

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

Sixth Lok Sabha

Thirteenth Report



सत्यमेव जयते

**LOK SABHA SECRETARIAT
NEW DELHI**

1978

Presented on 8.3.78
Adopted on 10.3.78

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

(Sixth Lok Sabha)

THIRTEENTH REPORT

On behalf of the Committee on Private Members' Bills and Resolutions, I, having been authorised by the Committee to present the Report on their behalf, present this Thirteenth Report.

2. The Committee met on the 6th March, 1978 for—

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

- (1) The Constitution (Amendment) Bill, 1978 (*Substitution of article 16*) by Shri Vinayak Prasad Yadav.
- (2) The Constitution (Amendment) Bill, 1978 (*Insertion of new articles 23A, 23B and 23C*) by Shri Ugrasen.
- (3) The Constitution (Amendment) Bill, 1978 (*Amendment of article 19 etc.*) by Shri Madan Tiwary.
- (4) The Constitution (Amendment) Bill, 1978 (*Amendment of article 101*) by Shri C. K. Chandrappan.
- (5) The Constitution (Amendment) Bill, 1978 (*Amendment of article 102*) by Dr. Ramji Singh.
- (6) The Constitution (Amendment) Bill, 1978 (*Insertion of new article 83A*) by Dr. Ramji Singh.
- (7) The Constitution (Amendment) Bill, 1978 (*Amendment of articles 84 and 326*) by Dr. Ramji Singh.
- (8) The Constitution (Amendment) Bill, 1978 (*Insertion of new article 13A*) by Dr. Ramji Singh.
- (9) The Constitution (Amendment) Bill, 1978 (*Insertion of new article 329B etc.*) by Shri Saugata Roy.

Examination of Constitution (Amendment) Bills

3. The Members-in-charge of the Bills were invited to attend the sitting. None of them attended the sitting.

4. 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, 1978 (*Substitution of article 16*) by Shri Vinayak Prasad Yadav.

The Bill seeks to substitute article 16 of the Constitution to provide for reservation of 60 per cent. of posts in public employment under the Union or the States to persons belonging to muslim, christian and other religious minorities, women and members of all other communities excluding the Scheduled Castes and Scheduled Tribes and 'Dwij' Hindus.

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

- (2) The Constitution (Amendment) Bill, 1978 (*Insertion of new articles 23A, 23B and 23C*) by Shri Ugrasen.

The Bill seeks to insert new articles 23A, 23B and 23C in the Constitution to provide right to work and unemployment allowance, right to strike and right to recall elected representatives. as fundamental rights.

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

- (3) The Constitution (Amendment) Bill, 1978 (*Amendment of article 19 etc.*) by Shri Madan Tiwary.

The Bill seeks to delete the fundamental right to property from the Constitution.

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

- (4) The Constitution (Amendment) Bill, 1978 (*Amendment of article 101*) by Shri C. K. Chandrappan.

The Bill seeks to amend the Constitution with a view to provide the electorate with the right to recall the elected representatives.

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

- (5) The Constitution (Amendment) Bill, 1978 (*Amendment of article 102*) by Dr. Ramji Singh.

The Bill seeks to amend the Constitution with a view to disqualify a member of Parliament or a State Legislature from continuing a member in case he defects from the political party by which he was set up for election.

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

- (6) The Constitution (Amendment) Bill, 1978 (*Insertion of new article 83A*) by Dr. Ramji Singh.

The Bill seeks to insert a new article 83A with a view to provide for recall of the elected members of the House of the People and the Legislative Assemblies of the States by the electorate in the manner as Parliament may by law provide.

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

- (7) The Constitution (Amendment) Bill, 1978 (*Amendment of articles 84 and 326*) by Dr. Ramji Singh.

The Bill seeks to amend articles 84 and 326 of the Constitution with a view to lowering the age of eligibility for election to Parliament.

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

- (8) The Constitution (Amendment) Bill, 1978 (*Insertion of new article 13A*) by Dr. Ramji Singh.

The Bill seeks to amend the Constitution with a view to provide for a right to work for livelihood.

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

(9) The Constitution (Amendment) Bill, 1978 (*Insertion of new article 329B etc.*) by Shri Saugata Roy.

The Bill seeks to cast a statutory obligation on the political parties to get themselves registered under the Registration of Societies Act, 1860. It also provides for constitution of a National Political Council to scrutinise the accounts of political parties and to lay down a code of conduct for them.

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

Recommendations

5. The Committee recommend that Sarvashri Vinayak Prasad Yadav, Ugrasen, Madan Tiwary, C. K. Chandrapalan, Saugata Roy and Dr. Ramji Singh be permitted to move for leave to introduce their Constitution (Amendment) Bills.

NEW DELHI;
March 6, 1978.

Phalguna 15, 1899 (Saka).

YADVENDRA DUTT,
Acting Chairman,
Committee on Private Members
Bills and Resolutions.