

Bill No. XXV of 2014

THE CONSTITUTION (AMENDMENT) BILL, 2014

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BILL

further to amend the Constitution of India.

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

1. (1) This Act may be called the Constitution Amendment Act, 2014.

Short title,
and
commencement.

(2) It shall come into force with immediate effect.

2. In Article 371 of the constitution,—

Amendment
of article
371.

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(i) in clause (a) and its sub-clause (a) the words "Maharashtra, Vidharbha, Marathwada and the rest of Maharashtra or, as the case may be" shall be omitted.

(ii) after clause (2) the following clauses shall be inserted, namely:—

(3) Notwithstanding anything in this Constitution, the President may by order made with respect to the State of Maharashtra, provide for any special responsibility of the Governor for—

Special
provisions
with respect
to state of
Maharashtra.

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(a) the establishment of separate development Boards for Vidharbha, Marathwada, Konkan and North Maharashtra with the provision that a report on the working of each of the Boards will be placed each year before the State legislature;

(b) the equitable allocation of funds for developmental expenditure over the said areas or regions, subject to the requirements of the State as a whole;

(c) requiring the development boards to,

(i) encourage investment in these regions;

(ii) develop irrigation facilities; 5

(iii) promote agriculture, horticulture and agro-based industries;

(iv) augment potable water facilities;

(v) develop power projects based on conventional and new and renewable energy sources;

(vi) encourage dairy development, cottage and village industries, healthcare facilities, education, vocational training, tourism and other activities. 10

(d) equitable opportunities and facilities for the people belonging to these areas or regions, in matters of public employment, education and vocational training, subject to the requirements of the State as a whole;

(e) An order made under sub-clause (d) of clause, (3) may provide for:— 15

(i) reservation of a proportion of seats in educational and vocational training institutions in these regions for students who belong to the respective region by birth or by domicile; and

(ii) identification of posts or classes of posts under the State Government and in any body or organization under the control of the State Government in these regions of the State and reservation of a proportion of such posts for persons who belong to these regions by birth or by domicile and for appointment thereto by direct recruitment or by promotion or in any other manner as may be specified in the order. 20

(4) Notwithstanding anything in this Constitution, funds for the developmental works to be undertaken by the development Boards established under sub-clause (a) of clause (3) shall be borne by the Union. 25

STATEMENT OF OBJECTS AND REASONS

The State of Maharashtra is one of the big States of the Indian Union and it has made steady progress since independence. It is one of the industrially developed States and its capital Mumbai is known as the financial capital of the Nation, however, there are many regions in the State which are still backward. The Vidharbha region synonymous consistent suicides by farmers. The Marathwada, Konkan regions and the North Maharashtra are also very backward. Mother nature has also not been kind to the Vidharbha and Marathwada regions which always receive deficit rainfall and consistently face draught conditions. Successive crop failures and indebtedness force the farmers to end their lives. These regions are industrially, educationally and economically very backward. The land in these regions of the State is very fertile but irrigation facilities are minimal. Here quality grapes, pomegranates, oranges and other fruits are grown which are exported but due to non completion of irrigation projects and non availability of water, orchards have vanished from these regions. Water is not available even for drinking and traditional water bodies and rain water harvesting and not resorted to for use. In order to remove backwardness of these regions development boards needs to be established. The State Government has in the recent past requested the Central Government to amend the Constitution to pave the way for setting up development Boards but the proposals were rejected stating that the Planning Commission has not supported the proposal. Hence, in this Bill, development Boards for the Vidharbha, Marathwada, North Maharashtra and Konkan regions have been proposed with funding from the Central Government. This is necessary to accelerate development in these regions.

Hence this Bill.

RAJKUMAR DHOOT

FINANCIAL MEMORANDUM

Sub-Clause (4) of clause 2 of the Bill provides that funds for the developmental works to be undertaken by the development boards established under this Bill shall be borne by the Central Government. The Bill, if enacted, will involve expenditure from the Consolidated Fund of India. It is estimated that a sum of rupees one lakh crore may involve as recurring expenditure per annum.

Non-recurring expenditure to the tune of rupees fifty thousand crores may also involve from the Consolidated Fund of India.

EXTRACTS FROM THE CONSTITUTION OF INDIA

371. Special provision with respect to the States of Maharashtra and Gujarat.

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(2) Notwithstanding anything in this Constitution, The President may by order made with respect to the State of Maharashtra or Gujarat, provide for any special responsibility of the Governor for—

(a) the establishment of separate development boards for Vidarbha, Marathwada, and the rest of Maharashtra or, as the case may be, Saurashtra, Kutch and the rest of Gujarat with the provision that a report on the working of each of these boards will be placed each year before the State Legislative Assembly;

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RAJYA SABHA

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BILL

further to amend the Constitution of India.

(Shri Rajkumar Dhoot, M.P.)