



# COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

(Eleventh Lok Sabha)

## FIRST REPORT

(Presented on 27-11-1996)

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 First Report.

2. The Committee met on 26 November, 1996 for—

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

- (1) The Constitution (Amendment) Bill, 1996  
(Omission of article 370) by  
Shri Kashiram Rana.
- (2) The Constitution (Amendment) Bill, 1996  
(Amendment of article 39) by  
Shri Sultan Salahuddin Owaisi.
- (3) The Constitution (Amendment) Bill, 1996  
(Insertion of new article 31) by  
Shri Sultan Salahuddin Owaisi.
- (4) The Constitution (Amendment) Bill, 1996  
(Amendment of article 16, etc.) by  
Shri P. Kodandaramaiah.
- (5) The Constitution (Amendment) Bill, 1996  
(Insertion of new article 16A) by  
Shri Chitta Basu.
- (6) The Constitution (Amendment) Bill, 1996  
(Substitution of new article for article 285) by  
Shri Chitta Basu.
- (7) The Constitution (Amendment) Bill, 1996  
(Insertion of new article 330A, etc.)  
Shri P. Kodandaramaiah.

II. 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, 29 November, 1996. 1 5-1

### *Examination of 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, 1996  
(Omission of article 370) by  
Shri Kashiram Rana.

The Bill seeks to omit article 370 of the Constitution with a view to ending the special status accorded to the State of Jammu and Kashmir.

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, 1996  
(Amendment of article 39) by  
Shri Sultan Salahuddin Owaisi.

The Bill seeks to amend article 39 of the Constitution with a view to providing that the State shall endeavour to generate employment and for providing necessary facilities for self employment so that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment.

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

- ✓ (3) The Constitution (Amendment) Bill, 1996  
(Insertion of new article 31) by  
Shri Sultan Salahuddin Owaisi.

The Bill seeks to insert a new article 31 in the Constitution with a view to providing that the right to adequate potable water shall be a Fundamental Right.

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, 1996  
(Amendment of article 16, etc.) by  
Shri P. Kodandaramaiah.

The Bill seeks to amend the Constitution with a view to reserving posts or appointments in favour of socially and educationally backward classes of citizens in the services under the State in accordance with the percentage of their population in the country and also for excluding the jurisdiction of courts in the matter.

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

- ✓ (5) The Constitution (Amendment) Bill, 1996  
(Insertion of new article 16A) by  
Shri Chitta Basu.

The Bill seeks to insert a new article 16A in the Constitution with a view to providing for reservation of thirty per cent. of appointments or posts in favour of women in services under the 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.

- ✓ (6) The Constitution (Amendment) Bill, 1996  
(Substitution of new article for article 285) by  
Shri Chitta Basu.

The Bill seeks to substitute a new article for article 285 of the Constitution with a view to empowering the Parliament to make a law authorising any State or local authority within that State to levy any tax on any property of the Union which at present is exempted from taxation by a 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.

- (7) The Constitution (Amendment) Bill, 1996  
(Insertion of new article 330A, etc.) by  
Shri P. Kodandaramaiah.

The Bill seeks to amend the Constitution with a view to reserving seats for Other Backward Classes in the House of the People and in the Legislative Assemblies of the States and Union territories having assemblies. It further provides for Constitution of a National Commission for Other Backward Classes.

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*

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

- |   |         |
|---|---------|
| (1) Resolution by Shri Anil Basu<br>regarding new agricultural policy.                        | 2 hours |
| (2) Resolution by Shri Ganga Charan<br>Rajput regarding youth policy.                         | 2 hours |
| (3) Resolution by Shri Kashiram Rana<br>regarding rise in prices of<br>essential commodities. | 2 hours |

*Recommendations*

5. The Committee recommend that—

- (i) Sarvashri Kashiram Rana, Sultan Salahuddin Owaisi, P. Kodandaramaiah and Chitta Basu be permitted to move for leave to introduce their Constitution (Amendment) Bills; and
- (ii) the allocation of time to resolutions, as shown in paragraph 4 above, be agreed to by the House.

NEW DELHI:  
26 November 1996  
5 Agrahayana 1918 (Saka)

SURAJ BHAN,  
Chairman,  
Committee on Private Members  
Bills and Resolutions.