment) Bill, 1967 (*Amendment of articles 51, 66 etc.*) by Shri S. C. Samanta.

Classification and Allocation of time to Bills

3. The Members concerned had been invited to present before the Committee their views on their Bills. Sarvashri Kanwar Lal Gupta, Atal Bihari Vajpayee, V. Viswanatha Menon and Samarendra Kundu (who is also a member of the Committee) attended the sitting.

4. After considering all aspects of the Bills, the Committee placed all the Bills in category 'B' and allotted time for each of these Bills as shown in column 5 of Appendix.

*Circulated to Members separately (Bill Nos. 137, 138, 144, 147, 151, 148, 126, 129, 130 and 133 of 1967).

Examination of the Constitution (Amendment) Bills

5. The Members who had given notices of the Bills and representatives of the Ministries concerned with the Bills had been invited to be present at the sitting. Sarvasbri Amiya Kumar Kisku and Sachindra Nath Maiti attended the sitting. The representatives of the Ministries of Home Affairs, Law, External Affairs and the Department of Parliamentary Affairs were present.

Findings of the Committee

6. The Committee considered the Bills and arrived at the following findings as a result of their examination of the Bills:—

- (1) The Constitution (Amendment) Bill, 1967 (*Amendment of the Eighth Schedule*) by Shri Erasmo de Sequeira.

The Bill sought to include "Konkani" in the Eighth Schedule to the Constitution.

After considering all aspects of the Bill, the Committee recommended that the Member might be permitted to move for leave to introduce the Bill.

- (2) The Constitution (Amendment) Bill, 1967 (*Omission of articles 291, 362 etc.*) by Shri George Fernandes.

The Bill sought to ~~amend~~^{omit} articles 291, 362 etc. of the Constitution so that the special rights and privileges enjoyed by the ex-rulers of Indian States are withdrawn.

After considering all aspects of the Bill, the Committee recommended that the Member might be permitted to move for leave to introduce the Bill.

- (3) The Constitution (Amendment) Bill, 1967 (*Amendment of article 326*) by Shri George Fernandes.

The Bill sought to amend article 326 of the Constitution to enable those who had reached the age of eighteen years to vote in the elections to the House of the People and to the Legislative Assemblies of States, instead of twenty-one years as at present.

After considering all aspects of the Bill, the Committee recommended that the Member might be permitted to move for leave to introduce the Bill.

- (4) The Constitution (Amendment) Bill, 1967 (*Omission of article 331*) by Shri Raghuvir Singh Shastri.

The Bill sought to omit article 331 of the Constitution regarding representation of the Anglo-Indian community in the House of the People.

After considering all aspects of the Bill, the Committee recommended that the Member might be permitted to move for leave to introduce the Bill.

- (5) The Constitution (Amendment) Bill, 1967 (*Omission of article 314*) by Shri Madhu Limaye.

The Bill sought to omit article 314 of the Constitution with a view to do away with the constitutional guarantee provided for I.C.S. officers, in the interests of modernisation, equality and social justice.

After considering all aspects of the Bill, the Committee recommended that the Member might be permitted to move for leave to introduce the Bill.

- (6) The Constitution (Amendment) Bill, 1967 (*Amendment of article 100*) by Shri Madhu Limaye.

The Bill sought to amend article 100 of the Constitution with a view to abolish the present constitutional requirement of quorum and to make it part of the Rules of Procedure of either House of Parliament.

After considering all aspects of the Bill, the Committee recommended that the Member might be permitted to move for leave to introduce the Bill.

- (7) The Constitution (Amendment) Bill, 1967 (*Amendment of article 51*) by Shri Amiya Kumar Kisku.

The Bill sought to amend article 51 of the Constitution so as to introduce as one of the Directive Principles of State Policy collaboration with other nations for the formation of a World Constituent Assembly to draft the Constitution for a World Federal Government.

After considering all aspects of the Bill, the Committee felt that the Member might not be permitted to move for leave to introduce the Bill.

- (8) The Constitution (Amendment) Bill, 1967 (*Insertion of new articles 125A and 221A*) by Shri Sachindra Nath Maiti.

The Bill sought to impose a ban on further employment, either by the Union Government or a State Government, of the Judges of the Supreme Court and High Courts, after they have ceased to hold office as Judges.

After considering all aspects of the Bill, the Committee recommended that the Member might be permitted to move for leave to introduce the Bill.

- (9) The Constitution (Amendment) Bill, 1967 (*Substitution of article 156 etc.*) by Shri P. K. Deo.

The Bill sought to provide for the impeachment of a Governor for violation of the Constitution.

After considering all aspects of the Bill, the Committee recommended that the Member might be permitted to move for leave to introduce the Bill.

- (10) The Constitution (Amendment) Bill, 1967 (*Amendment of article 164*) by Shri P. K. Deo.

The Bill sought to amend article 164 of the Constitution so as to lay down the procedure for the appointment of Chief Ministers of States.

After considering all aspects of the Bill, the Committee recommended that the Member might be permitted to move for leave to introduce the Bill.

- (11) The Constitution (Amendment) Bill, 1967 (*Amendment of articles 59, 66 etc.*) by Shri S. C. Samanta.

The Bill sought to provide that the President, the Vice-President, the Governors of States and the Presiding Officers of Union and State Legislatures shall not, during their terms of office, be a member of any political party and shall not engage in any partisan political activity.

After considering all aspects of the Bill, the Committee recommended that the Member might be permitted to move for leave to introduce the Bill.

Recommendations

7. The Committee recommend—

- (i) that the classification and allocation of time to Bills by the Committee as shown in Appendix be agreed to by the House; and
- (ii) Sarvashri Erasmo de Sequeira, George Fernandes, Raghuvir Singh Shastri, Madhu Limaye, Sachindra Nath Maiti, P. K. Deo and S. C. Samanta be permitted to move for leave to introduce their Constitution (Amendment) Bills.

NEW DELHI;

November 14, 1967.
Kartika 23, 1889 (Saka).

R. K. KHADILKAR,
Chairman,
Committee on Private Members' Bills
and Resolutions.

APPENDIX

Sl. No.	Name of the Bill and the Member incharge	Bill No.	Category allotted	Time allotted by the Committee
1	The Industrial Disputes (Amendment) Bill, 1967 (Amendment of section 25FFF) by Shri Deven Sen . . .	66 of 1967	B	1 hour
2	The Foreign Aid (Maintenance of Account) Bill, 1967 by Shri Kanwar Lal Gupta . . .	79 of 1967	B	2 hours
3	The Indian Penal Code (Amendment) Bill, 1967 (Amendment of section 309) by Shri Diwan Chand Sharma . .	90 of 1967	B	1 hour
4	The Indian Penal Code (Amendment) Bill, 1967 (Amendment of section 21) by Shri Atal Bihari Vajpayee . . .	91 of 1967	B	2 hours
5	The Constitution (Amendment) Bill, 1967 (Substitution of article 352 and insertion of new article 359A) by Shri Erasmo de Sequeira . . .	112 of 1967	B	2 hours
6	The Constitution (Amendment) Bill, 1967 (Omission of article 358) by Shri Samarendra Kundu . . .	105 of 1967	B	2 hours
7	The Constitution (Amendment) Bill, 1967 (Omission of articles 291, 362 and 363) by Shri Samarendra Kundu . .	106 of 1967	B	2 hours
8	The Constitution (Amendment) Bill, 1967 (Amendment of article 164) by Shri Om Parkash Tyagi . . .	114 of 1967	B	1 hour
9	The Constitution (Amendment) Bill, 1967 (Amendment of article 311) by Shri V. Viswanatha Menon . . .	115 of 1967	B	1 hour
10	The All India Ayurvedic University Bill, 1967 by Shri A.T. Sarma . . .	109 of 1967	B	1 hour
11	The All India Ayurvedic Medical Council Bill, 1967 by Shri A. T. Sarma . . .	110 of 1967	B	1 hour
12	The Constitution (Amendment) Bill, 1967 (Amendment of article 85) by Shri Prakash Vir Shastri . . .	116 of 1967	B	1 hour