

COMMITTEE ON PRIVATE MEMBERS'  
BILLS AND RESOLUTIONS

FIRST TO SIXTY SIXTH      REPORTS  
(ENGLISH VERSION)



सत्यमेव जयते

FIFTH LOK SABHA

# COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

(Fifth Lok Sabha)

## TWENTY-EIGHTH 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-eighth Report.

2. The Committee met on the 24th July, 1973, for—

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

(1) The Constitution (Amendment) Bill, 1973 (*Insertion of new article 130A*) by Shri R. P. Ulaganambi.

(2) The Constitution (Amendment) Bill, 1973 (*Amendment of article 80 and omission of Fourth Schedule*) by Shri Dinesh Chandra Goswami.

(3) The Constitution (Amendment) Bill, 1973 (*Substitution of article 16 and amendment of article 320, etc.*) by Shri Madhu Limaye.

(4) The Constitution (Amendment) Bill, 1973 (*Amendment of articles 37, 45, etc.*) by Shri Madhu Limaye.

(5) The Constitution (Amendment) Bill, 1973 (*Amendment of article 371*) by Shri Vasant Sathe.

II. Allocation of time for discussion of the motion for reference of the Constitution (Amendment) Bill, 1971 (*Amendment of Seventh Schedule*) by Shri S. C. Samanta to a Select Committee.

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

3. The Members-in-charge of the Bills were invited to attend the sitting. Sarvashri Dinesh Chandra Goswami and Vasant Sathe attended.

4. After considering all aspects of the Bills, the Committee arrived at the following findings:—

### *Findings of the Committee*

(1) The Constitution (Amendment) Bill, 1973 (*Insertion of new article 130A*) by Shri R. P. Ulaganambi.

The Bill seeks to insert a new article 130A in the Constitution with a view to provide that a Bench of the Supreme Court shall sit in Calcutta, Madras and Bombay, at least for a period of one month every year at each of the three places.

The Committee recommend that the Member might be permitted to move for leave to introduce the Bill.

(2) The Constitution (Amendment) Bill, 1973 (*Amendment of article 80 and omission of Fourth Schedule*) by Shri Dinesh Chandra Goswami.

The Bill seeks to amend article 80 of the Constitution with a view to give equal representation to all the States in the Council of States.

The Committee recommend that the Member might be permitted to move for leave to introduce the Bill.

- (3) The Constitution (Amendment) Bill, 1973 (Substitution of article 16 and amendment of article 320, etc.) by Shri Madhu Limaye.

The Bill seeks to substitute article 16 and amend article 320, etc. with a view to introduce the principle of preferential opportunities and reservation (in order to achieve more effectively the objective of social equality for backward sections of society and also to make reservation for backward regions to remove regional disparity).

The Committee recommend that the Member might be permitted to move for leave to introduce the Bill.

- (4) The Constitution (Amendment) Bill, 1973 (Amendment of articles 37, 45, etc.) by Shri Madhu Limaye.

The Bill seeks to amend articles 37, 45, etc. with a view to make it obligatory on the part of the State to provide free and compulsory education to children w.e.f. 28th January, 1975 and to ensure minimum standard of nutrition.

The Committee recommend that the Member might be permitted to move for leave to introduce the Bill.

- (5) The Constitution (Amendment) Bill, 1973 (Amendment of article 371) by Shri Vasant Sathe.

The Bill seeks to amend clause (2) of article 371 with a view to make it mandatory for the President to make order providing for special responsibility of the Governor for implementing the provisions of clause (2) so as to ensure balanced regional growth of Vidarbha, Marathwada and the rest of Maharashtra.

The Committee recommend that the Member might be permitted to move for leave to introduce the Bill.

#### Allocation of time to Bill for reference to Select Committee

5. The Constitution (Amendment) Bill, 1971 (Amendment of Seventh Schedule) by Shri S. C. Samanta was circulated for eliciting opinion in pursuance of a motion to this effect adopted by Lok Sabha on the 12th May, 1972. Paper containing opinions on the Bill was laid on the Table of Lok Sabha on the 22nd December, 1972.

The Committee considered allocation of time for discussion of the motion for reference of the Bill to a Select Committee to be moved by the Member-in-charge.

After considering all aspects, the Committee recommend  $\frac{1}{2}$  hour for discussion of the motion for reference of the Bill to a Select Committee.

#### Recommendations

6. The Committee recommend that—

- (i) Sarvashri R. P. Ulaganambi, Dinesh Chandra Goswami, Madhu Limaye and Vasant Sathe be permitted to move for leave to introduce their Constitution (Amendment) Bills; and
- (ii) allocation of time to Bill, as shown in paragraph 5 above, be agreed to by the House.

NEW DELHI;  
July 24, 1973.  
Svavana 2, 1895 (Saka).

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