

**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

### SIXTH REPORT

(Fifth Lok Sabha)

1. 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 Sixth Report.

2. The Committee met on the 16th November, 1971, for—

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

II. Reconsideration of the classification and allocation of time to the Freedom Fighters (Appreciation of Services) Bill, 1971 by Shri Shibban Lal Saksena.

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

(1) The Constitution (Amendment) Bill, 1971 (*Amendment of Seventh Schedule*) by Shri Jagannathrao Joshi.

(2) The Constitution (Amendment) Bill, 1971 (*Insertion of new article 15A*) by Shri C. K. Chandrappan.

(3) The Constitution (Amendment) Bill, 1971 (*Amendment of articles 15 and 16*) by Shri S. M. Siddayya.

(4) The Constitution (Amendment) Bill, 1971 (*Amendment of articles 3, 4, etc.*) by Shri Bibhuti Mishra.

(5) The Constitution (Amendment) Bill, 1971 (*Insertion of new article 141A*) by Shri D. K. Panda.

IV. Further examination of the Constitution (Amendment) Bill, 1971 (*Amendment of article 51*) by Shri C. K. Chandrappan, under Rule 294 (1) (a) of the Rules of Procedure, consideration of which was postponed at the sitting of the Committee held on the 26th July, 1971.

#### *Classification and allocation of time to Bills*

3. The Members-in-charge of the Bills had been invited to attend the sitting. Shri Shibban Lal Saksena attended.

4. After considering all aspects of the Bills, the Committee recommend that all the Bills be placed in category 'B'. The Committee recommend allocation of time for each of the Bills as shown in column 5 of the Appendix.

#### *Reconsideration of the Classification and allocation of time to a Bill*

5. The Committee then considered the request of Shri Shibban Lal Saksena to reconsider their earlier decision (*vide* Fifth Report) regarding the classification and allocation of time to his Bill, namely the Freedom Fighters (Appreciation of Services) Bill, 1971.

The Member who attended the sitting pressed for the Bill being put in category 'A' and for allocation of 4 hours for its discussion. The Chairman also mentioned that he had received 169 letters from various freedom fighters and their organisations, requesting that in view of the importance of the Bill and value of the services and sacrifices rendered to the nation by the freedom fighters, the Bill might be placed in category 'A'.

The Committee, having considered the matter, decided that the Bill might be placed in category 'A' and 2½ hours be allotted for its discussion.

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

6. The Members-in-charge of the Bills had been invited to attend the sitting. Sarvashri S. M. Siddayya, Bibhuti Mishra and D. K. Panda attended.

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

*Findings of the Committee*

- (1) The Constitution (Amendment) Bill, 1971 (*Amendment of Seventh Schedule*) by Shri Jagannathrao Joshi.

The Bill seeks to substitute entry 27 of the Union List and to omit entry 31 of the Concurrent List of the Constitution with a view to make all ports in the country a Union subject.

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

- (2) The Constitution (Amendment) Bill, 1971 (*Insertion of new article 15A*) by Shri C. K. Chandrappan.

The Bill seeks to add a Fundamental Right in Part III of the Constitution against accumulation of wealth and the means of production in the hands of a few to the detriment of the common man.

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

- (3) The Constitution (Amendment) Bill, 1971 (*Amendment of articles 15 and 16*) by Shri S. M. Siddayya.

The Bill seeks to amend articles 15 and 16 of the Constitution with a view to make it obligatory on the part of the Government to make special provisions regarding advancement of any socially and educationally backward class of citizens or for Scheduled Castes or Scheduled Tribes and for reservation of appointments or posts in favour of backward class of citizens.

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

- (4) The Constitution (Amendment) Bill, 1971 (*Amendment of articles 3, 4, etc.*) by Shri Bibhuti Mishra.

The object of the Bill is to abolish Rajya Sabha and for this purpose seeks to amend or omit various articles of the Constitution.

The Committee postponed further consideration of the Bill to the next sitting.

- (5) The Constitution (Amendment) Bill, 1971 (*Insertion of new article 141A*) by Shri D. K. Panda.

The Bill seeks to insert a new article 141A with a view to provide that the decision of the Supreme Court in *I. C. Golak Nath Vs. State of Punjab* shall not be binding on Parliament or any court or any authority.

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

*Further examination of the Constitution (Amendment) Bill*

8. The Committee took up further examination of the Constitution (Amendment) Bill, 1971 (*Amendment of article 51*) by Shri C. K. Chandrappan, the consideration of which was postponed on the 26th July, 1971.

As Shri C. K. Chandrappan, Member-in-charge of the Bill was not present at the sitting, the Committee again postponed consideration of the Bill to the next sitting.

*Recommendations*

9. The Committee recommend that—

- (i) the classification and allocation of time to Bills by the Committee, as shown in the Appendix, be agreed to by the House;

- (ii) the reclassification and allocation of time to the Bill, as shown in paragraph 5 above, be agreed to by the House; and
- (iii) Sarvashri Jagannathrao Joshi, S. M. Siddayya, and D. K. Panda be permitted to move for leave to introduce their Constitution (Amendment) Bills, Shri C. K. Chandrappan may also be permitted to introduce his Constitution (Amendment) Bill, 1971 (*Insertion of new article 15A*).

NEW DELHI;  
November 16, 1971  
Kartika 25, 1893 (*Saka*)

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

**APPENDIX**

Sl. No.	Name of the Bill and the Member-in-charge	Bill No.	Category recommended	Time recommended by the committee
1	2	3	4	5
1	The Salaries and Allowances of Ministers Bill, 1971 by Shri H. M. Patel	103 of 1971	B	2 hours
2	The Constitution (Amendment) Bill, 1971 ( <i>Amendment of article 141 and insertion of new article 143A, etc.</i> ) by Shri C. M. Stephen.	94 of 1971	B	2 hours
3	The Land Acquisition (Amendment) Bill, 1971 ( <i>Amendment of sections 11 and 23 and insertion of new section 15A</i> ) by Shri S. C. Samanta.	93 of 1971	B	2 hours
4	The Constitution (Amendment) Bill, 1971 ( <i>Amendment of article 16</i> ) by Shri C. K. Chandrappan.	96 of 1971	B	2 hours
5	The Constitution (Scheduled Castes) Orders (Amendment) Bill, 1971 by Shri C. Chittibabu.	108 of 1971	B	2 hours
6	The Prevention of Pollution of Air and Water Bill, 1971 by Shri Shibban Lal Saxena.	102 of 1971	B	2 hours
7	The Constitution (Amendment) Bill, 1971 ( <i>Amendment of articles 19, 22, etc.</i> ) by Shri A. K. Gopalan.	104 of 1971	B	2 hours