

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

**Seventh Lok Sabha**

**Sixty First Report**



**सत्यमेव जयते**

**LOK SABHA SECRETARIAT  
NEW DELHI**

**1983**

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

**(Seventh Lok Sabha)**

**SIXTY-FIRST REPORT**

*(Presented on 3-8-1983)*

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 Sixty-first Report.

2. The Committee met on 2 August, 1983 for—

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

- (1) The Constitution (Amendment) Bill, 1983 (*Amendment of Seventh Schedule*) by Shri Chitta Basu.
- (2) The Constitution (Amendment) Bill, 1983 (*Amendment of article 74, etc.*) by Shri K. Ramamurthy.

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

- (1) The Constitution (Amendment) Bill, 1983 (*Substitution of article 324, etc.*) by Shri H. N. Bahuguna.
- (2) The Constitution (Amendment) Bill, 1983 (*Amendment of article 98, etc.*) by Dr. A. U. Azmi.

III. Allocation of time under rule 294(1)(e) of the Rules of Procedure to the Resolutions at item Nos. 2, 3 and 4 set down in the List of Business for Friday, 5 August, 1983.

*Further examination of the Constitution (Amendment) Bills*

3. The Members-in-charge of the Bills were invited to attend the sitting to present before the Committee their views on their Bills. Sarvashri Chitta Basu and K. Ramamurthy attended the sitting.

4. 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, 1983 (*Amendment of seventh Schedule*) by Shri Chitta Basu.

The Bill seeks to amend the Seventh Schedule to the Constitution with a view to transfer the subject of "education" from the Concurrent List to the State List of the Seventh Schedule so as to make it a State subject as it was before the enactment of the Constitution (Forty-second Amendment) Act, 1976.

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, 1983 (*Amendment of article 74, etc.*) by Shri K. Ramamurthy.

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The Bill seeks to amend the Constitution with a view to withdraw the existing right of the President to require the Council of Ministers to reconsider their advice tendered to him by them, dispense with principle of collective responsibility of the Cabinet to the House of the People, do away with the requirement that a Minister should be a member of either House of Parliament and to apply the provisions of article 108 regarding joint sitting of both Houses of Parliament in case of Constitution (Amendment) Bill also.

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

#### *Examination of Constitution (Amendment) Bills*

5. 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, 1983 (*Substitution of article 324, etc.*) by Shri H. N. Bahuguna.

The Bill seeks to amend the Constitution in a manner so that Election Commission is allowed to work without encroachment by the Executive on its powers and interference in its functioning.

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, 1983 (*Amendment of article 98, etc.*) by Dr. A. U. Azmi.

The Bill seeks to amend the Constitution with a view to make it mandatory for the appropriate legislature to enact suitable legislation within stipulated period for regulating the service conditions of Government servants including the employees of Parliament and State Legislatures.

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

#### *Allocation of time to Resolutions*

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

- |   |         |
|---|---------|
| (1) Resolution by Shri E. Balanandan regarding industrial sickness.                             | 2 hours |
| (2) Resolution by Shri Ratansinh Rajda regarding electoral reforms.                             | 2 hours |
| (3) Resolution by Prof. Madhu Dandavate regarding investments by non-resident Indians in India. | 2 hours |

#### *Recommendations*

7. The Committee recommend that—

- (i) Sarvashri Chitta Basu, K. Ramamurthy, H. N. Bahuguna and Dr. A. U. Azmi be permitted to move for leave to introduce their Constitution (Amendment) Bills; and
- (ii) the allocation of time to resolutions, as shown in paragraph 6 above, be agreed to by the House.

NEW DELHI;

August 2, 1983.

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G. LAKSHMANAN,

*Chairman,*

*Committee on Private Members'*

*Bills and Resolutions.*