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The Gazette of India

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PART II—Section 2

प्राधिकार से प्रकाशित
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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह भाग संकलन के रूप में
रखा जा सके।

Separate paging is given to this Part in order that it may be filed
as a separate compilation

LOK SABHA

The following Bills were introduced in Lok Sabha on the 19th March, 1982:—

BILL No. 108 OF 1981

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Thirty-second Year of the Republic of India as follows:—

1. (1) This Act may be called the Constitution (Amendment) Act, 1981.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In article 335 of the Constitution, for the words "consistently with the maintenance of efficiency of administration", the words "with due regard to the minimum qualification prescribed for the post", shall be substituted.

Short
title,
and
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Amend-
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article
335.

STATEMENT OF OBJECTS AND REASONS

The founding fathers of the Constitution saw the imperative necessity of making some provisions in the Constitution in regard to Scheduled Castes and Scheduled Tribes so as to enable them to come up to the level of other communities in different fields. Even after thirty years this goal has not been achieved. Only controversies have arisen as to whether the special provisions made for the Scheduled Castes and Scheduled Tribes should be continued or not.

It has been found that in respect of public services, the policy of reservation made for the persons belonging to these communities has not been seriously implemented on some pretext or the other and they have been thus deprived of chances of advancement. One reason often mentioned for doing so is that they do not possess minimum qualifications prescribed for different posts.

The insistence on the possession of minimum qualifications in the interest of administrative efficiency will give them an urge to work seriously for the attainment of those qualifications. After initial recruitment on the basis of prescribed minimum qualifications, they will be enabled to rise higher and higher and then nobody could deny them what is due to them at later stages.

Hence this Bill.

NEW DELHI;
August 17, 1981.

KUSUMA KRISHNA MURTHY

BILL No. 21 OF 1982

A Bill to amend the Forest (Conservation) Act, 1980.

BE it enacted by Parliament in the Thirty-third Year of the Republic of India as follows:—

1. (1) This Act may be called the Forest (Conservation) Amendment Act, 1982.

Short title, extent and commencement.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force at once.

69 of 1980.

2. In section 2 of the Forest (Conservation) Act, 1980 (hereinafter referred to as the principal Act), the following provisos shall be added, namely:—

Amendment of section 2.

“Provided that the Central Government shall not withhold its approval for deforestation if it is for public development works such as construction of roads, drinking water schemes, laying of telegraph or telephone lines, electricity lines or any other development schemes for the benefit of the general public:

Provided further that the approval of the Central Government shall not be required if the number of trees to be cut, in one area, is one thousand or less.”.

3. After section 3 of the principal Act, the following section shall be inserted, namely:—

Insertion of new section 3A.

“3A. The schemes approved by the State Governments sent to the Central Government for their approval shall be disposed of by the Central Government within fifteen days of their receipt.”.

Approval of schemes by Central Government.

STATEMENT OF OBJECTS AND REASONS

The Forest (Conservation) Act, 1980 provides that any forest land or any portion thereof may be used for any non-forest purpose. But the Act also provides that an Advisory Committee may be set up to advise the Government with regard to cutting of trees in the forests. This provision may delay some public utility services such as roads, drinking water schemes, telephone lines, electricity lines, etc., which are to be provided through the forests and also require cutting of some trees in the process. It is, therefore, necessary to make it compulsory for the Government not to withhold its approval for these development works and a provision in this regard is required to be made in the Act.

Hence this Bill.

NEW DELHI;
February 9, 1982

HARISH RAWAT

AVTAR SINGH RIKHY,
Secretary.