

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

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



**सत्यमेव जयते**

**Fourth Lok Sabha**

**Legislative Branch-II**

# COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

## ELEVENTH REPORT

(Fourth 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 Eleventh Report.

2. The Committee met on the 31st July, 1967, for—

- (I) Classification and allocation of time for discussion of the following Bills:—
- (1) The Ganga Valley Corporation Bill, 1967 by Shri Maharaj Singh Bharti.
  - (2) The Constitution (Amendment) Bill, 1967 (Amendment of article 93) by Shri Nath Pai.
  - (3) The Constitution (Amendment) Bill, 1967 (Amendment of article 16) by Shri Shiva Chandra Jha.
- (II) Examination of the following Constitution (Amendment) Bills under Rule 294 (1) (a) of the Rules of Procedure:—
- \* (1) The Constitution (Amendment) Bill, 1967 (Substitution of article 352 and insertion of new article 359A) by Shri Erasmo De Sequeira.
  - \* (2) The Constitution (Amendment) Bill, 1967 (Amendment of article 164) by Shri Om Prakash Tyagi.
  - \* (3) The Constitution (Amendment) Bill, 1967 (Amendment of the Eighth Schedule) by Dr. (Mrs.) Maitreyee Bose.
  - \* (4) The Constitution (Amendment) Bill, 1967 (Amendment of article 317) by Shri V. Viswanatha Menon.
  - \* (5) The Constitution (Amendment) Bill, 1967 (Amendment of article 93) by Shri Prakash Vir Shastri.

### Classification and Allocation of time to Bills

3. The Members concerned had been invited to present before the Committee their views on their Bills. Sarvashri Maharaj Singh Bharti and Nath Pai attended the sitting.

4. After considering all aspects of the Bills, the Committee placed the Bills in category 'B' and recommended allocation of time to them as indicated below:—

- |   |          |
|---|----------|
| (1) The Ganga Valley Corporation Bill, 1967                           | 1½ hours |
| (2) The Constitution (Amendment) Bill, 1967 (Amendment of article 93) | 1½ hours |
| (3) The Constitution (Amendment) Bill, 1967 (Amendment of article 16) | 1½ hours |

### Examination of the Constitution (Amendment) Bills

5. The Members who had given notices of the Bills and representatives of the Ministry concerned with the Bills had been invited to be present at the sitting. Sarvashri Erasmo De Sequeira and Om Prakash Tyagi attended the sitting. The representatives of the Ministries of Home Affairs and Defence were present.

6. 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, 1967 (Substitution of article 352 and insertion of new article 359A) by Shri Erasmo De Sequeira.

The Bill sought to make the original approval of a Proclamation of Emergency by Parliament valid for a maximum of 2 years and to make any further continuation of Emergency subject to approval by Parliament once for each further year. The Bill also sought to empower Parliament to restrict a Proclamation and the power to suspend the

\*Circulated to Members separately (Bill Nos. 112, 114, 113, 115 and 116).

enforcement of rights conferred by Part III of the Constitution, or of any such rights, to a part of the country.

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

- (2) The Constitution (Amendment) Bill, 1967 (*Amendment of article 164*) by Shri Om Prakash Tyagi.

The Bill sought to amend article 164 of the Constitution so as to impose a ceiling on the strength of the Council of Ministers in the States.

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, 1967 (*Amendment of the Eighth Schedule*) by Dr. (Mrs.) Maitreyee Bose.

The Bill sought to include 'Nepali' in the Eighth Schedule to the 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.

- (4) The Constitution (Amendment) Bill, 1967 (*Amendment of article 311*) by Shri V. Viswanatha Menon.

The Bill sought to amend article 311 of the Constitution with a view to provide the right to be heard at an inquiry or before a court of law, to defence personnel.

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, 1967 (*Amendment of article 85*) by Shri Prakash Vir Shastri.

The Bill sought to amend article 85 of the Constitution so that every year a session of Parliament is held in South India preferably Hyderabad or Bangalore.

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 Bills, as shown in paragraph above, be agreed to by the House; and
- (ii) Sarvashri Erasmo De Sequeira, Om Prakash Tyagi, Dr. (Mrs.) Maitreyee Bose and Sarvashri V. Viswanatha Menon and Prakash Vir Shastri be permitted to move for leave to introduce their Constitution (Amendment) Bills.

R. K. KHADILKAR,  
Chairman.

Committee on Private Members' Bills  
and Resolutions.

NEW DELHI:  
July 31, 1967  
Sraavana 9, 1889 (Saka)