

**REPORT OF THE COMMITTEE ON  
PRIVATE MEMBERS' BILLS AND  
RESOLUTIONS**

**Seventh Lok Sabha**

**Twenty Fifth Report**



**सत्यमेव जयते**

**LOK SABHA SECRETARIAT  
NEW DELHI**

**1981**

Presented on 19-8-1981

Adopted on 21-8-1981

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

(Seventh Lok Sabha)

**TWENTY-FIFTH REPORT**

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 Twenty-fifth Report.

2. The Committee met on 18 August 1981 for—

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

- (1) The Constitution (Amendment) Bill, 1981 (*Amendment of Seventh Schedule*) by Shri Balasaheb Vikhe Patil.
- (2) The Constitution (Amendment) Bill, 1981 (*Insertion of new article 245A and omission of article 370*) by Shri B. V. Desai.
- (3) The Constitution (Amendment) Bill, 1981 (*Amendment of articles 101, 102, etc.*) by Shri Rajesh Pilot.
- (4) The Constitution (Amendment) Bill, 1981 (*Insertion of new article 265A*) by Shri K. T. Kosalram.

II. Re-consideration of the classification of the following Bills:—

- (1) The National Agricultural Prices Commission Bill, 1980 by Shri Balasaheb Vikhe Patil.
- (2) The Crop Insurance Corporation Bill, 1980 by Shri Balasaheb Vikhe Patil.
- (3) The Constitution (Amendment) Bill, 1981 (*Insertion of new article 48B, etc.*) by Shri Digvijay Singh.
- (4) The Compulsory Registration of Marriages Bill, 1981 by Shri Digvijay Singh.
- (5) The Reservation of Posts in Government Services and Seats in Educational Institutions (for Economically Weaker Section of People) Bill, 1981 by Shri Ram Nagina Misra.

*Examination of the 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, 1981 (*Amendment of Seventh Schedule*) by Shri Balasaheb Vikhe Patil.

The Bill seeks to amend the Seventh Schedule to the Constitution with a view to make agriculture a concurrent subject by omitting entry 14 from the State List and inserting a new entry in the Concurrent List.

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, 1981 (*Insertion of new article 245A and omission of article 370*) by Shri B. V. Desai.

The Bill seeks to amend the Constitution with a view to omit article 370 so as to do away with the special status of Jammu and Kashmir and to make all laws made by Parliament applicable to that State.

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

[P.T.O.]

- (3) The Constitution (Amendment) Bill, 1981 (*Amendment of articles-101, 102, etc.*) by Shri Rajesh Pilot.

The Bill seeks to amend the Constitution with a view to provide that defection by a Member of Parliament or a State Legislature shall disqualify him for continuing as such Member, but a genuine split in a political party shall not be treated as defection.

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, 1981 (*Insertion of new article-265A*) by Shri K. T. Kosalram.

The Bill seeks to provide that no court shall grant the stay of collection of any tax or duty levied under the provisions of an Act of Parliament.

After considering the Bill at some length, the Committee postponed further consideration thereof to their next sitting.

#### *Reconsideration of the Classification of Bills*

4. The Committee then considered the requests of Sarvashri Balasaheb Vikhe Patil, Digvijay Singh and Ram Nagina Misra to reconsider their earlier decisions (*vide* Thirteenth and Twenty-second Reports, respectively) regarding the classification of the following Bills:—

- (1) The National Agricultural Prices Commission Bill, 1980 by Shri Balasaheb Vikhe Patil.
- (2) The Crop Insurance Corporation Bill, 1980 by Shri Balasaheb Vikhe Patil.
- (3) The Constitution (Amendment) Bill, 1981 (*Insertion of new article-48B, etc.*) by Shri Digvijay Singh.
- (4) The Compulsory Registration of Marriages Bill, 1981 by Shri Digvijay Singh.
- (5) The Reservation of Posts in Government Services and Seats in Educational Institutions (for Economically Weaker Section of People) Bill, 1981 by Shri Ram Nagina Misra.

5. On reconsideration, the Committee recommend that (i) the Crop Insurance Corporation Bill, 1980 by Shri Balasaheb Vikhe Patil and (ii) the Constitution (Amendment) Bill, 1981 (*Insertion of new article 48B, etc.*) by Shri Digvijay Singh be placed in category 'A'.

The Committee did not see any justification for altering the original categorisation of remaining three Bills.

#### *Recommendations*

6. The Committee recommend that—

- (i) Sarvashri Balasaheb Vikhe Patil, B. V. Desai and Rajesh Pilot be permitted to move for leave to introduce their Constitution (Amendment) Bills; and
- (ii) the reclassification of the Bills, as shown in paragraph 5 above, be agreed to by the House.

NEW DELHI;  
18 August 1981  
27 Sravana 1903 (Saka)

G. LAKSHMANAN,  
Chairman,  
Committee on Private Members'  
Bills and Resolutions.