

RULES OF PROCEDURE AND CONDUCT OF BUSINESS

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**IN THE TRAVANCORE-COCHIN
LEGISLATIVE ASSEMBLY**



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**RULES OF PROCEDURE AND CONDUCT OF BUSINESS
IN THE TRAVANCORE-COCHIN LEGISLATIVE ASSEMBLY
MADE BY THE ASSEMBLY IN PURSUANCE OF THE
PROVISIONS CONTAINED IN ARTICLE 208 (1) OF THE
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**RULES OF PROCEDURE AND CONDUCT OF BUSINESS
IN THE TRAVANCORE-COCHIN LEGISLATIVE
ASSEMBLY**

CHAPTER I.

Short Title and Definitions.

1. Short title and commencement. (1) These Rules may be called "the Rules of Procedure and Conduct of Business in the Travancore-Cochin Legislative Assembly".

(2) They shall come into force on the date on which they are published in the Gazette.

2. Definitions. (1) In these rules,—

"Assembly" means the Travancore-Cochin Legislative Assembly;

"Constitution" means the Constitution of India;

"Finance Minister" means the Minister in charge of Finance and includes any Minister performing the functions of the Finance Minister;

"Gazette" means the Travancore-Cochin Government Gazette;

"Member" means a member of the Assembly;

"Member in charge of the Bill" means in the case of a Government Bill, any Minister, and in any other case, the member who has introduced the Bill;

"Minister" means a member of the Council of Ministers;

"Private member" means a member other than a Minister;

"Secretary" means the Secretary to the Assembly and includes any person for the time being performing the duties of the Secretary;

"Session" means the whole period from the time when the Assembly meets to the time when it is prorogued.

"Speaker" means the Speaker of the Assembly and includes any other person when presiding over the Assembly;

(2) Words and expressions used in the Constitution and also in these Rules shall, unless the context otherwise requires, have the meanings assigned to them in the Constitution.

(3) In the computation of "clear days", Sundays and holidays are not excluded, but the day of the meeting and the day of receipt of notice by the Secretary are excluded.

CHAPTER II.

Summons to Members—Seating and Roll of Members.

2 **Summons to members.** The Secretary shall issue Summons to each member specifying the date, time and place for the Session of the Assembly.

3 **Seating of members.** The members shall sit in such order as the Speaker may determine.

4 **Roll of members.** There shall be a Roll of Members of the Assembly which shall be signed by every member, before taking the seat, in the presence of the Secretary.

CHAPTER III.

Election of Speaker and Deputy Speaker and Nomination of Panel of Chairmen.

5 **Election of the Speaker by the Assembly.** (1) The election of a Speaker shall be held on such date as the Rajpramukh may fix and the Secretary shall send to every member notice of the date so fixed.

(2) At any time before noon on the day preceding the date so fixed, any member may give notice in writing addressed to the Secretary nominating another member for election as the Speaker of the Assembly and the notice shall be seconded by a third member and shall also be accompanied by the consent in writing of the nominee agreeing to serve as Speaker, if elected.

Provided that a member shall not propose his own name or second a nomination proposing his own name or propose or second more than one nomination.

(3) The person presiding shall read out to the Assembly the names of the members who have been duly nominated together with those of their proposers and seconders and if only one member has been so nominated, shall declare that member to be elected. If more than one member has been so nominated, the Assembly shall proceed to elect a Speaker by ballot.

(4) For the purposes of sub-rule (3), a member shall not be deemed to have been duly nominated or be entitled to vote if he and his proposer and seconders have not, before the reading out of the names by the person presiding, made the oath of affirmation as members of the Assembly.

(5) Where more than two candidates have been nominated and at the first ballot no candidate obtains more votes than the majority votes obtained by the other candidates the candidate who has obtained the smallest number of votes shall be excluded from the election and balloting shall proceed, the candidate obtaining the smallest number of votes at each ballot being excluded from the election, until one candidate obtains more

votes than the remaining candidate or than the aggregate votes of the remaining candidates as the case may be.

(6) Where at any ballot any of two or more candidates obtain an equal number of votes and one of them has to be excluded from the election under sub-rule (5), the determination of the candidate who is to be excluded as between the candidates whose votes are equal shall be by drawing of lots in such manner as the person presiding may decide.

(7) If a vacancy in the office of Speaker occurs during the life of the Assembly a fresh election shall be held in accordance with the procedure hereinbefore mentioned.

7. Election of Deputy Speaker. (1) As soon as may be after the election of the Speaker the Assembly shall elect one of its members to be Deputy Speaker. The Speaker shall fix a date for the holding of the election and the Secretary shall send to every member notice of the date so fixed.

(2) At any time before noon on the day preceding the date so fixed, any member may give notice in writing addressed to the Secretary nominating another member for election as the Deputy Speaker of the Assembly, and the notice shall be seconded by a third member and shall also be accompanied by the consent in writing of the nominee agreeing to serve as Deputy Speaker, if elected:

Provided that a member shall not propose his own name or second a nomination proposing his own name or propose or second more than one nomination.

(3) The Speaker shall read out to the Assembly the names of the members who have been duly nominated together with those of their proposers and seconders, and if only one member has been so nominated, shall declare that member to be elected. If more than one member has been so nominated, the Assembly shall proceed to elect a Deputy Speaker by ballot.

(4) The provisions of sub-rules (4), (5) and (6) of Rule 6 shall apply to such election.

(5) If a vacancy in the office of Deputy Speaker occurs during the life of an Assembly a fresh election shall be held in accordance with the procedure hereinbefore mentioned.

8. Panel of Chairmen. At the commencement of every session of the Assembly, the Speaker shall nominate from amongst the members of the Assembly a panel of not more than two Chairmen any one of whom may preside over the Assembly in the absence of the Speaker and the Deputy Speaker or whenever necessary, and in such circumstances as may be directed by the Speaker or, in his absence, by the Deputy Speaker.

9. Powers of person presiding. The Deputy Speaker and any Chairman of the Assembly shall, when presiding over the Assembly, have the same powers as the Speaker when so presiding and all references to the Speaker in these Rules, shall in these circumstances be deemed to be references to any such person so presiding.

CHAPTER IV.

Sitting of the Assembly.

10. When is sitting of the Assembly duly constituted. A sitting of the Assembly is duly constituted when it is presided over by the Speaker or other member competent to preside over a sitting of the Assembly under the Constitution or these Rules.

11. Time of meeting. Sittings of the Assembly shall subject to the direction of the Speaker, ordinarily commence at 8 a. m., and conclude at 1 p. m., without interval, except on Fridays. On Fridays the Assembly shall commence at 8 a. m., and conclude at 12-30 p. m.

12. Sitting of the Assembly. The Assembly shall sit on such days as the Speaker having regard to the state of business of the Assembly, may, from time to time, direct.

13. Adjournment of Assembly. The Speaker shall determine the time when a sitting of the Assembly shall be adjourned *sine die* or to a day or hour or part of the same day:

Provided that the Speaker may, if he thinks fit, call a sitting of the Assembly before the date or time to which it has been adjourned or at any time after the Assembly has been adjourned *sine die*.

CHAPTER V.

Rajpramukh's Address and Messages to the Assembly.

14. Discussion of the matters referred to in the Rajpramukh's Address under Article 176 of the Constitution read with Article 238 thereof. (1) The Speaker in consultation with the Leader of the House and the Leader of the Opposition shall allot time for the discussion of the matters referred to in the Rajpramukh's Address under Article 176 of the Constitution read with Article 238 thereof.

(2) The Assembly shall be at liberty to discuss the matters referred to in such Address on a motion of thanks moved by the Leader of the House or any other member authorised by him. The motion shall be seconded.

(3) Amendments may be moved to such motion of thanks in such form as may be considered appropriate by the Speaker. Notice of such amendments may be given before such time as may be fixed by the Speaker.

(4) The Chief Minister or any other Minister whether he has previously taken part in the discussion or not shall on behalf of the Government have a general right of explaining the position of the Government at the end of the discussion and the Speaker may fix the hour by which the discussion shall conclude.

(5) The Speaker may, if he thinks fit, prescribe, after taking the sense of the Assembly, a time-limit for speeches.

(6) When the motion is adopted, with or without amendment, it shall be presented to the Rajpramukh by the Speaker.

(7) The Speaker shall report to the Assembly the Rajpramukh's reply.

15. **Rajpramukh's Address under Article 175 (1) of the Constitution, read with Article 238 thereof.** The Speaker may allot time for the discussion of the matters referred to in the Rajpramukh's Address under Article 175 (1) of the Constitution, read with Article 238 thereof.

16. **Messages by the Rajpramukh.** Where a message from the Rajpramukh to the Assembly under Article 175(2) of the Constitution read with Article 238 thereof is received by the Speaker, he shall read the message to the Assembly and give necessary directions regarding the procedure to be followed for the consideration of the matters referred to in the message. In giving such directions, the Speaker shall have power to suspend or vary the rules to such extent as he deems fit.

CHAPTER VI.

Arrangement of Business.

17. **Arrangement of Government business.** On days allotted for the transaction of Government business, the Secretary shall arrange that business in such order as the Speaker in consultation with the Leader of the House may determine:

Provided that such order of business shall not be varied on the day that business is set down for disposal unless the Speaker is satisfied that there is sufficient ground for such variation.

18. **Allotment of time for private member's business and precedence of business.** The Speaker, after considering the state of business of the Assembly, and in consultation with the Leader of the House and the Leader of the Opposition may allot so many days as may be possible for private member's business and may allot different days for the disposal of different classes of such business and on days so allotted for any particular class of business, business of that class shall have precedence.

19. **Precedence of private member's Bills.** (1) The relative precedence of notices of Bills given by private members shall be determined by ballot to be held in accordance with the orders made by the Speaker, on such day as the Speaker may direct.

(2) On a day allotted for the disposal of private member's Bills, such Bills shall have relative precedence in the following order, namely,—

(a) Bills in respect of which the next motion is that the Bill be passed;

(b) Bills returned by the Rajpramukh with a message under Article 200 or 201 of the Constitution read with Article 238 thereof;

(c) Bills in respect of which a motion has been carried that the Bill be taken into consideration;

(d) Bills in respect of which the Report of a Select Committee has been presented;

(e) Bills which have been circulated for the purpose of eliciting opinion;

(f) Bills introduced and in respect of which no further motion has been made or carried;

(g) Bills in respect of which the motion is that leave be granted to introduce the Bill;

(h) Other Bills.

(3) The relative precedence of Bills falling under the same clause of sub-rule (2) shall be determined by ballot to be held at such time and in such manner as the Speaker may direct:

Provided that Bills falling under clause (e) of sub-rule (2) shall be arranged in groups in the order of their date of introduction and the relative precedence within each group shall be determined by ballot.

20. Precedence of resolutions. The relative precedence of notices of resolutions given by private members shall be determined by ballot, to be held in accordance with the orders made by the Speaker, on such day as the Speaker may direct.

21. Business outstanding at the end of day. Private member's business set down for the day allotted for that class of business and not disposed of on that day shall not be set down for any subsequent day, unless it has gained priority at the ballot held with reference to that day:

Provided that, notwithstanding anything contained in rules 19 and 20 any such business which is under discussion at the end of that day shall be set down for the next day allotted to business of that class, and shall have precedence over all other business set down for that day.

22. List of business. (1) A list of business for the day shall be prepared by the Secretary, and a copy thereof shall be made available for the use of every member.

(2) Save as otherwise provided in these Rules no business not included in the list of business for the day shall be transacted at any meeting without the leave of the Speaker.

(3) Save as otherwise provided in these Rules no business requiring notice shall be set down for a day earlier than the day after that on which the period of the notice necessary for that class of business expires.

(4) Unless the Speaker otherwise directs not more than five resolutions (in addition to any resolution which is outstanding under the proviso to Rule 21) shall be set down in the list of business for any day allotted for the disposal of private member's resolutions.

CHAPTER VII

Committee on Private Members' Bills and Resolutions.

23. **Constitution of the Committee on private members' Bills and Resolutions.** (1) There shall be a Committee on Private Members' Bills and Resolutions consisting of seven members.

(2) The Committee shall be nominated by the Speaker and shall hold office for one year.

(3) The Speaker may discharge a member from the Committee, if such member is absent from two or more consecutive meetings thereof without the permission of the Chairman of the Committee.

(4) Casual vacancies in the Committee shall be filled by the Speaker and any member nominated to fill such a vacancy shall hold office for the period for which the member in whose place he is nominated would under the provisions of sub-rule (2) have held office.

24. **Chairman of the Committee.** (1) The Chairman of the Committee shall be appointed by the Speaker from amongst the members of the Committee.

(2) If the Chairman of the Committee is for any reason unable to act, the Speaker may similarly appoint another Chairman of the Committee in his place.

(3) If the Chairman of the Committee is absent from any meeting, the Committee shall choose another member to act as Chairman of the Committee for that meeting.

25. **Quorum of Committee.** In order to constitute a meeting of the Committee the quorum shall be four.

26. **Voting in the Committee.** (1) All questions at any sitting of the Committee shall be determined by a majority of votes of the members present and voting.

(2) In the case of equality of votes on any matter, the Chairman shall have a second or casting vote.

27. **Functions of the Committee.** (1) The functions of the Committee shall be—

(a) to examine all private members' Bills after they are introduced and before they are taken up for consideration in the Assembly and to classify them according to their nature, urgency and importance into two categories, *viz.*, category (a) and category (b);

(b) to recommend the time that should be allocated for discussion of the stage or stages of each private member's Bill and also to indicate in the time table so drawn up the different hours at which the various stages of the Bill in a day shall be completed;

(c) to examine every private member's Bill which is opposed in the Assembly on the ground that the Bill initiates legislation outside the legislative competence of the Assembly and the Speaker considers such objection *prima facie* tenable;

(d) to recommend time limit for discussion of the private members' Resolutions and other ancillary matters.

(2) The Committee shall perform such other functions in respect of private member's Bills and Resolutions as may be assigned to it by the Speaker from time to time.

(3) Notwithstanding anything contained in Rules 23, 24, 25 and 26 the mover of the non-official Bill or Resolution shall also be a member of the Committee at such sittings of the Committee held to discuss matters relating Bills or Resolutions, as contemplated by this Rule of which he is the mover.

28. Powers to take evidence or call for papers, records or documents. (1) The Committee shall have power to require the attendance of persons or the production of papers or records if such a course is considered necessary for the discharge of its duties:

Provided that if any question arises whether the evidence of a person or the production of a document is relevant for the purposes of the Committee the question shall be referred to the Speaker whose decision shall be final:

Provided further that Government may decline to produce a document on the ground that its disclosure would be prejudicial to the safety or interest of the State.

(2) It shall be in the discretion of the Committee to treat any evidence tendered before it as secret or confidential.

(3) No document submitted to the Committee shall be withdrawn or altered without the knowledge and approval of the Committee.

29. Presentation of the Report of the Committee. (1) The report shall be signed by the Chairman on behalf of the Committee or in his absence by any member of the Committee so authorised by the Committee.

(2) The report of the Committee shall be presented by the Chairman or by a member of the Committee to the Assembly.

30. Motion moved in the Assembly on the report. At any time after the report has been presented to the Assembly a motion may be moved that the Assembly agrees or agrees with amendments or disagrees with the report;

Provided that not more than half an hour shall be allotted for the discussion of the motion and no member shall speak for more than five minutes on such a motion:

Provided further that an amendment may be moved that the report be referred back to the Committee without limitations or with reference to any particular matter.

31. Notification of classification and time table in Assembly Bulletin. The classification of Bills and the Allocation of Time Order in respect of the Bills or Resolutions shall be notified in the Assembly Bulletin in accordance with the decision of the Assembly under Rule 30.

32. Disposal of outstanding matters at the appointed hour. At the appointed hour in accordance with the Allocation of Time Order the Speaker shall forthwith put every question necessary to dispose of all the outstanding matters in connection with the completion of a particular stage of the Bill.

33. Power of Speaker to give direction on a point of procedure or otherwise. The Speaker may issue such directions as he may consider necessary for regulating the procedure connected with the consideration of any question before the Committee.

CHAPTER VIII.

Questions.

34. Time for questions. Unless the Speaker otherwise directs, the first hour of every sitting shall be available for the asking and answering of questions.

35. Notice of questions. Unless the Speaker otherwise directs, not less than ten clear days' notice of a question shall be given.

36. Form of notice of questions. Notice of a question shall be given in writing to the Secretary and shall specify:

(a) the official designation of the Minister to whom it is addressed; and

(b) the date on which the question is proposed to be placed on the list of questions for answer.

37. Notice of admission of question to Ministers. Unless the Speaker otherwise directs no question shall be placed on the list of questions for answer until five days have expired from the time when notice of the admission of such question by the Speaker has been given by the Secretary to the Minister to whom it is addressed.

38. Question for oral answers to be distinguished by asterisks. A member who desires an oral answer to his question shall distinguish it by an asterisk and if he does not distinguish it by an asterisk the question shall be printed in the list of questions for written answer.

39. Member entitled to oral answers to two questions on a day. (1) Not more than two questions distinguished by asterisks by the same member shall be placed on the list of questions for oral answer on any one day. Questions in excess of two shall be placed on the list of questions for written answer.

(2) The order in which questions for oral answer are to be placed shall be indicated by the member giving notice and if no such order is indicated, the questions shall be placed on the list of questions for oral answer in the order in which notices are received in point of time.

40. Allotment of days for oral answers to questions. The time available for answering questions shall be allotted on different days in rotation for the answering of questions relating to such department or departments as the Speaker may, from time to time, provide and on each such day, unless the Speaker with the consent of the Minister concerned otherwise directs, only questions relating to the department or departments for which time on that day has been allotted shall be placed on the list of questions for oral answer.

41. Written answers to questions, not replied orally. If any question placed on the list of questions for oral answer on any day is not called for answer within the time available for answering questions on that day, the Minister to whom the question is addressed shall forthwith lay upon the table a written reply to the questions.

42. Questions to private members. A question may be addressed by a member to a private member provided the subject matter of the question relates to some Bill, resolution or other matter connected with the business of the Assembly for which that member is responsible and the procedure in regard to such questions shall, as far as may be, be the same as that followed in the case of questions addressed to a Minister with such variations as the Speaker may consider necessary or convenient.

43. Conditions of admissibility of questions. (1) Subject to the provisions of sub-rule (2) of this Rule, a question may be asked for the purpose of obtaining information on a matter of public importance within the special cognizance of the Minister to whom it is addressed.

(2) The right to ask a question is governed by the following conditions:

(a) it shall not bring in any name or statement not strictly necessary to make the question intelligible;

(b) if it contains a statement the member shall make himself responsible for the accuracy of the statement;

(c) it shall not contain arguments, inferences, ironical expressions, imputations, epithets or defamatory statements;

(d) it shall not ask for an expression of opinion or the solution of a hypothetical proposition or the solution of an abstract legal question;

(e) it shall not ask as to the character or conduct of any person except in his official or public capacity;

(f) it shall relate to a single matter;

(g) it shall be so framed as to be merely a request for information;

(h) it shall not be of excessive length;

(i) it shall not refer to any matter which is not the concern of the State Government;

(j) it shall not refer to any matter which is under adjudication by a court of law;

(k) it shall not reflect on the character or conduct of any person whose conduct can only be challenged on a substantive motion;

(l) it shall not raise questions of policy too large to be dealt with within the limits of an answer to a question;

(m) it shall not repeat in substance questions already answered or to which an answer has been refused;

(n) it shall not ask for information on trivial matters;

(o) it shall not ordinarily seek information on matters of past history; and

(p) it shall not require information available in accessible documents or in ordinary books of reference.

44. Speaker to decide admissibility of questions. (1) The Speaker shall decide whether a question or a part thereof is or is not admissible under these Rules and may disallow any question or a part thereof when in his opinion it is an abuse of the right of questioning or calculated to obstruct or prejudicially affect the procedure of the Assembly or is in contravention of these Rules.

(2) Subject to the provisions of Rule 40 the Speaker may direct that a question be placed on the list of questions for answer on a date later than that specified by a member in his notice, if he is of opinion that a longer period is necessary to decide whether a question is or is not admissible.

45. Speaker to decide if a question is to be treated as starred or unstarred. If in the opinion of the Speaker any question put down for oral answer is of such a nature that a written reply would be more appropriate, the Speaker may direct that such question be placed on the list of questions for written answer.

46. List of questions. Questions which have not been disallowed shall be entered in the list of questions for the day for oral or written answer as the case may be in accordance with the orders of the Speaker.

47. Order in which questions shall be called. Questions for oral answers shall be called, if the time made available for questions permits, in the order in which they stand in the list before any other business is entered upon at the meeting:

Provided that a question not reached for oral answer may be answered after the end of the question hour with the permission of the Speaker if the Minister represents to the Speaker that the question is one of special public interest to which he desires to give a reply.

48. Withdrawal or postponement of questions. A member may by notice given at any time before the meeting for which his question has been placed on the list, withdraw his question or postpone it to a later day to be specified in the notice and on such later day the question shall, subject to the provisions of Rule 40 be placed on the list after all the questions which have not been so postponed:

Provided that a postponed question shall not be placed on the list until two clear days have expired from the time when the notice of postponement has been received by the Secretary.

49. Mode of asking question. (1) The Speaker shall call successively each member in whose name a question appears on the list of questions.

(2) The member so called, shall rise in his place and shall ask the question by reference to its number on the list of questions, unless he states that it is not his intention to ask the question;

(3) If on a question being called it is not put or the member in whose name it stands is absent, the Speaker at the request of any member, may direct that the answer to it be given.

50. Questions of absent members. When all the questions for which an oral answer is desired have been called, the Speaker may, if time permits, call again any question which has not been asked by reason of the absence of the member in whose name it stands, and may also permit a member to ask a question standing in the name of another member, if so authorised by him.

51. Supplementary questions. (1) Any member when called by the Speaker may put a supplementary question for the purpose of further elucidating any matter of fact regarding which an answer has been given:

Provided that the Speaker shall disallow any supplementary question, if in his opinion, it infringes the rules as to the subject matter of questions.

(2) No discussion shall be permitted during the time for questions under Rule 34 in respect of any question or of any answer given to a question.

52. Short notice questions. (1) A question relating to a matter of public importance may be asked with shorter notice than ten clear days and if the Speaker is of opinion that the question is of an urgent character he may direct that an enquiry may be made from the Minister concerned if he is in a position to reply and if so on what date;

(2) If the Minister concerned agrees to reply, such question shall be answered on a day to be indicated by him and shall be called immediately after the questions which have appeared in the list of questions for oral answer have been disposed of;

(3) Where a member desires an oral answer to a question at a shorter notice, he shall briefly state the reasons for asking the question with short notice.

53. Publicity of answers to questions in advance. Questions or answers to questions which Ministers propose to give in the Assembly shall not be released for publication until the answers have actually been given on the floor of the Assembly or laid on the table.

54. Discussion on a matter of public importance arising out of answers to questions. The Speaker shall allot half an hour on two days in a week, namely from 12-30 p. m., to 1 p. m., on Wednesday and from 12 noon to 12-30 p. m., on Friday for raising discussion on a matter of sufficient public importance which has been the subject of a question in the Assembly, irrespective of the fact whether the question was answered orally or the answer was laid on the table;

(2) If the other business set down for the day is concluded before 12-30 p. m., if on a Wednesday and before 12 noon if on a Friday the period of half an hour shall commence from the time such other business is concluded;

(3) The Speaker may allot any day instead of Wednesday or Friday if such a course is, in his opinion, necessary or convenient;

(4) A member wishing to raise discussion on such a matter shall give notice in writing to the Secretary two clear days before the day on which the matter is desired to be raised, and shall shortly specify the point or points that he wishes to raise:

Such notice shall be accompanied by an explanatory note stating the reasons for raising discussion on the matter in question and shall be supported by the signature of at least two other members. The Speaker may with the consent of the Minister concerned waive the requirement concerning the period of notice;

(5) The Speaker shall decide whether the matter is of sufficient public importance to be put down for discussion;

(6) If two or more notices have been received and admitted by the Speaker the Secretary shall hold a ballot with a view to ascertaining which notice shall have preference for the day:

Provided that if any matter put down for discussion on a particular day is not disposed of on that day it shall not be set down for any further day, unless the member so desires, in which case, it shall be included in the ballot for the next available day;

(7) There shall be no formal motion before the Assembly nor voting. The member who has given notice may make a short statement and the Minister concerned shall give a brief reply. Any member who has previously intimated to the Speaker may be permitted to put a question for the purpose of further elucidating any matter of fact.

CHAPTER IX.

Motion for adjournment on a matter of public importance.

55. **Speaker's consent necessary to make motion.** Subject to the provisions of these Rules, a motion for an adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance may be made with the consent of the Speaker.

56. **Method of giving notice.** (1) Notice of a motion under Rule 55 shall be given before the commencement of the sitting on the day on which the motion is proposed to be made both to the Speaker and to the Minister concerned.

(2) The member asking for leave must, before the commencement of the sitting of the day, leave with the Secretary a written statement of the matter proposed to be discussed.

57. **Restrictions on right to make motion.** The right to move the adjournment of the Assembly for the purpose of discussing a definite matter of urgent public importance shall be subject to the following restrictions namely,—

(1) not more than one such motion shall be made at the same sitting;

(2) not more than one matter shall be discussed on the same motion;

(3) the motion shall be restricted to a specific matter of recent occurrence;

(4) the motion shall not revive discussion on a matter which has been discussed in the same session;

(5) the motion shall not anticipate a matter which has been previously appointed for consideration. In determining whether a discussion is out of order on the ground of anticipation, regard shall be had by the Speaker to the probability of the matter anticipated being brought before the Assembly within a reasonable time;

(6) the motion shall not deal with a matter on which a resolution could not be moved;

(7) the motion shall not raise a question of privilege; and

(8) the motion shall not raise any question which under the Constitution or these Rules can only be raised on a distinct motion by a notice given in writing to the Secretary.

58. Mode of asking for leave to move adjournment motion.

(1) The Speaker, if he gives consent under Rule 55 and holds that the matter proposed to be discussed is in order, shall, after the questions and before the list of business is entered upon, call the member concerned who shall rise in his place and ask for leave to move the adjournment of the Assembly:

(2) Where the Speaker has refused his consent under Rule 55 or is of opinion that the matter proposed to be discussed is not in order, he may, if he thinks it necessary, read the notice of motion and state the reasons for refusing consent or holding the motion as not being in order.

(3) If objection to leave being granted is taken, the Speaker shall request those members who are in favour of leave being granted to rise in their places, and if not less than fifteen members rise accordingly, the Speaker shall intimate that leave is granted. If less than fifteen members rise, the Speaker shall inform the member that he has not the leave of the Assembly.

59. **Time for taking up motion.** The motion shall be taken up at 12-30 p. m., or if the Speaker so directs, at any earlier hour at which the business of the day may terminate.

60. **Closure of debate.** The Speaker may, if he is satisfied that there has been adequate debate, put the question at 2-30 p. m., or earlier; or on the conclusion of the debate if it terminates earlier:

Provided that if the debate is not concluded by 2-30 p. m., it shall automatically terminate and no question shall be put.

61. **Time limit for speeches.** The Speaker shall prescribe a time limit for speeches.

CHAPTER X.

Discussion on matters of urgent public importance.

62. **Notice of raising discussion.** (1) Any member desirous of raising discussion on a matter of urgent public importance

may give notice in writing to the Secretary specifying clearly and precisely the matter to be raised:

(2) The notice should be accompanied by an explanatory note stating reasons for raising a discussion on the matter in question:

(3) The notice shall be supported by the signatures of at least two other members.

63. Speaker to decide admissibility. If the Speaker is satisfied after calling for such information from the member who has given notice and from the Minister as he may consider necessary, that the matter is urgent and is of sufficient importance to be raised in the Assembly at an early date, he may admit the notice and in consultation with the Leader of the House fix the date on which such matter may be taken up for discussion and allow such time for discussion not exceeding two hours as he may consider appropriate in the circumstances:

Provided that if an early opportunity is otherwise available for the discussion of the matter, the Speaker may refuse to admit the notice.

64. No formal motion. There shall be no formal motion before the Assembly nor voting. The member who has given notice may make a short statement and the Minister shall give a brief reply. Any member who has previously intimated to the Speaker may be permitted to take part in the discussion.

65. Time limit for speeches. The Speaker may, if he thinks fit, prescribe a time limit for the speeches.

Calling attention to matters of urgent public importance.

66. Calling attention to matters of urgent public importance.

(1) A member may with the previous permission of the Speaker, call the attention of a Minister to any matter of urgent public importance and the Minister may make a brief statement or ask for time to make a statement at a later hour or date.

(2) There shall be no debate on such statement at the time it is made.

(3) Not more than one such matter shall be raised at the same sitting.

(4) In the event of more than one matter being presented for the same day, priority shall be given to the matter which, in the opinion of the Speaker is more urgent and important.

(5) The proposed matter shall be raised after questions and before the list of business is entered upon and at no other time during the sitting of the Assembly.

CHAPTER XI.

Motion of no-confidence in Ministers and resolution to remove the Speaker or Deputy Speaker from office.

67. Motion of no-confidence in Ministers. (1) A motion expressing want of confidence in the Council of Ministers may be made subject to the following restrictions, namely,—

(a) leave to make the motion must be asked for after questions and before the list of business for the day is entered upon;

(b) the member asking for leave must leave with the Secretary a written notice of the motion which he proposes to move three days before the date on which he intends to move it.

(2) If the Speaker is of opinion that the motion is in order, he shall read the motion to the Assembly and shall request those members who are in favour of leave being granted to rise in their places, and if not less than twenty-five members rise accordingly, the Speaker shall intimate that leave is granted, and that the motion will be taken on such day, not being more than ten days from the date on which the leave is asked, as he may appoint. If less than twenty-five members rise, the Speaker shall inform the member that he has not the leave of the Assembly.

(3) If leave is granted under sub-rule (2) the Speaker may, after considering the state of business in the Assembly, allot a day or days or part of a day for the discussion of the motion.

(4) The Speaker shall at the appointed hour on the allotted day or, as the case may be, the last of the allotted days forthwith put every question necessary to determine the decision of the Assembly on the motion.

(5) The Speaker may, if he thinks fit, prescribe a time limit for speeches.

68. Statement by a Minister who has resigned. (1) A member who has resigned the office of Minister may, with the consent of the Speaker, make a personal statement in explanation of his resignation;

(2) A copy of the statement shall be forwarded to the Speaker and the Leader of the House one day in advance of the day on which it is to be made:

Provided that in the absence of a written statement, the points or the gist of such statement shall be conveyed to the Speaker and the Leader of the House one day in advance of the day on which it is to be made.

(3) Such statement shall be made after questions and before the list of business for the day is entered upon;

(4) On such statement no debate shall be allowed:

Provided that a Minister shall be entitled, after the member has made his statement, to make a statement pertinent thereto.

69. Notice of resolution for removal of Speaker or Deputy Speaker. (1) A member wishing to give notice of a resolution under clause (c) of Article 179 of the Constitution, read with Article 238 thereof, for the removal of the Speaker or the Deputy Speaker shall do so in writing to the Secretary.

(2) On receipt of a notice under sub-rule (1) a motion for leave to move the resolution shall be entered in the list of business in the name of the member concerned, on a day fixed by the Speaker, provided that the day so fixed shall be any day after 14 days from the date of the receipt of the notice of the resolution.

70. Leave of Assembly to take up resolution. (1) Subject to the provisions of Article 181 of the Constitution, read with Article 238 thereof, the Speaker or the Deputy Speaker or such other person as is referred to in clause (2) of Article 180 of the Constitution, read with Article 238 thereof, shall preside when a motion under sub-rule (2) of Rule 69 is taken up for consideration.

(2) The member in whose name the motion stands in the list of business shall, except when he wishes to withdraw it, move the motion, when called upon to do so, but no speech shall be permitted at this stage.

(3) The Speaker or the Deputy Speaker or the person presiding as the case may be shall, thereupon, place the motion before the Assembly and shall request those members who are in favour of leave being granted to rise in their places. If not less than twenty-five members rise accordingly, the Speaker or the Deputy Speaker or the person presiding as the case may be, shall say that leave has been granted and that the resolution will be taken up on such day, not being more than ten days from the date on which leave is asked for, as he may appoint. If less than twenty-five members rise, the Speaker shall inform the member that he has not the leave of the Assembly.

71. Resolution included in the List of Business on the appointed day. On the appointed day the resolution shall be included in the list of business to be taken up after the question hour and before any other business for the day is entered upon.

72. Time limit for speeches. Except with the permission of the Speaker or the person presiding, a speech on the resolution shall not exceed fifteen minutes in duration:

Provided that the mover of the resolution when moving the same may speak for such longer time as the Speaker or the person presiding may permit.

CHAPTER XII.

Legislation.

73. Publication of Bills before introduction. The Speaker may order the publication in the Gazette of any Bill (together with the Statement of Objects and Reasons and the Financial Memorandum, if any accompanying it) although no motion has been made for leave to introduce the Bill. In that case it shall not be necessary to move for leave to introduce the Bill, and, if the Bill is afterwards introduced, it shall not be necessary to publish it again.

74. Notice of motion for leave to introduce Bill. (1) Any member other than a Minister desiring to move for leave to introduce a Bill, shall give notice of his intention and shall, together with the notice, submit a copy of the Bill and an explanatory Statement of Objects and Reasons.

(2) If the Bill is a Bill which under the Constitution cannot be introduced without the previous sanction or recommendation of the Rajpramukh, the member shall annex to the notice a copy of such sanction or recommendation, and the notice shall not be valid until this requirement is complied with.

(3) The period of notice of a motion for leave to introduce a Bill under this Rule shall be one month unless the Speaker allows the motion to be made at shorter notice.

75. Financial memorandum to accompany Bill. A Bill involving expenditure shall be accompanied by a financial memorandum which shall invite particular attention to the clauses involving expenditure and shall also give an estimate of the recurring and non-recurring expenditure involved in case the Bill is passed into law.

76. Motion for leave to introduce Bill. If a motion for leave to introduce a Bill is opposed, the Speaker after permitting, if he thinks fit, a brief explanatory statement from the member who moves and from the member who opposes the motion, may without further debate put the question:

Provided that where a motion is opposed on the ground that the Bill initiates legislation outside the legislative competence of the Assembly, the Speaker may permit a full discussion thereon.

77. Publication after introduction. As soon as may be after a Bill has been introduced, the Bill, unless it has already been published, shall be published in the Gazette.

78. Motions after introduction. When a Bill is introduced, or on some subsequent occasion, the member in charge may make one of the following motions in regard to his Bill, namely,—

- (a) that it be taken into consideration; or
- (b) that it be referred to a Select Committee; or
- (c) that it be circulated for the purpose of eliciting opinion thereon;

Provided that no such motion shall be made until after copies of the Bill have been made available for the use of members and that any member may object to any such motion being made unless copies of the Bill have been so made available for three days before the day on which the motion is made, and such objection shall prevail unless the Speaker in his discretion allows the motion to be made.

79. Discussion of principle of Bill. (1) On the day on which any motion referred to in Rule 78 is made, or on any subsequent day to which the discussion thereof is postponed, the principle of the Bill and its provisions may be discussed generally but the details of the Bill must not be discussed further than is necessary to explain its principles.

(2) At this stage no amendments to the Bill may be moved but,—

(a) if the member in charge moves that the Bill be taken into consideration, any member may move as an amendment that the Bill be referred to a Select Committee, or be circulated for the purpose of eliciting opinion thereon by a date to be specified in the motion:

Provided that a member may move that the Assembly give instructions to the Select Committee to which the Bill has been referred to make some particular or additional provision in the Bill or to consider and report on amendments which may be proposed to the original Act which the Bill seeks to amend; or

(b) if the member in charge moves, that the Bill be referred to a Select Committee any member may move as an amendment that the Bill be circulated for the purpose of eliciting opinion thereon by a date to be specified in the motion;

(3) Where a motion that a Bill be circulated for the purpose of eliciting opinion thereon is carried and the Bill is circulated in accordance with that direction and opinions are received thereon the member-in-charge, if he wishes to proceed with the Bill thereafter, shall move that the Bill be referred to a Select Committee unless the Speaker allows a motion to be made that the Bill be taken into consideration.

80. Person by whom motions in respect of Bills may be made. No motion that a Bill be taken into consideration or be passed shall be made by any member other than the member in charge of the Bill, and no motion that a Bill be referred to a Select Committee or be circulated for the purpose of eliciting opinion thereon shall be made by any member other than the member in charge, except by way of amendment to a motion made by the member in charge.

81. Select Committee—composition of. (1) The Minister concerned with the Bill and the member who introduced the Bill shall be members of every Select Committee, and it shall not be necessary to include their names in any motion for appointment of such a committee.

(2) The other members of the Committee shall be appointed by the Assembly when a motion that the Bill be referred to a Select Committee is made, or a motion is made by way of amendment under sub-rule (2) (a) of Rule 79.

(3) (a) The Chairman of the Committee shall be appointed by the Speaker from amongst the members of the Committee;

(b) If the Chairman of the Committee be absent from any meeting, the Committee shall choose another member to act as Chairman for that meeting.

(c) In the case of equality of votes on any matter, the Chairman or other person presiding shall have a second or casting vote.

82. Quorum of Select Committee. (1) The quorum shall be fixed by the Assembly.

(2) If at the time fixed for any meeting of the Select Committee, or if at any time during any such meeting, the quorum of members is not present the Chairman of the Committee shall either suspend the meeting until a quorum is present or adjourn the committee to some future day.

(3) Where a Select Committee has been adjourned in pursuance of sub-rule (2) on two successive dates fixed for meetings of the committee, the Chairman shall report the fact to the Assembly.

83. Power of Speaker to give directions on a point of procedure or otherwise. (1) The Speaker may from time to time issue such directions to the Chairman of the Committee as he may consider necessary for regulating its procedure.

(2) If any doubt arises on a point of procedure or otherwise the Chairman may, if he thinks fit, refer the point to the Speaker whose decision shall be final.

84. Power of Select Committee to make suggestions on procedure. A Select Committee shall have power to pass resolutions on matters of procedure relating to Select Committees for the consideration of the Speaker who may make such variations in procedure as he may consider necessary.

85. Power to take evidence or call for papers, records or documents. (1) A Select Committee shall have power to require the attendance of persons or the production of papers or records, if such a course is considered necessary for the discharge of its duties:

Provided that if any question arises whether the evidence of a person or the production of a document is relevant for the purposes of the Committee, the question shall be referred to the Speaker whose decision shall be final:

Provided further that Government may decline to produce a document on the ground that its disclosure would be prejudicial to the safety or interest of the State.

(2) Subject to the provisions of this Rule, a witness may be summoned by an order signed by the Secretary and shall produce such documents as are required for the use of the Committee.

(3) A Select Committee may hear expert evidence and representatives of special interests affected by the measure before them.

(4) No document submitted to the Committee shall be withdrawn or altered without the knowledge and approval of the Committee.

86. Procedure for examining witnesses. The examination of witnesses before a Select Committee shall be conducted as follows :—

(1) The Select Committee shall before a witness is called for examination decide the mode of procedure and the nature of questions that may be put to the witness.

(2) The Chairman of the Select Committee may first put to the witness such question or questions as he may consider necessary with reference to the subject matter of the Bill or any connected subject thereto according to the mode of procedure mentioned in sub-rule (1) of this rule.

(3) The Chairman may call other members of the Select Committee one by one to put any other questions.

(4) A witness may be asked to place before the Committee any other relevant points that have not been covered and which a witness thinks are essential to be placed before the Committee.

(5) A verbatim record of proceedings of the Select Committee when a witness is summoned to give evidence shall be kept.

87. Report by Select Committee. (1) As soon as may be after a Bill has been referred to a Select Committee, the Select Committee shall meet from time to time to consider the Bill, and shall make a report thereon within the time, if any fixed, by the Assembly:

Provided that where the Assembly has not fixed any time for the making of the report, the report shall be made before the session next after the session in which the Assembly adopted the motion for the reference of the Bill to the Select Committee:

Provided further that the Assembly, may, at any time, on a motion being made, direct that the time for the making of the report by the Select Committee be extended to a date specified in the motion.

(2) Reports may be either preliminary or final,

(3) The Select Committee shall in their report state whether the publication of the Bill directed by the Rules has taken place and the date on which the publication has taken place.

(4) Where a Bill has been altered the Select Committee may, if they think fit, include in their report a recommendation to the member in charge of the Bill that his next motion should be a motion for circulation or where the Bill has already been circulated, for re-circulation.

(5) The report of the Select Committee shall be signed by the Chairman on behalf of the Committee:

Provided that, in case the Chairman is absent or is not available, the Committee shall choose another member to sign the report on behalf of the Committee.

(6) Any member of a Select Committee may record a minute of dissent on any matter or matters connected with the Bill or dealt with in the report.

88. Printing and publication of report. (1) The Secretary shall cause every report of a Select Committee to be printed, and a copy of the report shall be made available for the use of every member of the Assembly. The report and the Bill as reported by the Committee shall be published in the Gazette.

(2) If any member is unacquainted with English the Secretary shall also, if requested, cause the report to be translated for his use into Malayalam or Tamil.

89. Presentation of report. (1) The report of the Select Committee on a Bill shall be presented to the Assembly by the Chairman or in his absence by any member of the Committee within the time, if any, fixed by the Assembly:

Provided that where the Assembly has not fixed any time for the presentation of the report, the report shall be presented at the session next after the session in which the Assembly adopted the motion for the reference of the Bill to the Select Committee:

Provided further that the Assembly, may at any time, on a motion being made, direct that the time for the presentation of the report by the Select Committee be extended to a date specified in the motion.

(2) In presenting a report the Chairman or in his absence the member presenting the report shall, if he makes any remarks, confine himself to a brief statement of fact but there shall be no debate at this stage.

90. Procedure after presentation of report. (1) After the presentation of the final report of a Select Committee on a Bill, the member in charge may move—

(a) that the Bill as reported by the Select Committee be taken into consideration:

Provided that any member of the Assembly may object to its being so taken into consideration if a copy of the report

has not been made available for the use of members for three days and such objection shall prevail, unless the Speaker, in his discretion allows the report to be taken into consideration; or

(b) that the Bill as reported by the Select Committee be recommitted either—

(i) without limitation, or

(ii) with respect to particular clauses or amendments only, or

(iii) with instructions to the Select Committee to make some particular or an additional provision in the Bill, or

(c) that the Bill as reported by the Select Committee be circulated or re-circulated as the case may be for the purpose of obtaining opinion or further opinion thereon.

(2) If the member in charge moves that the Bill be taken into consideration, any member may move as an amendment that the Bill be recommitted or be circulated or re-circulated for the purpose of obtaining opinion or further opinion thereon.

91. Proposal of amendments. When a motion that a Bill be taken into consideration has been carried, any member may propose an amendment of the Bill.

92. Notice of amendments. (1) If notice of an amendment has not been given two clear days before the day on which the Bill is to be considered, any member may object to the moving of the amendment and such objection shall prevail unless the Speaker allows the amendment to be moved:

Provided that in the case of an official Bill an amendment of which notice has been received from the member in charge, shall not lapse by reason of the fact that the member in charge has ceased to be a Minister or a member and such amendment shall be printed in the name of the new member in charge of the Bill.

(2) If any member desires to move an amendment which under the Constitution cannot be moved without the previous sanction or recommendation of the Rajpramukh, he shall annex to the notice a copy of such sanction or recommendation and the notice shall not be valid until this requirement is complied with.

(3) The Secretary shall, if time permits make available to members from time to time lists of amendments of which notices have been received.

93. Conditions of admissibility of amendments. The following conditions shall govern the admissibility of amendments:—

(i) An amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates,

(ii) An amendment shall not be inconsistent with any previous decision of the Assembly on the same question.

(iii) An amendment shall not be such as to make the clause which it proposes to amend un-intelligible or un-grammatical.

(iv) If an amendment refers to, or is not intelligible without a subsequent amendment or schedule, notice of the subsequent amendment or schedule shall be given before the first amendment is moved so as to make the series of amendments intelligible as a whole:

Provided that in order to save time and repetition or arguments a single discussion may be allowed in order to cover a series of interdependent amendments.

(v) The Speaker may refuse to propose an amendment which is in his opinion frivolous or meaningless.

(vi) An amendment may be moved to an amendment which has already been proposed by the Speaker.

94. Arrangement of amendments. Amendments of which notice has been given shall as far as practicable be arranged in the list of amendments, issued from time to time, in the order in which they may be called. In arranging amendments raising the same question at the same point of a clause, precedence may be given to an amendment moved by the member in charge of the Bill. Subject as aforesaid, amendments may be arranged in the order in which notice of them is received.

95. Order of amendments. Amendments shall ordinarily be considered in the order of the clauses of the Bill to which they respectively relate; and in respect of any such clause a motion shall be deemed to have been made "That this clause stand part of the Bill."

96. Withdrawal of amendment. An amendment moved may, by leave of the Assembly, but not otherwise, be withdrawn, on the request of the member moving it. If an amendment has been proposed to an amendment, the original amendment shall not be withdrawn unless the amendment proposed to it has been disposed of.

97. Submission of Bills clause by clause. Notwithstanding anything contained in these Rules the Speaker may when a motion that a Bill be taken into consideration has been carried, submit the Bill, or any part of the Bill, to the Assembly clause by clause. The Speaker may call each clause separately, and when the amendments relating to it have been dealt with, shall put the question: "That this clause (or as the case may be, that this clause as amended) stand part of the Bill."

The Speaker may, if he thinks fit, postpone the consideration of a clause.

98. Schedule. The consideration of the Schedule or Schedules if any, shall follow the consideration of clauses. Schedules shall be put from the Chair and may be amended in the

same manner as clauses, and the consideration of new Schedules shall follow the consideration of the original Schedules. The question shall then be put: "That this Schedule (or, as the case may be, that this Schedule as amended) stand part of the Bill."

99. Clause one, enacting formula, preamble and title of the Bill. Clause one, the preamble, if any, and the title of a Bill shall stand postponed until the other Clauses and Schedules (including new clauses and new schedules) have been disposed of, and the Speaker shall then put the question: "That clause one or the enacting formula or the preamble or the title (or, as the case may be, that clause one, preamble, or title as amended) stand part of the Bill."

100. Passing of Bills. (1) When a motion that a Bill be taken into consideration has been carried and no amendment of the Bill is made, the member in charge may at once move that the Bill be passed.

(2) If any amendment of the Bill is made, any member may object to any motion being made, on the same day, that the Bill be passed, and such objection shall prevail, unless the Speaker in his discretion, allows the motion to be made.

(3) Where the objection prevails, a motion that the Bill be passed may be brought forward on any future day.

(4) To such a motion no amendment may be moved which is not either formal, verbal or consequential upon an amendment made after the Bill was taken into consideration.

101. Scope of debate. The discussion on a motion that the Bill be passed shall be confined to arguments of a general character either in support of the Bill or for the rejection of the Bill.

102. Power of Speaker to correct patent errors and make consequential changes in a Bill as passed. When a Bill is passed by the Assembly the Speaker shall have power to correct patent errors and make such changes in the Bill as are consequential on the amendments accepted by the Assembly.

103. Withdrawal of a Bill. The member in charge of a Bill may at any stage of the Bill move for leave to withdraw the Bill on the ground that—

(a) the legislative proposal contained in the Bill is to be dropped; or

(b) the Bill is to be replaced subsequently by a new Bill which substantially alters the provisions contained therein; and if such leave is granted no further motion shall be made with reference to the Bill:

Provided that where a Bill has been referred to a Select Committee notice of any motion for the withdrawal of the Bill shall automatically stand referred to the Committee and after the Committee has expressed its opinion in a report to the House the motion shall be set down in the list of business.

104. Explanatory statement by member who moves or opposes withdrawal motion. If a motion for leave to withdraw a Bill is opposed, the Speaker may, if he thinks fit, permit the member who moves and the member who opposes the motion to make brief explanatory statements and may thereafter, without further debate, put the question.

105. Removal of a Bill from the Register of Bills. Where any of the following motions under these Rules in regard to a Bill is rejected by the Assembly, no further motion shall be made with reference to the Bill, and such Bill shall be removed from the Register of Bills:—

- (i) that leave be granted to introduce the Bill;
- (ii) that the Bill be referred to a Select Committee;
- (iii) that the Bill be taken into consideration;
- (iv) that the Bill as reported by the Select Committee be taken into consideration; and
- (v) that the Bill (or as the case may be, that the Bill, as amended) be passed.

106. Special provision for removal of private member's Bill from the Register of Bills. A Private member's Bill pending before the Assembly shall also be removed from the Register of Bills pending in the Assembly in case—

- (a) the member in charge ceases to be a member of the Assembly;
- (b) the member in charge is appointed as a Minister; or
- (c) a Bill substantially identical in nature is passed by the Assembly.

107. Authentication of and assent to Bill. When a Bill is passed by the Assembly, a copy thereof shall be signed by the Speaker and it shall then be presented to the Rajpramukh.

108. Reconsideration by the Assembly of Bills passed. When a Bill which has been passed by the Assembly is returned by the Rajpramukh for reconsideration by the Assembly, the point or points referred for reconsideration shall be put before the Assembly by the Speaker and shall be discussed and voted upon in the same manner as amendments to a Bill, or in such other way as the Speaker may consider most convenient for their consideration by the Assembly.

CHAPTER XIII.

Petitions and Committee on Petitions.

109. Scope of petitions. Subject to the provisions of these rules, petitions may be presented or submitted with the consent of the Speaker on—

- (i) a Bill which has been published under Rule 73 or which has been introduced in the Assembly;

(ii) any matter connected with the business pending before the Assembly; and

(iii) any matter of general public interest provided that it is not one—

(a) which falls within the cognizance of a court of law having jurisdiction in any part of India or a court of enquiry or a statutory tribunal or authority or a quasi-judicial body or a commission;

(b) which should ordinarily be raised in the Indian Parliament;

(c) which can be raised on a substantive motion or resolution; or

(d) for which remedy is available under the law including rules, regulations etc.

110. General form of petition. The general form of petition set out in the first schedule attached to these Rules with such variations as the circumstances of each case require, may be used, and, if used, shall be sufficient.

111. Authentication of signatories to a petition. The full name and address of every signatory to a petition shall be set out therein and shall be authenticated by the signatory, if literate by his signature and if illiterate by his thumb impression.

112. Documents not to be attached to a petition. Letters, affidavits or other documents shall not be attached to any petition.

113. Countersignature of petitions. (1) Every petition shall, if presented by a member be countersigned by him.

(2) A member shall not present a petition from himself.

(3) Every petition shall be couched in respectful, decorous and temperate language.

114. Petition to whom to be addressed and how to be concluded. Every petition shall be addressed to the Legislative Assembly and shall conclude with a prayer reciting the definite object of the petitioner in regard to the matter to which it relates.

115. Presentation of petition. A petition may be presented by a member or be forwarded to the Secretary, in which latter case, the fact shall be reported by him to the Assembly and no debate shall be permitted on the making of such report. The report shall be made in the form set out in the second schedule.

116. Form of presentation. A member presenting a petition shall confine himself to a statement in the following form:—

“I present a petition signed by.....
petitioner (s) regarding.....
”

No debate shall be permitted on this statement.

117. Constitution of committee on petitions. (1) At the commencement of the Assembly or from time to time as the case may be the Speaker shall nominate a Committee on Petitions consisting of seven members.

(2) A Committee nominated under sub-rule (1) shall hold office until a new Committee is nominated.

(3) The Speaker may, if he thinks fit, discharge a member from the Committee if such member is absent from two or more consecutive meetings thereof, without the permission of the Chairman of the Committee.

(4) Casual vacancies in the Committee shall be filled by the Speaker and any member nominated to fill such a vacancy shall hold office for the period for which the member in whose place he is nominated would under the provisions of sub-rule (2) have held Office.

118. Chairman of the Committee. (1) The Chairman of the Committee shall be appointed by the Speaker from among the members of the Committee.

(2) If the Chairman of the Committee is for any reason unable to act the Speaker may similarly appoint another Chairman of the Committee in his place.

(3) If the Chairman of the Committee is absent from any meeting, the Committee shall choose another member of the Committee to act as Chairman for that meeting.

119. Quorum of Committee. In order to constitute a meeting of the Committee the quorum shall be four.

120. Reference to Committee. Every petition after presentation by a member or report by the Secretary as the case may be, shall be referred to the Committee.

121. Functions of the Committee. (1) The Committee shall examine every petition referred to it, and if the petition complies with these Rules, the Committee may direct that it be circulated. Where circulation of the petition has not been directed, the Speaker may, at any time, direct that the petition be circulated.

(2) Circulation of the petition shall be in *extenso* or of a summary thereof as the Committee, or the Speaker, as the case may be, may direct.

(3) It shall also be the duty of the Committee to report to the Assembly on specific complaints made in the petition and referred to it after taking such evidence as it deems fit and to suggest remedial measures either in a concrete form applicable to the case under review or to prevent such cases in future.

(4) All questions at any sitting of the Committee shall be determined by a majority of votes of the members present and voting. In the case of an equality of votes on any matter, the Chairman shall have a second or casting vote.

122. Evidence before committee on petitions. (1) The Committee shall have power to require the attendance of persons

or the production of papers or records, if such a course is considered necessary for the discharge of its duties:

Provided that if any question arises whether the evidence of a person or the production of a document is relevant for the purposes of the Committee the question shall be referred to the Speaker whose decision shall be final:

Provided further that Government may decline to produce a document on the ground that its disclosure would be prejudicial to the safety or interest of the State.

(2) Subject to the provisions of this Rule, a witness may be summoned by an order signed by the Chairman of the Committee and shall produce such documents as are required for the use of the Committee.

(3) It shall be in the discretion of the Committee to treat any evidence tendered before it as secret or confidential.

(4) No document submitted to the Committee shall be withdrawn or altered without the knowledge and approval of the Committee.

123. Presentation of the report of the committee. The report of the committee shall be signed and presented to the Assembly by the Chairman of the Committee on behalf of the Committee:

Provided that in case the Chairman is absent or is not readily available, the Committee shall choose another member to sign and to present the Report on behalf of the Committee.

CHAPTER XIV.

Resolutions.

124. Notice of resolution. A member other than a Minister who wishes to move a resolution shall give fifteen clear days, notice of his intention and shall, together with the notice, submit a copy of the resolution which he wishes to move:

Provided that the Speaker may allow it to be entered in the list of business with shorter notice than fifteen days:

Provided also that in respect of the resolution envisaged in Article 213 (2) (a) of the Constitution read with Article 238 thereof the period of notice required and the method of procedure to be followed shall be decided by the Speaker in his discretion consistent with the period and the items of business fixed for the session.

125. Form of Resolution. A resolution may be in the form of a declaration of opinion, or recommendation or may be in the form so as to record either approval or disapproval by the Assembly of an act or policy of Government, or convey a message; or commend, urge or request an action; or call attention to a matter or situation for reconsideration by Government or in such other form as the Speaker may consider appropriate.

126. Subject matter of Resolution. Subject to the provisions of these Rules, a member or a Minister may move a resolution relating to a matter of general public interest.

127. Conditions of admissibility of resolution. In order that a resolution may be admissible it shall satisfy the following conditions, namely,—

(a) it shall be clearly and precisely expressed and shall raise substantially one definite issue;

(b) it shall not contain arguments, inferences, ironical expressions, imputations or defamatory statements, nor shall it refer to the conduct or character of persons except in their official or public capacity;

(c) it shall not relate to a matter which is under adjudication by a court of law; and

(d) it shall not relate to any matter which is not the concern of the State Government;

128. Speaker to decide admissibility. The Speaker shall decide on the admissibility of a resolution and may disallow a resolution or a part thereof when, in his opinion, it does not comply with these Rules.

129. Moving of resolutions. (1) A member in whose name a resolution stands on the list of business shall, except when he does not desire to move it, when called on, move the resolution, in which case he shall commence his speech by a formal motion in the terms appearing in the list of business.

(2) A member may, with the permission of the Speaker authorise any other member, in whose name the same resolution stands lower in the list of business to move it on his behalf and the member so authorised may move it accordingly;

(3) If a member when called on is absent, any other member authorised by him in writing in this behalf may, with the permission of the Speaker, move the resolution.

130. Time limit of speeches. No speech on a resolution, except with the permission of the Speaker, shall exceed fifteen minutes in duration:

Provided that the mover of a resolution, when moving the same and the Minister concerned when speaking for the first time may speak for thirty minutes or for such longer time as the Speaker may permit.

131. Amendments. (1) After a resolution has been moved, any member may subject to the rules relating to resolutions, move an amendment to the resolution.

(2) If notice of such amendment has not been given two clear days before the day on which the resolution is moved, any member may object to the moving of the amendment, and such objection shall prevail, unless the Speaker allows the amendment to be moved.

(3) The Secretary shall, if time permits, make available to members from time to time lists of amendments of which notices have been given.

132. Scope of discussion. The discussion on a resolution shall be strictly relevant to and within the scope of the resolution.

133. Withdrawal of resolution and amendment. (1) A member in whose name a resolution stands in the list of business, may when called on, withdraw the resolution, in which case he shall confine himself to a mere statement to that effect.

(2) A member who has moved a resolution or an amendment to a resolution shall not withdraw the same except by leave of the Assembly.

(3) No discussion shall be permitted on a motion for leave to withdraw, except with the permission of the Speaker.

(4) If a resolution which has been admitted is not discussed during the Session it shall be deemed to have been withdrawn.

134. Splitting of resolution. When any resolution involving several points has been discussed, the Speaker may divide the resolution, and put each or any point separately to the vote as he may think fit.

135. Repetition of resolutions. (1) When a resolution has been moved no resolution or amendment raising substantially the same question shall be moved within one year from the date of the moving of the earlier resolution.

(2) When a resolution has been withdrawn with the leave of the Assembly no resolution raising substantially the same question shall be moved during the same session.

136. Copy to Government. A copy of every resolution which has been passed by the Assembly shall be forwarded to the Government.

CHAPTER XV.

Motions.

137. Discussion on a matter of public interest by motion. Save in so far as is otherwise provided by the Constitution or by these Rules, no discussion of a matter of general public interest shall take place except on a motion made with the consent of the Speaker.

138. Notice of motion. Notice of a motion shall be given in writing addressed to the Secretary.

139. Conditions of admissibility of a motion. In order that a motion may be admissible it shall satisfy the following conditions, namely,—

(1) it shall raise substantially one definite issue;

(2) it shall not contain arguments, inferences, ironical expressions, imputations, or defamatory statements, nor shall

it refer to the conduct or character of persons except in their official or public capacity;

(3) it shall be restricted to a matter of recent occurrence;

(4) it shall not raise a question of privilege;

(5) it shall not revive discussion on a matter which has been discussed during the same session;

(6) it shall not anticipate discussion of a matter which is likely to be discussed during the same session;

(7) it shall not relate to a matter which is under adjudication by a court of law and

(8) it shall not relate to a matter which is not the concern of the State Government.

140. Speaker to decide admissibility of a motion. The Speaker shall decide on the admissibility of a motion and may disallow a motion or a part thereof.

141. Circulation of No-Day-Yet-Named Motions. If the Speaker admits notice of a motion and no date is fixed for the discussion of such motion it shall be immediately notified in the Assembly Bulletin with the heading "No-Day-Yet-Named Motions."

142. Allotment of time and discussion of motions. The Speaker may after considering the state of business in the Assembly and in consultation with the Leader of the House, allot time for the discussion of any such motion.

143. Speaker to put question at the appointed time. The Speaker shall at the appointed hour on the allotted day, or as the case may be the last of the allotted days, forthwith put every question necessary to determine the decision of the Assembly on the original question.

144. Time limit for speeches. The Speaker may, if he thinks fit, prescribe a time limit for speeches.

CHAPTER XVI.

Procedure in Financial Matters.

145. Presentation of budget. (1) The Annual Financial Statement of the estimated receipts and expenditure of the State in respect of each financial year (hereinafter referred to as the Budget) shall be presented to the Assembly on such day as the Rajpramukh may appoint.

(2) No discussion of the Budget shall take place on the day on which it is presented.

146. Demands for grants. (1) A separate demand shall ordinarily be made in respect of the grant proposed for each department of Government, provided that the Finance Minister may include in one demand grants proposed for two or more departments or make a demand in respect of expenditure which cannot readily be classified under particular departments.

(2) Each demand shall contain, first, a statement of the total grant proposed, and then a statement of the detailed estimate under each grant divided into items.

(3) Subject to these Rules, the Budget shall be presented in such form as the Finance Minister may consider best fitted for its consideration by the Assembly.

147. General discussion on the Budget. (1) On a day to be appointed by the Speaker subsequent to the day on which the Budget is presented, and for such time as the Speaker may allot for this purpose, the Assembly shall be at liberty to discuss the Budget as a whole or any question of principle involved therein but no motion shall be moved at this stage nor shall the Budget be submitted to the vote of the Assembly.

(2) The Finance Minister shall have a general right of reply at the end of the discussion.

(3) The Speaker may, if he thinks fit, prescribe a time limit for speeches.

148. Voting of Demands for Grants. (1) The Speaker, in consultation with the Leader of the House and the Leader of the Opposition shall allot so many days as may be compatible with public interest for discussion and voting of the demands for grants.

(2) On the last day of the allotted days at 1 p. m., the Speaker shall forthwith put every question necessary to dispose of all the outstanding matters in connection with the demands for grants.

(3) Motions may be moved to reduce any grant, but not to increase or alter the destination of a grant.

(4) No amendments to motions to reduce any grant shall be permissible.

(5) When several motions relating to the same demand are offered they shall be discussed in the order in which the heads to which they relate appear in the Budget.

149. Presentation of Budget in parts. Nothing hereinafter contained shall be deemed to prevent the presentation of the Budget to the Assembly in two or more parts and when such presentation takes place, each part shall be dealt with in accordance with these Rules as if it were the Budget.

150. Notice of cut motions. If notice of a motion to reduce any grant has not been given two clear days before the day on which the demand is to be considered any member may object to the moving of the motion and such objection shall prevail, unless the Speaker allows the motion to be made.

151. Vote on account. (1) A motion for vote on account shall state the total sum required, and the various amounts needed for each department or item of expenditure which compose that sum shall be stated in a schedule appended to the motion.

(2) Amendments may be moved for the reduction of the whole grant or for the reduction or omission of the items whereof the grant is composed.

(3) Discussion of a general character may be allowed on the motion or any amendments moved thereto, but the details of the grant shall not be discussed further than is necessary to develop the general points.

(4) In other respects, a motion for vote on account shall be dealt with in the same way as if it were a demand for grant.

152. Supplementary, additional, excess and exceptional grants and votes of credit. Supplementary, additional, excess and exceptional grants and votes of credit shall be regulated by the same procedure as is applicable in the case of demands for grants subject to such adaptations, whether by way of modification, addition or omission as the Speaker may deem to be necessary or expedient.

153. Scope of discussion on supplementary grants. The debate on the Supplementary grants shall be confined to the items constituting the same and no discussion may be raised on the original grants or policy underlying them save in so far as it may be necessary to explain or illustrate the particular items under discussion.

154. Token grant. When funds to meet proposed expenditure on a new service can be made available by reappropriation, a demand for the grant of a token sum may be submitted to the vote of the Assembly and, if the Assembly assents to the demand, funds may be so made available.

155. Appropriation Bill. (1) Subject to the provisions of the Constitution, the procedure in regard to an Appropriation Bill shall be the same as for Bills generally with such modifications as the Speaker may consider necessary.

(2) At any time after the introduction in the Assembly of an Appropriation Bill, the Speaker may allot a day or days for the completion of all or any of the stages involved in the passage of the Bill by the Assembly, and when such allotment has been made the Speaker shall at 1 p. m., on the allotted day, or, as the case may be, the last of the allotted days, forthwith put every question necessary to dispose of all the outstanding matters in connection with the stage or stages for which the day or days has or have been allotted.

(3) The Speaker may, if he thinks fit, prescribe a time limit for speeches at all or any of the stages for which a day or days has or have been allotted under the preceding sub-rule.

(4) The debate on an Appropriation Bill shall be restricted to matters of public importance or administrative policy implied in the grants covered by the Bill which have not already been raised while the relevant demands for grants were under consideration.

(5) The Speaker may, in order to avoid repetition of debate, require members desiring to take part in the discussion on

an Appropriation Bill to give advance intimation of the specific points they intend to raise, and he may withhold permission for raising such of the points as in his opinion appear to be repetitions of the matters discussed on a demand for grant or as may not be of sufficient public importance.

(6) If an Appropriation Bill is in pursuance of a supplementary grant in respect of an existing service the discussions shall be confined to the items constituting the same and no discussion shall be raised on the original grant or the policy underlying it save in so far as may be necessary to explain or illustrate a particular item under discussion.

Committee on Estimates

156. **Committee on Estimates.** (1) As soon as may be after the commencement of each financial year a Committee on Estimates shall be constituted for the purpose of examining such of the budget estimates as it may deem fit, including supplementary or excess grants and to suggest economies consistent with the policies underlying the estimates.

(2) The Committee on Estimates shall consist of seven members. They shall be elected by the Assembly from among its members according to the principle of proportional representation by means of the single transferable vote or in such other manner as the Speaker may determine. The members of the Committee shall cease to hold office at the end of each financial year, but any member shall be eligible for re-election:

Provided that a Minister shall not be appointed to be a member of the Committee, or if a member, after election to the Committee, is appointed as a Minister, he shall cease to be a member of the Committee from the date of such appointment.

(3) In order to constitute a meeting of the Committee, the quorum shall be four.

(4) Casual vacancies in the Committee shall be filled as soon as possible after they occur by election in the manner aforesaid, and any person elected to fill such vacancy shall hold office for the period for which the person in whose place he is elected would, under the provisions of this Rule, have held office.

(5) The Chairman of the Committee shall be appointed by the Speaker from amongst the members of the Committee. If the Chairman is absent from any meeting, the Committee shall choose another member from among themselves to act as Chairman for that meeting.

(6) In the case of an equality of votes on any matter, the Chairman shall have a second or casting vote.

(7) If a member is absent from two or more consecutive meetings of the Committee without the permission of the Chairman a motion may be moved in the Assembly for the discharge of such member from the Committee.

(8) The Committee may appoint one or more sub-committees, each having the powers of the undivided committee

to examine any matters that may be referred to them, and the reports of such sub-committees shall be deemed to be the reports of the whole committee if they are approved at a meeting of the whole committee.

(9) The Committee may, if it thinks fit, make available to Government any completed part of its report before presentation to the Assembly. Such reports shall be treated as confidential until presented to the Assembly.

(10) The Committee may hear officials or take other evidence connected with the estimates under examination. It shall be in the discretion of the Committee to treat any evidence tendered before it as secret or confidential.

(11) The Committee may continue its examination of the estimates from time to time throughout the financial year and report to the Assembly as its examination proceeds. It shall not be incumbent on the committee to examine the entire estimates of any one year. The demands for grants may be finally voted notwithstanding the fact that the Committee has made no report.

(12) The Speaker may, from time to time, issue such directions to the Chairman of the Committee as he may consider necessary for regulating its procedure and work.

(13) If any doubt arises on any point of procedure or otherwise the Chairman may, if he thinks fit, refer the point to the Speaker whose decision shall be final.

(14) The Committee shall have power to pass resolutions on matters of procedure for the consideration of the Speaker who may make such variations in procedure as he may consider necessary.

Committee on Public Accounts

157. **Committee on Public Accounts.** (1) As soon as may be after the commencement of each financial year a Committee on Public Accounts shall, subject to the provisions of this Rule, be constituted for the purpose of examining the appropriation accounts of the Government and the report of the Comptroller and Auditor-General of India thereon and such other accounts laid before the Assembly as the Committee may think fit.

(2) The Committee on Public Accounts shall consist of seven members. They shall be elected by the Assembly from among its members according to the principle of proportional representation by means of the single transferable vote or in such other manner as the Speaker may determine. The members of the Committee shall cease to hold office at the end of each financial year, but any member shall be eligible for re-election:

Provided that a Minister shall not be appointed to be a member of the Committee or if a member after election to the

Committee is appointed as a Minister, he shall cease to be a member of the Committee from the date of such appointment.

(3) In order to constitute a meeting of the Committee the quorum shall be four.

(4) Casual vacancies in the Committee shall be filled as soon as possible after they occur by election in the manner aforesaid, and any person elected to fill such vacancy shall hold office for the period for which the person in whose place he is elected would, under the provisions of this Rule, have held office.

(5) The Chairman of the Committee shall be appointed by the Speaker from amongst the members of the Committee. If the Chairman is absent from any meeting, the Committee shall choose another member from among themselves to act as Chairman for that meeting.

(6) In the case of an equality of votes on any matter, the Chairman shall have a second or casting vote.

(7) If a member is absent from two or more consecutive meetings of the Committee without the permission of the Chairman a motion may be moved in the Assembly for the discharge of such member from the Committee.

(8) The Committee may appoint one or more sub-committees, each having the powers of the undivided committee to examine any matters that may be referred to them, and the reports of such sub-committees shall be deemed to be the reports of the whole committee if they are approved at a meeting of the whole committee.

(9) The Committee may if it thinks fit, make available to Government any completed part of its report before presentation to the Assembly. Such reports shall be treated as confidential until presented to the Assembly.

(10) The Committee may hear officials or take other evidence connected with the accounts under examination. It shall be in the discretion of the Committee to treat any evidence tendered before it as secret or confidential.

(11) The Speaker may, from time to time, issue such directions to the Chairman of the Committee as he may consider necessary for regulating its procedure and work.

(12) If any doubt arises on any point of procedure or otherwise the Chairman, may, if he thinks fit, refer the point to the Speaker, whose decision shall be final.

(13) The Committee shall have power to pass resolutions on matters of procedure for the consideration of the Speaker who may make such variations in procedure as he may consider necessary.

158. Control of Committee on Public Accounts. (1) In scrutinising the appropriation accounts of the Government and the report of the Comptroller and Auditor-General of India

thereon, it shall be the duty of the Committee on Public Accounts to satisfy itself:—

(a) that the moneys shown in the accounts as having been disbursed were legally available for and applicable to the service or purpose to which they have been applied or charged;

(b) that the expenditure conforms to the authority which governs it; and

(c) that every re-appropriation has been made in accordance with the provisions made in this behalf under rules framed by competent authority;

Provided that the provision made in clause (c) above shall not apply to any accounts prior to the year 1950-51.

(2) It shall also be the duty of the Public Accounts Committee,—

(a) to examine the statement of accounts showing the income and expenditure of State corporations, trading and manufacturing schemes and projects together with the balance sheet of statements of profit and loss accounts which the Rajpramukh may have required to be prepared, and the report of the Comptroller and Auditor-General of India thereon; and

(b) to consider the report of the Comptroller and Auditor-General of India in cases where the Rajpramukh may have required him to conduct an audit of any receipts or to examine the accounts of stores and stock.

CHAPTER XVII.

Questions of Privilege.

159. **Question of privilege.** Subject to the provisions of these Rules, a member may, with the consent of the Speaker, raise a question involving a breach of privilege either of a member, or of the Assembly or of a Committee thereof.

160. **Notice of question of privilege.** A member wishing to raise a question of privilege shall give notice in writing to the Secretary before the commencement of the sitting on the day the question is proposed to be raised. If the question raised is based on a document, the notice shall be accompanied by the document.

161. **Conditions of admissibility of question of privilege.** The right to raise a question of privilege shall be governed by the following conditions:—

(i) not more than one question shall be raised at the same sitting;

(ii) the question shall be restricted to a specific matter of recent occurrence;

(iii) the matter requires the intervention of the Assembly.

162. Mode of raising a question of privilege. (1) The Speaker if he gives consent under Rule 159 and holds that the matter proposed to be discussed is in order, shall, after the questions and before the list of business is entered upon, call the member concerned, who shall rise in his place and, while asking for leave to raise the question of privilege, make a short statement relevant thereto.

(2) Where the Speaker has refused his consent under Rule 159 or is of opinion that the matter proposed to be discussed is not in order, he may, if he thinks it necessary read the notice of question of privilege and state that he refuses consent or holds that the notice of question of privilege is not in order:

Provided that the Speaker may, if he is satisfied about the urgency of the matter, allow a question of privilege to be raised at any time during the course of a sitting after the disposal of questions.

(3) If objection to leave being granted is taken, the Speaker shall request those members who are in favour of leave being granted to rise in their places and if not less than fifteen members rise accordingly, the Speaker shall intimate that leave is granted. If less than fifteen members rise, the Speaker shall inform the member that he has not the leave of the Assembly.

163. Consideration of question of privilege to which leave is granted. If leave under Rule 162 is granted the Assembly may consider the question and come to a decision or refer it to a Committee of Privileges on a motion made by the Leader of the House or any other member to whom he may delegate his function under this rule.

164. Constitution of Committee of Privileges. (1) At the commencement of the Assembly, or from time to time as the case may be, the Speaker shall nominate a Committee of Privileges consisting of seven members.

(2) The Committee nominated under sub-rule (1) shall hold office until a new Committee is nominated.

(3) The Speaker may, if he thinks fit discharge a member from the Committee, if such member is absent from two or more consecutive meetings thereof without the permission of the Chairman of the Committee.

(4) Casual vacancies in the Committee shall be filled by the Speaker and any member nominated to fill such a vacancy shall hold office for the period for which the member in whose place he is nominated would under the provisions of sub-rule (2) have held office.

165. Chairman of Committee of Privileges. (1) The Chairman of the Committee shall be appointed by the Speaker from amongst the members of the Committee.

(2) If the Chairman is for any reason unable to act, the Speaker may similarly appoint another Chairman in his place.

(3) If the Chairman is absent from any meeting, the Committee shall choose another member to act as Chairman for that meeting.

166. Quorum of Committee. The quorum of the Committee shall be four.

167. Examination of the question by Committee. (1) The Committee shall examine every question referred to it and determine with reference to the facts of each case whether a breach of privilege is involved and, if so, the nature of the breach, the circumstances leading to it and make such recommendations as it may deem fit.

(2) Subject to the provisions of sub-rule (1) of this Rule, the report may also state the procedure to be followed by the Assembly in giving effect to the recommendations made by the Committee.

(3) All questions at any sitting of the Committee shall be determined by a majority of votes of the members present and voting. In the case of an equality of votes on any matter, the Chairman shall have a second or casting vote.

168. Evidence before Committee of Privileges. (1) The Committee of Privileges shall have power to require the attendance of persons or the production of papers or records if such a course is considered necessary for the discharge of its duties:

Provided that if any question arises whether the evidence of a person or the production of a document is relevant for the purposes of the Committee, the question shall be referred to the Speaker whose decision shall be final:

Provided further that Government may decline to produce a document on the ground that its disclosure would be prejudicial to the safety or interest of the State.

(2) Subject to the provisions of this rule, a witness may be summoned by an order signed by the Chairman and shall produce such documents as are required for the use of the Committee.

(3) It shall be in the discretion of the Committee to treat any evidence tendered before it as secret or confidential.

(4) No document submitted to the Committee shall be withdrawn or altered without the knowledge and approval of the Committee.

169. Sittings of the Committee of Privileges. (1) As soon as may be after a question of privilege has been referred to the Committee of Privileges, the Committee shall meet from time to time and shall present a report within the time fixed by the Assembly:

Provided that where the Assembly has not fixed any time for the presentation of the report, the report shall be presented within one month of the date on which reference to the Committee was made:

Provided further that the Assembly may at any time, on a motion being made, direct that the time for the presentation of the report by the Committee be extended to a date specified in the motion.

(2) Reports may be either preliminary or final.

(3) The Report of the Committee shall be signed by the Chairman on behalf of the Committee:

Provided that in case the Chairman is not available the Committee shall choose another member to sign the Report on behalf of the Committee.

(4) Any member of the Committee may record a minute of dissent on any matter or matters dealt with in the Report.

170. Presentation of report. The report of the Committee of Privileges shall be presented to the Assembly by the Chairman or in his absence by any member of the Committee.

171. Consideration of report. (1) After the report has been presented, the Chairman or any member of the Committee or any other member may move that the report be taken into consideration, whereupon the Speaker may put the question to the Assembly.

(2) Before putting the question to the Assembly, the Speaker may permit a debate on the motion, not exceeding half an hour in duration, and such debate shall not refer to the details of the report further than is necessary to make out a case for the consideration of the report by the Assembly.

(3) After the motion made under sub-rule (1) is agreed to, the Chairman or any member of the Committee or any other member, as the case may be, may move that the Assembly agrees, or disagrees or agrees with amendments, with the recommendations contained in the report.

172. Priority for consideration of report of the Committee. A motion that the report of the Committee of Privileges be taken into consideration shall be accorded the priority assigned to a matter of privilege under sub-rule (1) of Rule 162, unless there has been undue delay in bringing it forward:

Provided that when a date has already been fixed for the consideration of the report, it shall be given priority as a matter of privilege on the day so appointed.

173. Regulation of procedure. The Speaker may issue such directions as he may consider necessary for regulating the procedure in connection with all matters connected with the consideration of the question of privilege either in the Committee or in the Assembly.

174. Power of Speaker to refer question of privilege to Committee. Notwithstanding anything contained in these Rules the Speaker may refer any question of privilege to the Committee of Privileges for examination, investigation or report.

175. Intimation to Speaker by Magistrate of arrest, detention etc., of a member. When a member is arrested on a criminal charge or for a criminal offence or is sentenced to imprisonment by a court or is detained under an executive order, the committing judge, magistrate or executive authority, as the case may be, shall immediately intimate such fact to the Speaker

indicating the reasons for the arrest, detention or conviction, as the case may be, as also the place of detention or imprisonment of the member in the appropriate form set out in the third Schedule.

176. Intimation to Speaker on release of a member. When a member is arrested and after conviction released on bail pending an appeal or otherwise released such fact shall also be intimated to the Speaker by the concerned authority in the appropriate form set out in the third Schedule.

177. Treatment of communications received from magistrate. As soon as may be, the Speaker shall, after he has received a communication referred to in Rule 175 or Rule 176 read it out in the Assembly if in session, or if the Assembly is not in session direct that it may be published in the Assembly Bulletin for the information of the members: .

Provided that if the intimation of the release of a member either on bail or by discharge on appeal is received before the Assembly has been informed of the original arrest, the fact of his arrest, or his subsequent release or discharge may not be intimated to the Assembly by the Speaker.

CHAPTER XVIII.

Subordinate Legislation.

178. Committee on subordinate legislation and its functions. Subject to the provisions of these Rules, a Committee on Subordinate Legislation may be constituted to scrutinize and report to the Assembly whether the powers delegated by the Assembly have been properly exercised within the framework of the statute delegating such powers.

179. Constitution of the Committee on subordinate legislation. (1) The Committee shall consist of seven members who shall be nominated by the Speaker.

(2) The term of office of the members of the Committee shall be one year.

(3) The Speaker may, if he thinks fit, discharge a member from the Committee, if such member is absent from two or more consecutive meetings thereof, without the permission of the Chairman of the Committee.

(4) Casual vacancies in the Committee shall be filled by the Speaker and any member nominated to fill such a vacancy shall hold office for the period for which the member in whose place he is nominated would under the provisions of sub-rule (2) have held office.

180. Chairman of Committee on subordinate legislation.

(1) The Chairman of the Committee shall be appointed by the Speaker from amongst the members of the Committee.

(2) If the Chairman of the Committee is for any reason unable to act the Speaker may similarly appoint another Chairman of the Committee in his place.

(3) If the Chairman of the Committee is absent from any meeting, the Committee shall choose another member to act as Chairman for that meeting.

181. Quorum of Committee. In order to constitute a meeting of the Committee the quorum shall be four.

182. Chairman's casting vote. In the case of an equality of votes on any matter, the Chairman of the Committee shall have a second or casting vote.

183. Appointment of sub-committees. The Committee may appoint one or more sub-committees each having the powers of the undivided Committee, to examine any matters that may be referred to them, and the reports of such sub-committees shall be deemed to be the reports of the whole Committee, if they are approved at a meeting of the whole Committee.

184. Evidence before Committee on subordinate legislation. (1) The Committee on Subordinate Legislation shall have power to require the attendance of persons or the production of papers or records, if such a course is considered necessary for the discharge of its duties:

Provided that if any question arises whether the evidence of a person or the production of a document is relevant for the purposes of the Committee, the question shall be referred to the Speaker, whose decision shall be final:

Provided further that Government may decline to produce a document on the ground that its disclosure would be prejudicial to the safety or interest of the State.

(2) Subject to the provisions of this Rule, a witness may be summoned by an order signed by the Chairman of the Committee and shall produce such documents as are required for the use of the Committee.

(3) It shall be in the discretion of the Committee to treat any evidence tendered before it as secret or confidential.

(4) No document submitted to the Committee shall be withdrawn or altered without the knowledge and approval of the Committee.

185. Numbering and publication of 'Regulation', 'rule', 'sub-rule', etc. Each "Regulation", "rule", "sub-rule", "bye-law", etc., framed in pursuance of the legislative functions delegated by the Assembly to a subordinate authority and which is required to be laid before the Assembly, hereinafter referred to as "order", shall, subject to such rules as the Speaker may in consultation with the Leader of the House prescribe, be numbered and published in the Gazette immediately after they are promulgated.

186. Duties of the Committee. It shall be the duty of the Committee in particular, to consider—

(i) whether the order is in accord with the general objects of the Act pursuant to which it is made;

(ii) whether it contains matter which in the opinion of the Committee should more properly be dealt with in an Act of the Legislature;

(iii) whether it contains imposition of taxation;

(iv) whether it directly or indirectly bars the jurisdiction of the courts;

(v) whether it gives retrospective effect to any of the provisions in respect of which the Act does not expressly give any such power;

(vi) whether it involves expenditure from the Consolidated Fund or the Public Revenues;

(vii) whether it appears to make some unusual or unexpected use of the powers conferred by the Act pursuant to which it is made;

(viii) whether there appears to have been unjustifiable delay in the publication or laying it before the Assembly;

(ix) whether for any reason its form or purport calls for any elucidation.

187. Report of the Committee. (1) If the Committee is of opinion that any order should be annulled wholly or in part, or should be amended in any respect, it shall report that opinion and the grounds thereof to the Assembly within one month of the commencement of a session of the Assembly after the promulgation of such orders or within such earlier or later period which an Act of the Legislature may have fixed for any specified case.

(2) If the Committee is of opinion that any other matter relating to any orders should be brought to the notice of the Assembly, it may report that opinion and matter to the Assembly.

188. Presentation of the report. The report of the Committee shall be presented to the Assembly signed by the Chairman of the Committee or, in his absence by any member of the Committee.

189. Regulation of procedure. The Speaker may issue such directions as he may consider necessary for regulating the procedure in connection with all matters connected with the consideration of any question of subordinate legislation either in the Committee or in the Assembly.

CHAPTER XIX

Committee on Government Assurances

190. Functions of Committee. There shall be a Committee on Government Assurances to scrutinise the assurances, promises and undertakings etc., given by Ministers, from time to time, on the floor of the Assembly and to report on—

(a) the extent to which such assurances have been implemented; and

(b) where implemented whether such implementation has taken place within the minimum time necessary for the purpose.

191. Constitution of the Committee. (1) The Committee shall consist of seven members who shall be nominated by the Speaker.

(2) The term of office of the members of the Committee shall be one year.

(3) The Speaker may, if he thinks fit, discharge a member from the Committee, if such member is absent from two or more consecutive meetings thereof, without the permission of the Chairman of the Committee.

(4) Casual vacancies in the Committee shall be filled by the Speaker and any member nominated to fill such a vacancy shall hold office for the period for which the member in whose place he is nominated would under the provisions of sub-rule (2) have held office.

192. Chairman of Committee. (1) The Chairman of the Committee shall be appointed by the Speaker from amongst the members of the Committee.

(2) If the Chairman of the Committee is for any reason unable to act, the Speaker may similarly appoint another Chairman of the Committee in his place.

(3) If the Chairman of the Committee is absent from any meeting, the Committee shall choose another member to act as Chairman of the Committee for that meeting.

193. Quorum of Committee. (1) In order to constitute a meeting of the Committee the quorum shall be four.

(2) In the case of an equality of votes on any matter voted upon the Chairman of the Committee shall have a second or casting vote.

194. Presentation of report. The report of the Committee shall be presented to the Assembly either by the Chairman or on his behalf by any member of the Committee.

CHAPTER XX

Resignation and Vacation of seats in the Assembly and leave of absence from meetings of the Assembly.

195. Resignation of seats in the Assembly. (1) A member who desires to resign his seat in the Assembly shall intimate, in writing, under his hand addressed to the Speaker, his intention to resign his seat in the Assembly in the following form and shall not give any reason for his resignation:

Place.....
Date.....

To
The Speaker, Travancore-Cochin Legislative Assembly,
Trivandrum.

Sir,
I hereby tender my resignation of my seat in the Assembly with effect from.....

Yours faithfully,
Member of the Assembly.

Provided that where any member gives any reason or introduces any extraneous matter, the Speaker may, in his discretion, omit such words, phrases or matter and the same shall not be read out in the Assembly.

(2) As soon as may be, the Speaker shall, after he has received an intimation in writing from a member under his hand resigning his seat in the Assembly, inform the Assembly that such and such a member has resigned his seat in the Assembly:

Provided that when the Assembly is not in session, the Speaker shall inform the Assembly immediately after the Assembly re-assembles, that such and such a member has resigned his seat in the Assembly during the inter-session period.

(3) The Secretary shall, as soon as may be, after the Speaker has received such intimation from a member resigning his seat in the Assembly, cause the information to be published in the Gazette and forward a copy of the notification to the Election Commission for taking steps to fill the vacancy thus caused.

196. Permission to remain absent from meetings of the Assembly. (1) A member wishing to obtain permission of the Assembly for remaining absent from meetings thereof under clause (4) of Article 190 of the Constitution read with Article 238 thereof shall make an application in writing to the Speaker stating the period for which he may be permitted to be absent from the meetings of the Assembly.

(2) After the receipt of an application under sub-rule (1) of this Rule the Speaker shall, as soon as may be, read out the application to the Assembly and ask: "Is it the pleasure of the Assembly that permission be granted to such and such a member for remaining absent from all meetings of the Assembly for such and such a period". If no one dissents, the Speaker shall say "Permission to remain absent is granted." But if any dissentient voice is heard, the Speaker shall take the sense of the Assembly and thereupon declare the determination of the Assembly.

(3) No discussion shall take place on any question before the Assembly under this Rule.

(4) The Secretary shall, as soon as may be, after a decision has been signified by the Assembly, communicate it to the member.

(5) If a member, who has been granted leave of absence under sub-rule (2) attends the session of the Assembly during the period of his leave, the unexpired portion of the leave from the date of his resumed attendance shall lapse.

197. Vacation of seats in the Assembly. (1) The seat of a member may be declared vacant under clause (4) of Article 190 of the Constitution read with Article 238 thereof on a motion by the Leader of the House or by such other member to whom he may delegate his functions in this behalf.

(2) If the motion referred to in sub-rule (1) of this Rule is carried, the Secretary shall cause the information to be published in the Gazette and forward a copy of the notification to the Election Commission for taking steps to fill the vacancy thus caused.

198. Record of attendance of members. The Secretary shall keep an attendance book, which shall be signed every day by the members (other than the Speaker and the Ministers) present. A member (other than the Speaker and the Ministers) who has not signed the attendance book on any day shall be presumed to have been absent from the Assembly on that day.

CHAPTER XXI.

Communications between the Rajpramukh and the Assembly.

199. Communications from the Rajpramukh to the Assembly. Communications from the Rajpramukh to the Assembly are made—

- (1) by a speech, or
- (2) by a written message addressed to the Speaker.

200. Communications from the Assembly to the Rajpramukh. Communications from the Assembly to the Rajpramukh shall be made by formal address, after motion made and carried in the Assembly, and forwarded to the Rajpramukh through the Speaker.

CHAPTER XXII.

General Rules of Procedure.

201. Notice by members. (1) Every notice required by the rules shall be given in writing addressed to the Secretary, and signed by the member giving notice, and shall be left at the Assembly Office which shall be open for this purpose between the hours of 11 a. m., and 3 p. m., on every day except Sunday or a public holiday.

(2) Notices left when the office is closed shall be treated as given on the next open day.

202. Circulation of notices and papers to members. (1) The Secretary shall make every effort to circulate to each member a copy of every notice or other paper which is, by these Rules required to be made available for the use of members.

(2) A notice or other paper shall be deemed to have been made available for the use of every member if a copy thereof is deposited in such manner and in such place as the Speaker may, from time to time, direct.

203. Lapse of pending notices on termination of a session. (1) On the prorogation of a session all pending notices shall lapse and fresh notice must be given for the next session.

(2) Bills which have been introduced shall be carried over to the pending list of business of the next session:

Provided that, if the member in charge of a Bill makes no motion in regard to the same during two complete sessions, the Bill shall lapse, unless the Assembly on a motion by that member makes a special order for the continuance of the Bill.

(3) The Speaker may, in respect of any Bill, suspend the operation of this Rule.

204. Speaker to amend notices of questions, motions etc. If in the opinion of the Speaker, any notice contains words, phrases or expressions which are argumentative, unparliamentary, ironical, irrelevant, verbose, or otherwise inappropriate, he may in his discretion amend such notice before it is circulated.

205. Admissibility of motions. (1) Except as otherwise provided by these Rules the Speaker shall decide on the admissibility of a motion.

(2) The Speaker may disallow any motion when in his opinion it does not comply with these Rules.

206. Repetition of motions. A motion must not raise a question substantially identical with one on which the Assembly has given a decision in the same session:

Provided that nothing in this Rule shall, unless the Speaker, in any case otherwise directs, be deemed to prevent the making of any of the following motions, namely,—

(a) any motion for the amendment of a Bill which has been recommitted to a Select Committee;

(b) any motion for the amendment of a Bill made after the return of the Bill by the Rajpramukh for reconsideration by the Assembly;

(c) any motion for the amendment of a Bill which is consequential on, or designed merely to alter the drafting of another amendment which has been carried;

(d) any motion which has to be or may be made within a period determined by or under these Rules.

207. Scope of amendments. (1) An amendment shall be relevant to, and within the scope of the motion to which it is proposed.

(2) An amendment shall not be moved which has merely the effect of a negative vote.

(3) An amendment on a question shall not be inconsistent with a previous decision on the same question.

208. Selection of amendments. (1) The Speaker may refuse to put an amendment which is, in his opinion, frivolous.

(2) In respect of any motion, or in respect of any Bill, the Speaker shall have power to select the new clauses or amendments to be proposed, and may, if he thinks fit, call upon any member who has given notice of an amendment to give such explanation of the object of the amendment as may enable him to form a judgment upon it.

209. Withdrawal of motions. (1) A member who has moved a motion may withdraw the same by leave of the Assembly.

(2) No discussion shall be permitted on a request for leave to withdraw, except with the permission of the Speaker.

(3) If the leave of the Assembly has been given to withdraw a motion to which an amendment has been proposed, the mover of the amendment may forthwith move the motion in its amended form.

210. Dilatory motion in abuse of rules of the Assembly. (1) If the Speaker is of opinion that a motion for the adjournment of a debate is an abuse of the Rules, he may either forthwith put the question thereon from the Chair or decline to propose the question.

(2) If the Speaker is of opinion that a motion for re-circulation of a Bill to elicit further opinion thereon is in the nature of a dilatory motion in abuse of the Rules in as much as the original circulation was adequate or comprehensive or that no circumstance has arisen since the previous circulation to warrant the re-circulation of the Bill, he may forthwith put the question thereon from the Chair or decline to propose the question.

(3) If the Speaker is of opinion that a motion for re-committal of a Bill to a Select Committee of the Assembly or circulation or re-circulation of the Bill after the Select Committee of the Assembly has reported thereon, is in the nature of a dilatory motion in abuse of the Rules in as much as the Select Committee of the Assembly has dealt with the Bill in a proper manner or that no unforeseen or new circumstance has arisen since the Bill emerged from such Committee, he may forthwith put the question thereon from the Chair or decline to propose the question.

211. Rules to be observed by members while present in the Assembly. Whilst the Assembly is sitting, a member—

(i) shall not read any book, newspaper or letter except in connection with the business of the Assembly;

(ii) shall not interrupt any member while speaking by disorderly expression or noises or in any other disorderly manner;

(iii) shall bow to the Chair while entering or leaving the Assembly, and also when taking or leaving his seat;

(iv) shall not pass between the Chair and any member who is speaking;

(v) Shall not leave his seat when the Speaker is addressing the Assembly;

- (vi) shall always address the Chair;
- (vii) shall keep to his usual seat while addressing the Assembly;
- (viii) shall maintain silence when not speaking in the Assembly; and
- (ix) shall not obstruct proceedings, hiss or interrupt and shall avoid making running commentaries when speeches are being made in the Assembly.

212. Member to speak when called by Speaker. When a member rises to speak, his name shall be called by the Speaker. If more members than one rise at the same time, the member whose name is so called shall be entitled to speak.

213. Anticipating discussion. No member shall anticipate the discussion of any subject of which notice has been given provided that in determining whether a discussion is out of order on the ground of anticipation, regard shall be had by the Speaker to the probability of the matter anticipated being brought before the Assembly within a reasonable time.

214. Mode of addressing the Assembly. A member desiring to make any observations on any matter before the Assembly shall speak from his place, shall rise when he speaks and shall address the Speaker. At any time, if the Speaker rises, any member speaking shall resume his seat.

215. Rules to be observed while speaking. A member while speaking shall not—

- (i) refer to any matter of fact on which a judicial decision is pending;
- (ii) make a personal charge against a member;
- (iii) use offensive expressions about the conduct or proceedings of Parliament or any State Legislature;
- (iv) reflect on any determination of the Assembly except on a motion for rescinding it;
- (v) reflect upon the conduct of persons in high authority unless the discussion is based on a substantive motion drawn in proper terms;

Explanation.—The words “persons in high authority” mean persons whose conduct can only be discussed on a substantive motion drawn in proper terms under the Constitution or such other persons whose conduct, in the opinion of the Speaker, should be discussed on a substantive motion drawn in terms to be approved by him;

- (vi) use the name of the President of India or any Governor or Rajpramukh for the purpose of influencing the debate;
- (vii) utter treasonable, seditious or defamatory words; and
- (viii) use his right of speech for the purpose of obstructing the business of the Assembly.

216. Questions to be asked through the Speaker. When for the purposes of explanation during discussion or for any other sufficient reason, any member has occasion to ask a question of another member on any matter then under the consideration of the Assembly, he shall ask the question through the Speaker.

217. Irrelevance or repetition. The Speaker, after having called the attention of the Assembly to the conduct of a member who persists in irrelevance or in tedious repetition either of his own arguments or of the arguments used by other members in debate, may direct him to discontinue his speech.

218. Personal explanation. A member may, with the permission of the Speaker, make a personal explanation although there is no question before the Assembly, but in this case no debatable matter may be brought forward, and no debate shall arise.

219. Order of speeches and right of reply. (1) After the member who moves a motion has spoken other members may speak to the motion in such order as the Speaker may call upon them. If any member who is so called upon does not speak, he shall not be entitled, except by the permission of the Speaker, to speak to the motion at any later stage of the debate.

(2) Except in the exercise of a right of reply or as otherwise provided by these Rules, no member shall speak more than once to any motion, except with the permission of the Speaker.

(3) A member who has moved a motion may speak again by way of reply, and if the motion is moved by a private member, the Minister concerned may, with the permission of the Speaker, speak (whether he has previously spoken in the debate or not) after the mover has replied:

Provided that nothing in this sub-rule shall be deemed to give any right of reply to the mover of a motion to reduce any demand for grant or to the mover of an amendment to a Bill or a resolution save with the permission of the Speaker.

220. Mover's reply concludes debate. Subject to the provision of Rule 219 (3) the reply of the mover of the original motion shall in all cases conclude the debate.

221. Procedure when Speaker rises. (1) Whenever the Speaker rises, he shall be heard in silence and any member who is then speaking or offering to speak shall immediately sit down;

(2) No member shall leave his seat while the Speaker is addressing the Assembly.

222. Closure. (1) At any time after a motion has been made, any member may move, "That the question be now put" and, unless it appears to the Speaker that the motion is an abuse of these Rules or an infringement of the right of reasonable debate, the Speaker shall then put the motion, "That the question be now put".

(2) Where the motion, "That the question be now put" has been carried, the question or questions consequent thereon shall be put forthwith without further debate:

Provided that the Speaker may allow any member any right of reply which he may have under these Rules.

223. Limitation of debate. (1) Whenever the debate on any motion in connection with a Bill or on any other motion becomes unduly protracted, the Speaker may, after taking the sense of the Assembly, fix the hour at which the debate shall conclude.

(2) The Speaker shall at such appointed hour, unless the debate be sooner concluded, proceed forthwith to put all such questions as may be necessary to determine the decision of the Assembly on the original question.

224. Procedure for obtaining decision of the Assembly. A matter requiring the decision of the Assembly shall be decided by means of a question put by the Speaker on a motion made by a member.

225. Proposal and putting of question. When a motion has been made, the Speaker shall propose the question for the consideration, and put it for the decision of the Assembly. If a motion embodies two or more separate propositions, those propositions may be proposed by the Speaker as separate questions.

226. Statement made by a Minister. A statement may be made by a Minister on a matter of public importance with the consent of the Speaker, but no questions shall be asked at the time the statement is made.

227. Division. (1) Votes may be taken by voices or division and shall be taken by division if any member so desires. The Speaker shall determine the method of taking votes by division.

(2) The result of a division shall be announced by the Speaker and shall not be challenged.

228. Power to order withdrawal of member. (1) The Speaker shall preserve order and have all powers necessary for the purpose of enforcing his decisions.

(2) He may direct any member whose conduct is in his opinion grossly disorderly to withdraw immediately from the Assembly, and any member so ordered to withdraw shall do so forthwith and shall absent himself during the remainder of the day's meeting. If any member is ordered to withdraw a second time in the same session, the Speaker may direct the member to absent himself from the meetings of the Assembly for any period not longer than the remainder of the session, and the member so directed shall absent himself accordingly. The member so directed to be absent shall not be deemed to be absent for the purpose of clause (4) of Article 190 of the Constitution read with Article 238 thereof.

(3) The Speaker may in the case of grave disorder arising in the Assembly suspend any sitting for a time to be named by him.

229. Points of order and decisions thereon. (1) Any member may at any time submit a point of order for the decision of the Speaker, but in doing so, shall confine himself to stating the point.

(2) The Speaker shall decide all points of order which may arise, and his decision shall be final.

230. Language of the Assembly. (1) The business of the Assembly shall be transacted in Malayalam, Tamil or English.

(2) The official records of the proceedings of the Assembly shall be kept in English or in the language in which such proceedings are conducted in the Assembly.

231. Report of proceedings. The Secretary shall cause to be prepared a full report of the proceedings of the Assembly at each of its meetings, and shall, as soon as practicable, publish it in such form and manner as the Speaker may, from time to time, direct.

232. Expunging of words from debates. (1) If the Speaker is of opinion that a word or words has or have been used in debate which is or are defamatory or indecent or unparliamentary or undignified, he may in his discretion order that such word or words be expunged from the proceedings of the Assembly.

(2) The portion of the proceedings so expunged shall be marked by asterisks and an explanatory foot-note shall be inserted in the proceedings as follows:—

“Expunged as ordered by the Chair”.

233. Duties of Secretary. The Secretary shall be bound to perform the following duties in addition to those specified in these Rules—

(i) to take charge of the records of the Assembly;

(ii) to attend all meetings and to take minutes of the proceedings;

(iii) to prepare and publish full reports of the proceedings of the Assembly under the direction of the Speaker and to superintend the printing of all papers ordered to be printed;

(iv) to prepare and revise the marginal abstracts of Bills and Acts and the headings and arrangements of chapters and the numbering of the clauses thereof and to check and correct the references to the numbers of the clauses, etc., made in Bills;

(v) to note the questions and resolutions which are not admissible under these Rules; and

(vi) to carry on correspondence under the orders of the Assembly and generally to assist the Assembly.

234. Admission of strangers. The admission of strangers during the sittings of the Assembly to those portions of the Assembly chamber which are not reserved for the exclusive

use of members shall be regulated in accordance with orders made by the Speaker.

235. **Withdrawal of strangers.** The Speaker, whenever he thinks fit, may order the withdrawal of strangers from any part of the Assembly chamber.

236. **Use of the Assembly Chamber.** The Assembly Chamber shall not be used for any purpose other than the sittings of the Assembly and of its committees.

237. **Suspension of rules.** Any member may, with the consent of the Speaker, move that any rule may be suspended in its application to a particular motion before the Assembly and if the motion is carried the rule in question shall be suspended for the time being.

CHAPTER XXIII.

Amendment of Rules.

238. **Notice of proposals to amend rules.** (1) Unless the Speaker otherwise directs, not less than fifteen clear days' notice of a motion for leave to amend these Rules shall be given, and the notice shall be accompanied by a draft of the proposed amendments.

(2) The motion shall be set down for such day as the Speaker may direct.

239. **Procedure.** When the motion is reached, the Speaker shall read the draft amendments and ask whether the member has the leave of the Assembly. If objection is taken, the Speaker shall request those members who are in favour of leave being granted to rise in their places, and if not less than twenty members rise accordingly, the Speaker shall intimate that the member has the leave of the Assembly. If less than twenty members rise the Speaker shall inform the member that he has not the leave of the Assembly.

240. **Reference to Special Committee.** (1) Where a member has the leave of the Assembly to proceed, he shall move that the draft amendments be referred to a Special Committee.

(2) If that motion is carried, the draft amendments shall be referred to a Special Committee of which the Speaker shall be the Chairman, and the Deputy Speaker shall be a member. The remaining members, who shall be seven in number, shall be elected by the Assembly from among its members according to the principle of proportional representation by means of the single transferable vote or in such other manner as the Speaker may determine.

241. **Subsequent procedure.** (1) The procedure to be followed by a Special Committee to which the draft has been so referred shall as far as may be, be the same as the procedure

to be followed by a Select Committee on Bills subject to such variations or modifications as the Speaker may direct.

(2) After the Special Committee presents its report to the Assembly, the Assembly shall dispose of the matter in the same manner as reports of a Select Committee on Bills under these Rules subject to such variations as the Speaker may direct.

(3) When the amendments have been passed by the Assembly they shall be published in the Gazette and shall take effect from the date of such publication.

CHAPTER XXIV.

Residuary Powers.

242. **Residuary Powers.** All matters not specifically provided for in these Rules and all questions relating to the detailed working of these Rules shall be regulated in such manner as the Speaker may from time to time direct.

FIRST SCHEDULE
FORM OF PETITION
 (See Rule 110)

To

THE LEGISLATIVE ASSEMBLY.

The humble petition of

(Here insert name and designation or description of petitioner or petitioners in concise form e.g., "A. B. and others" or "the inhabitants of....." or "the municipality of....." etc.)

sheweth

(here insert concise statement of case)

and accordingly your petitioner (or petitioners) pray that

(here insert "that the Bill be or be not proceeded with" or "that special provision be made in the Bill to meet the case of your petitioner" or any other appropriate prayer regarding the Bill or matter before the Assembly or a matter of general public interest)

and your petitioner (s) as in duty bound will ever pray.

Name of petitioner.	Address.	Signature or thumb impression.

Countersignature of member presenting.

SECOND SCHEDULE

FORM OF REPORT ON PETITION BY SECRETARY
 (See Rule 115)

Sir, under Rule..... of the Rules of Procedure and Conduct of Business in the Legislative Assembly, I have to report that..... petitions as per statement laid on the Table have been received relating to..... (in case of Bills) the Bill to provide for..... which was introduced in the Assembly on the..... 19.., by Shri.....

Statement.

Petitions relating to.....(in case of Bills) the Bill to provide for.....which was introduced in the Legislative Assembly on the.....19..

Number of Signatories.	Taluk.	District.

THIRD SCHEDULE

(See Rules 175 and 176)

Form of Communication regarding arrest, detention, conviction or release, as the case may be, of a member.

Place.....

Date.....

To

The Speaker,
Legislative Assembly, Trivandrum.

Dear Mr. Speaker,

A

I have the honour to inform you that I have found it my duty, in the exercise of my powers under Section.....of the(Act), to direct that Shri.....Member of the Legislative Assembly, be arrested|detained for..... (reasons for the arrest or detention as the case may be).

Shri..... Member, Legislative Assembly,
 was accordingly arrested|taken into custody at.....
 (time) on..... (date) and is at present lodged in
 the..... jail..... (place).

B

I have the honour to inform you that Shri.....
 Member of the Legislative Assembly, was tried at the.....
 Court before me on a charge (or charges) of.....
 (reasons for the conviction).

On..... (date) after a trial lasting for
 days, I found him guilty of..... and
 sentenced him to imprisonment for..... (period).

(His application for leave to appeal to*..... is
 pending consideration).

*Name of the Court.

C

I have the honour to inform you that Shri.....
 Member of the Legislative Assembly, who was convicted on
 (date) and imprisoned for..... (period)
 for..... (reasons for conviction) was released on bail
 pending appeal (or, as the case may be, released on the sen-
 tence being set aside on appeal) on the..... (date).

Yours faithfully,
 (Judge, Magistrate, or Executive Authority).
