

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

(Sixteenth Lok Sabha)

FORTY-FIFTH REPORT

(Presented on 19.12.2018)

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

2. The Committee met on 17 December, 2018 for-

- I. Examination of eight Constitution (Amendment) Bills under rule 294(1)(a) of the Rules of Procedure.
- II. Allocation of time under rule 294(1)(e) of the Rules of Procedure to three Resolutions given notices of by Shrimati Rama Devi, Sarvashri Sunil Kumar Singh and Bhairon Prasad Mishra, M.Ps.

Examination of the Constitution (Amendment) Bills

3. The Committee examined the following eight Constitution (Amendment) Bills:-

- (1) The Constitution (Amendment) Bill, 2018
(Amendment of article 51A)
by Shri Kunwar Pushpendra Singh Chandel, M.P.

The Bill seeks to amend the Constitution with a view to make it a fundamental duty of every citizens to participate in the efforts for de-addiction and propagate the ill-effects of addictions to intoxicants and others.

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, 2018
(Amendment of article 309)
by Shri Kunwar Pushpendra Singh Chandel, M.P.

The Bill seeks to amend article 309 of the Constitution with a view to make provision for laying of rules regulating the recruitment and conditions of service of persons serving in connection with the affairs of the Union before each House of Parliament.

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, 2018
(Amendment of article 15, etc.)
by Shri Pralhad Venkatesh Joshi, M.P.

The Bill seeks to amend the Constitution with a view to -

(i) provide that no Government money shall be appropriated for advancement or promotion of a section of citizens solely or primarily on the basis of their religious affiliation or belonging to one or more religious or linguistic denomination;

(ii) enable teaching of traditional Indian knowledge or ancient texts of India in educational Institutions, wholly or partly maintained out of State funds;

(iii) protect cultural and educational rights; and

(iv) provide that all sections of citizens, whether based on religion or language, shall have the right to establish and administer educational institutions of their choice.

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, 2018
(Amendment of articles 15 and 16)
by Shri Bhairon Prasad Mishra, M.P.

The Bill seeks to amend the Constitution with a view to provide that -

(i) the provision for the advancement of socially and educationally backward, classes of citizens or for the Scheduled Castes and the Scheduled Tribes shall be proportionate to their population; and

(ii) the reservation of appointments or posts in favour of any backward class of citizens or for the Scheduled Castes and the Scheduled Tribes shall be proportionate to their population.

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, 2018
(Amendment of article 102, etc.)
by Shri Feroze Varun Gandhi, M.P.

The Bill seeks to amend the Constitution with a view to provide, *inter alia*, that-

(i) a person shall be disqualified for being a member of either such House of Parliament or such political party he belongs to, as the case may be, if he is so disqualified under the Tenth Schedule;

(ii) a person shall be disqualified for being either a member of the Legislative Assembly or Legislative Council of a State, or such political party he belongs to, as the case may be, if he is so disqualified under the Tenth Schedule;

(iii) a member of a House belonging to any political party may be disqualified for being a member of such political party—

(a) if he has voluntarily given up his membership of such political party; or

(b) if he votes or abstains from voting particularly on confidence or no-confidence motion in the House contrary to any direction issued by the political party to which he belongs or by any person or authority authorised by it in this behalf; and

(iv) if any question arises as to whether a member of a House has become subject to disqualification under this Schedule, the question shall be referred for the decision of the President, or the Governor as the case may be, and his decision will be final.

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, 2018
(Insertion of new article 31)
by Shri Om Prakash Yadav, M.P.

The Bill seeks to insert a new article 31 in the Constitution with a view to make it mandatory on the part of the State to provide to persons living below poverty line certain facilities such as adequate healthcare, shelter, education upto the level of graduation, guaranteed employment and essential items of daily use at concessional rates.

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, 2018
(Insertion of new article 275A and 371K)
by Shri Om Prakash Yadav, M.P.

The Bill seeks to insert new articles 275A and 371K in the Constitution with a view to provide financial assistance to the State of Bihar from the Consolidated Fund of India as grants-in-aid. The Bill also empowers the President to make special provisions regarding long term developmental schemes, flood control, drinking water, infrastructure and education with respect to the State of Bihar.

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

- (8) The Constitution (Amendment) Bill, 2018
(Substitution of new article for article 248, etc.)
by Shri Ravneet Singh, M.P.

The Bill seeks to amend article 248 and the Seventh Schedule to the Constitution by transferring the residuary power of legislation (except taxation) from Parliament to State Legislatures.

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 three resolutions as follows :-
- (i) Resolution by Shrimati Rama Devi regarding - 2 hours
immediate steps for development of the rural and
backward areas
 - (ii) Resolution by Shri Sunil Kumar Singh regarding - 2 hours
allocation of adequate funds for railway connectivity
in the State of Jharkhand
 - (iii) Resolution by Shri Bhairon Prasad Mishra regarding - 2 hours
formulation of effective schemes for the welfare of
small and marginal farmers of Bundelkhand region of
the State of Uttar Pradesh

Recommendations

5. The Committee recommend that –
- (i) Sarvashri Kunwar Pushpendra Singh Chandel, Pralhad Venkatesh Joshi, Bhairon Prasad Mishra, Feroze Varun Gandhi, Om Prakash Yadav and Ravneet Singh, M.Ps. may be permitted to move for leave to introduce their Constitution (Amendment) Bills specified in sub-paras (1) to (8) of paragraph 3 above; and
 - (ii) the allocation of time to three resolutions, as shown in paragraph 4 above, be agreed to by the House.

NEW DELHI;

17 December, 2018

26 Agrahayana, 1940 (Saka)

RATTAN LAL KATARIA
*Acting Chairperson,
Committee on Private Members'
Bills and Resolutions.*