

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

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



सत्यमेव जयते

Third LOK SABHA

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS
SEVENTY-SEVENTH REPORT

(Third 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 Seventy-Seventh Report.

2. The Committee met on the 15th February, 1966, for—

- (I) Classification and allocation of time for discussion of the Indian Armed Forces Personnel (Compulsory Insurance) Bill, 1965 by Shri M. L. Dwivedi.
- (II) Examination of the following Constitution (Amendment) Bills under Rule 294 (1) (a) of the Rules of Procedure:—
 - (1) The Constitution (Amendment) Bill, 1966 (*Amendment of article 1 etc.*) by Shri Prakash Vir Shastri.
 - (2) The Constitution (Amendment) Bill, 1966 (*Amendment of article 31*) by Shri Madhu Limaye.
 - (3) The Constitution (Amendment) Bill, 1966 (*Amendment of article 16*) by Shri Madhu Limaye.
 - (4) The Constitution (Amendment) Bill, 1966 (*Amendment of articles 22, 32 and 359*) by Shri Madhu Limaye.
 - (5) The Constitution (Amendment) Bill, 1966 (*Amendment of articles 83 and 172*) by Shri Madhu Limaye.
 - (6) The Constitution (Amendment) Bill, 1966 (*Amendment of article 352*) by Shri Hari Vishnu Kamath.

Classification and Allocation of Time to Bill

3. Shri M. L. Dwivedi, the Member incharge of the Indian Armed Forces Personnel (Compulsory Insurance) Bill, 1965 (who is also a member of the Committee) had been invited to present before the Committee his views on the Bill. He attended the sitting.

4. After considering all aspects of the Bill, the Committee placed it in category 'B' and allotted 2 hours for its discussion.

Examination of the Constitution (Amendment) Bills

5. The Members who had given notices of the Bills and the representative of the Ministry of Home Affairs had been invited to be present at the sitting. Sarvashri Madhu Limaye and Hari Vishnu Kamath attended the sitting. The representatives of the Ministry of Home Affairs were present.

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

Findings of the Committee

(1) The Constitution (Amendment) Bill, 1966 (*Amendment of article 1 etc.*) by Shri Prakash Vir Shastri.

The Bill sought to amend the Preamble and Article 1 of the Constitution with a view to substitute the word "Bharat" for the word "India", wherever it occurs, as the name of the country.

The Committee recalled that they had examined an identical Bill given notice of by the same Member during the Thirteenth Session. On that occasion, the Committee were of the opinion that the Bill be not allowed to be introduced.

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

(2) The Constitution (Amendment) Bill, 1966 (*Amendment of article 31*) by Shri Madhu Limaye.

The Bill sought to amend article 31 of the Constitution with a view to provide for the rehabilitation of the persons whose properties are acquired by the State instead of giving them compensation.

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

(3) The Constitution (Amendment) Bill, 1966 (*Amendment of article 16*) by Shri Madhu Limaye.

The Bill sought to amend article 16 of the Constitution with a view to provide that at least 60 per cent of all posts under the State shall be filled from amongst the backward classes of citizens, including women, Scheduled Castes, Scheduled Tribes and other socially and economically retarded sections of the community.

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

(4) The Constitution (Amendment) Bill, 1966 (*Amendment of articles 22, 32 and 359*) by Shri Madhu Limaye.

The Bill sought to abrogate the power of the executive to suspend enforcement of fundamental rights and to make the preventive detention provision operative only during an emergency.

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

(5) The Constitution (Amendment) Bill, 1966 (*Amendment of articles 83 and 172*) by Shri Madhu Limaye.

The Bill sought to make it obligatory on the President and the Governors of States to summon the elected legislatures at least once after their due Constitution.

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

(6) The Constitution (Amendment) Bill, 1966 (*Amendment of article 352*) by Shri Hari Vishnu Kamath.

The Bill sought to amend article 352 of the Constitution with a view to provide for periodic review of the situation in the country during the continuance in force of a proclamation of Emergency.

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

Recommendations

7. The Committee recommend that—

- (i) the categorisation and allocation of time to the Indian Armed Forces Personnel (Compulsory Insurance) Bill, 1965 by Shri M. L. Dwivedi as shown in paragraph 4 be agreed to by the House; and
- (ii) Sarvashri Madhu Limaye and Hari Vishnu Kamath be permitted to move for leave to introduce their Constitution (Amendment) Bills.

NEW DELHI;
 February 15, 1966.
 Magha 26, 1887 (Saka).

S. V. KRISHNAMOORTHY RAO,
 Chairman,
 Committee on Private Members'
 Bills and Resolutions.