

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

Seventh Lok Sabha

Sixtieth Report



सत्यमेव जयते

**LOK SABHA SECRETARIAT
NEW DELHI**

1983

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

(Seventh Lok Sabha)

SIXTIETH REPORT

(Presented on 27-7-1983)

1. The Chairman of the Committee on Private Members' Bills and Resolutions, having been authorized by the Committee to present the Report on their behalf, present this Sixtieth Report.

2. The Committee met on 26 July, 1983 for

I. Examination of the following Constitution (Amendment) Bills under rule 204(1) (a) of the Rules of Procedure: -

- (1) The Constitution (Amendment) Bill, 1983 (Amendment of article 326) by Shri E. Balanandan.
- (2) The Constitution (Amendment) Bill, 1983 (Amendment of article 315, etc.) by Shri Harish Rawat.
- (3) The Constitution (Amendment) Bill, 1983 (Amendment of Seventh Schedule) by Shri Chitta Basu.
- (4) The Constitution (Amendment) Bill, 1983 (Amendment of article 356) by Shri H. N. Bahuguna.
- (5) The Constitution (Amendment) Bill, 1983 (Amendment of article 74, etc.) by Shri K. Ramanurthy.

II. Classification and allocation of time for discussion of Bills (vide Appendix) under clauses (b) and (c) of Rule 294(1) of the Rules of Procedure.

III. Reconsideration of classification of the Transport Parcel Service Workers Welfare Bill, 1982 by Shri M. M. Lawrence.

Examination of the 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, 1983 (Amendment of article 326) by Shri E. Balanandan.

The Bill seeks to amend article 326 of the Constitution with a view to enable persons who have attained the age of 18 years to vote in the elections to the House of the People and the Legislative Assemblies of States.

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 315, etc.) by Shri Harish Rawat.

The Bill seeks to amend the Constitution with a view to provide for the constitution of a Union Territory Public Service Commission for the Union territories.

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, 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.

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After considering the Bill at some length, the Committee postponed further consideration thereof to their next sitting.

(1) *The Constitution (Amendment) Bill, 1983 (Amendment of article 356) by Shri H. N. Bahuguna*

The Bill seeks to amend article 356 of the Constitution with a view to provide that a Proclamation under this article can be issued by the President only on receipt of a report from the Governor, but not otherwise, and only after the proposed Proclamation is approved by the Council of States by a resolution passed in the manner prescribed.

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

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 the 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 the Bill at some length, the Committee postponed further consideration thereof to their next sitting.

Classification and allocation of time to Bills

4. The Committee then considered classification and allocation of time to 20 Bills specified in Appendix

5. After considering all aspects of the Bills, the Committee recommend that (i) the Constitution (Amendment) Bill, 1983 (Amendment of article 324, etc.) by Shri K. Ramamurthy and (ii) the Constitution (Amendment) Bill, 1983 (Amendment of article 31B) by Shri M. M. Lawrence be placed in category 'A' and the remaining 18 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 of a Bill

6. The Committee then considered the request of Shri M. M. Lawrence to reconsider their earlier recommendation giving category 'B' (see Forty-fourth Report) to his Bill, namely, the Transport Parcel Service Workers Welfare Bill, 1982 and place it in category 'A'.

7. On reconsideration the Committee did not see any justification for altering the original categorisation of the Bill.

Recommendations

8. The Committee recommend that

- (i) Sarveshri E. Balanandan, Harish Rawat and H. N. Bahuguna be permitted to move for leave to introduce their Constitution (Amendment) Bills; and
- (ii) the classification and allocation of time to Bills by the Committee, as shown in the Appendix, be agreed to by the House.

NEW DELHI:

July 26, 1983
Starana 4, 1983 (Saka)

G. LAKSHIMANAN,
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 Constitution (Amendment) Bill, 1983 (Amendment of article 72, etc.) by Shri K. Ramamurthy.	13 of 1983	A	2 hours
2	The Indian Penal Code (Amendment) Bill, 1983 (Omission of section 309, etc.) by Shri Mool Chand Daga.	2 of 1983	B	2 hours
3	The Protection of Physicians and Surgeons (Civil and Criminal Immunity) Bill, 1983 by Shri Mool Chand Daga.	8 of 1983	B	2 hours
4	The Agriculturists' Loans (Amendment) Bill, 1983 (Amendment of section 4) by Prof. Madhav Danavate.	22 of 1983	B	2 hours
5	The Prevention of Corruption (Amendment) Bill, 1983 (Omission of section 6) by Prof. Madhav Danavate.	10 of 1983	B	2 hours
6	The Representation of the People (Amendment) Bill, 1983 (Omission of section 9A) by Shri Mool Chand Daga.	32 of 1983	B	2 hours
7	The Constitution (Amendment) Bill, 1983 (Amendment of Seventh Schedule) by Shri K. Ramamurthy.	36 of 1983	B	2 hours
8	The Representation of the People (Amendment) Bill, 1983 (Amendment of section 16, etc.) by Shri K. Ramamurthy.	44 of 1983	B	2 hours
9	The Constitution (Amendment) Bill, 1983 (Amendment of article 135 etc.) by Shri M.M. Lawrence.	50 of 1983	B	2 hours
10	The Constitution (Amendment) Bill, 1983 (Amendment of article 19) by Shri M.M. Lawrence.	52 of 1983	B	2 hours
11	The Constitution (Amendment) Bill, 1983 (Amendment of article 31B) by Shri M.M. Lawrence.	55 of 1983	A	2 hours
12	The Anti-Barratry and Profiteering Bill, 1983 by Shri M. M. Lawrence.	58 of 1983	B	2 hours
13	The Indian Contract (Amendment) Bill, 1983 (Substitution of section 72) by Shri Navin Ravani.	66 of 1983	B	2 hours
14	The Police (Repeal) Bill, 1983 by Shri Chitta Ranu.	54 of 1983	B	2 hours

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1	2	3	4	5
15	The Straining by Parliament of Private Companies Loans Bill, 1983 by Shri K. Lakshappa.	64 of 1983	B	a hour
16	The Provision of Relief to Indigent Persons Bill, 1983 by Shri K. Lakshappa.	64 of 1983	B	a hour
17	The Youth Self-Employment Generation Bill, 1983 by Shri Kusum Krishna Murthy.	62 of 1983	B	a hour
18	The Societies Registration (Amendment) Bill, 1983 (Amendment of Preamble, etc.) by Shri Kusum Krishna Murthy.	63 of 1983	B	a hour
19	The Regulation and Control on Organising of Eye-Camps Bill, 1983 by Dr. Vasant Kumar Pandit.	63 of 1983	B	a hour
20	The Indian Nationals Abroad (Representation in Parliament) Bill, 1983 by Dr. Subramaniam Swamy.	63 of 1983	B	a hour