

GAZETTE NOTIFICATIONS

The Gazette Of India

EXTRAORDINARY

PART I - Section 1

PUBLISHED BY AUTHORITY

No.27 NEW DELHI, TUESDAY, FEBRUARY 22, 2000/PHALGUNA 3, 1921

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Department of Legal Affairs)

RESOLUTION

New Delhi, the 22nd February, 2000

No.A-45012(2)/98-Admn.III(LA). – Whereas the National Agenda for Governance contains a pledge that a Commission shall be appointed to review the Constitution of India in the light of more than 50 years of its working and to make suitable recommendations for any possible changes and this pledge was affirmed in the President's Address followed by a Motion of Thanks from both Houses of Parliament;

NOW, THEREFORE, in fulfillment of that pledge, it is resolved to constitute the "National Commission to Review the Working of the Constitution".

1. The Commission shall consist of a whole-time Chairperson who shall be a person of distinction with knowledge and expertise of constitutional issues and in the working of the democratic institutions of the Nation. In addition to the Chairman, the Commission shall have not more than ten other Members who shall be selected on the basis of their proven expertise and knowledge in the field of Constitutional law, economics, politics, law, sociology, political science and other relevant subjects.

2. The Terms of Reference – The Commission shall examine, in the light of the experience of the past 50 years, as to how best the Constitution can respond to the changing needs of efficient, smooth and effective system of governance and socio-economic development of modern India within the framework of Parliamentary democracy and to recommend changes, if any, that are required in the provisions of the Constitution without interfering with its basic structure or features.

3. The Chairperson shall be paid a consolidated honorarium of Rs.30,000/- per month. His or her pension, if any, shall be deductible from the honorarium, in case he or she is a Government pensioner. The Chairperson shall be entitled to Government accommodation for residence of the type permissible to a public servant drawing pay of Rs.30,000/- per month.

4. The Government may appoint a Secretary to the Commission who shall be paid a consolidated pay of Rs.25,000/- per month. His or her pension, if any, shall be deductible from the pay, in case he or she is a Government pensioner. The Secretary shall be entitled to Government accommodation for residence of the type permissible to a public servant drawing a pay of Rs.25,000/- per month and if the Secretary is a serving public servant, he or she will draw his existing pay and allowances and will be

entitled to a Government accommodation for residence as per his or her entitlement as such public servant.

5. Members of the Commission shall be paid only a daily allowance of Rs.1000/- while on duty.

6. The Chairperson of the Commission shall be his own controlling officer for the purpose of travelling allowance. The Chairperson shall also be the controlling officer for the purpose of travelling allowance in respect of Members and Secretary. The Chairperson and Members shall be allowed travelling allowance at the rates and as per rules applicable to the government servants of the highest grade. Secretary to the Commission shall be entitled to travelling allowance at the rates applicable to the public servant drawing a pay of Rs.25,000/- per month and if he or she is a serving public servant, he will draw travelling allowance as per his entitlement as such public servant.

7. The Commission shall decide its own procedure and hear and entertain all persons, representations and communications which in the opinion of the Commission shall facilitate its work and final recommendation.

8. The Commission shall complete its work and make its recommendations within one year.

9. The Headquarters of the Commission shall be in New Delhi.

10. The research and other staff for the Commission shall be provided separately as part of the Department of Legal Affairs. Supervisory control over the research and other staff of the Commission, shall, however, vest in the Secretary of the Commission who will discharge his functions under the overall control of the Chairman.

11. The funding of the Commission shall be through separate budgetary allocation by the Government under the relevant budget heads of the Ministry of Law, Justice & Company Affairs (Department of Legal Affairs).

R.L. MEENA

SECRETARY

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PART I – Section 2

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No.10 NEW DELHI, SATURDAY, MARCH 4, 2000/PHALGUNA 14, 1921

MINISTRY OF LAW, JUSTICE & COMPANY AFFAIRS

(DEPARTMENT OF LEGAL AFFAIRS)

New Delhi, the 23rd February, 2000

No.A-12023(2)/2000-Admn.III (LA) – The President is pleased to appoint the following as Members, National Commission to Review the Working of the Constitution with immediate effect.

1. Shri Justice B.P. Jeevan Reddy
2. Shri Justice R.S. Sarkaria
3. Shri Justice Kondapalli Punniiah
4. Shri P.A. Sangma, M.P.
5. Shri Soli J. Sorabjee
6. Shri K. Parasaran
7. Shri Subhash Kashyap
8. Shri C.R. Irani
9. Shri Abid Hussain
10. Smt. Sumitra Kulkarni

B.A. AGRAWAL

Joint Secretary & Legal Adviser

No.A-12023(2)/2000-Admn.III (LA) – The President is pleased to appoint Shri Justice M.N. Venkatachalaiah, Retd. Chief Justice of India as Chairperson, National Commission to Review the Working of the Constitution from the date he assumes charge and till the completion of the term of the Commission.

B.A. AGRAWAL

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PART I - Section 1

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No.49 NEW DELHI, SATURDAY, MARCH 18, 2000/PHALGUNA 28, 1921

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Department of Legal Affairs)

AMENDMENT

New Delhi, the 17th March, 2000

No.A-45012(2)/98-Admn.III(LA).- In partial modification of the Resolution dated 22.2.2000, providing for constitution of the 'National Commission to Review the Working of the Constitution', -

(i) para 3 shall be substituted as under :-

“The Chairperson shall be paid a consolidated honorarium of Rs.33,000/- per month. In case he or she is Government pensioner, he or she will be entitled to such honorarium minus pension. In case the Chairperson is a retired Chief Justice of India, his or her conditions of service will be the same as applicable to a serving Chief Justice of India. The Chairperson shall be entitled to Government accommodation for residence of the type which is serving Chief Justice of India is entitled to.”

(ii) after para 6, para 6A shall be added as follows:-

“6A. Notwithstanding anything contained in paras 5 and 6 above, a Member of the Commission, who is a Member of Parliament, shall not be entitled to any remuneration or allowance other than the allowance as defined in clause (a) of section 2 of the Parliament (Prevention of Disqualification) Act, 1959.”

R.L. MEENA

Secretary

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No.56 NEW DELHI, TUESDAY, MARCH 22, 2000/CHAITRA 8, 1922

MINISTRY OF LAW, JUSTICE & COMPANY AFFAIRS

(Department of Legal Affairs)

AMENDMENT

New Delhi, The 27th March, 2000

No. A-45012(2)/98-Admn.III(LA). – In partial modification of the Resolution dated 22-2-2000, providing for constitution of the 'National Commission to Review the Working of the Constitution', para 4 of the said Resolution shall be substituted as follows:-

“4. The Government may appoint a Secretary to the Commission who shall be paid a consolidated remuneration of Rs.26,000/- per month. His or her pension, if any, shall be deductible from the remuneration, in case he or she is a Government pensioner. Other terms and conditions of service will be same as applicable to a Secretary to the Government of India. The Secretary shall be entitled to Government accommodation for residence of the type permissible to a public servant drawing a remuneration of Rs.26,000/- per month and if the Secretary is a serving public servant, he or she will

draw his existing pay and allowances and will be entitled to a Government accommodation for residence as per his or her entitlement as such public servant. In case a retired Secretary to the Government of India is appointed as Secretary to the Commission, the terms and conditions of his service shall be the same as applicable to a Secretary to the Government of India.”

R.L. MEENA

Secretary

The Gazette of India

PART I – Section 2

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No.14 NEW DELHI, SATURDAY, APRIL 1, 2000/CHAITRA 12, 1922

MINISTRY OF LAW, JUSTICE & COMPANY AFFAIRS

(DEPARTMENT OF LEGAL AFFAIRS)

New Delhi, the 17th March, 2000

No.A-12023(2)/2000-Admn.III(LA). – In partial modification of the Notification of even number dated 23rd February, 2000 appointing Shri Justice M.N. Venkatachalaiah, Retired Chief Justice of India, as Chairperson, National Commission to Review the Working of the Constitution, Shri Justice M.N. Venkatachaliah will draw a token salary of Rupee one per month, as desired by him. The other conditions of service will be the same as applicable to a serving Chief Justice of India.

B.A. AGRAWAL

Joint Secretary & Legal Adviser

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PART I – Section 2

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No.17 NEW DELHI, SATURDAY, APRIL 22, 2000/VAISAKHA 2, 1922

MINISTRY OF LAW, JUSTICE & COMPANY AFFAIRS

(DEPARTMENT OF LEGAL AFFAIRS)

New Delhi, the 4th April, 2000

No.A-45012/2/98-Admn.III (LA) – The President is pleased to appoint Dr. Raghbir Singh, former Secretary, Legislative Department, as Secretary, National Commission to Review the Working of the Constitution, Department of Legal Affairs, Ministry of Law, Justice & Co. Affairs, New Delhi with immediate effect from the forenoon of the 1st April, 2000 until the completion of the term of the Commission.

B.A. AGRAWAL

Joint Secretary & Legal Adviser

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PART I - Section 1

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No.46 NEW DELHI, TUESDAY, FEBRUARY 20, 2001/PHALGUNA 1, 1922

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Department of Legal Affairs)

AMENDMENT

New Delhi, the 20th February, 2001

No.A-45012/2/98-Admn.III(LA)(Pt.)- In partial modification of the Resolution dated 22.2.2000, providing for Constitution of National Commission to Review the Working of the Constitution, for paragraph 8, the following paragraph shall be substituted, viz.:-

“8. The Commission shall complete its work and make its recommendations by 31st October, 2001.”

A. SINHA

Joint Secretary and Legal Adviser

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PART I – Section 1

PUBLISHED BY AUTHORITY

No.288 NEW DELHI, TUESDAY, OCTOBER 30, 2001/KARTIKA 8, 1923

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Department of Legal Affairs)

AMENDMENT

New Delhi, the 30th October, 2001

No.A-45012/2/2001-Admn.III(LA).- In partial modification of the Resolution dated 22.2.2000, as amended vide Notification dated 20th February, 2001, providing for constitution of National Commission to Review the Working of the Constitution, for paragraph 8 thereof, the following paragraph shall be substituted, viz.
:-

“8. The Commission shall complete its work and make its recommendation by 28th February, 2002.”

A. SINHA

Joint Secretary and Legal Adviser