

The Rules of Procedure and Conduct of Business in the Legislature Assembly of the National Capital Territory of Delhi, 1997

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The Rules of Procedure and Conduct of Business in the Legislature Assembly of the National Capital Territory of Delhi, 1997Published vide Notification No. F.15/8/94/LA/RCNotification No. F.15/8/94/LA/RC. - In exercise of the powers conferred by sub-section (1) of Section 33 of the Government of National Capital Territory of Delhi Act, 1991 (1 of 1992) and in supersession of Notification No. F.11004/92/MC/2386 dated the 11th November, 1993, published in the Delhi Gazette Part IV Extraordinary dated the 11th November, 1993, the Legislative Assembly of the National Capital Territory of Delhi, hereby makes the following rules for regulating its procedure and conduct of Business namely:-

Chapter I

Short Title and Definitions

1. Short Title.

- These Rules may be called the Rules of Procedure and Conduct of Business in the Legislative Assembly of the National Capital Territory of Delhi, 1997.

2. Definitions.

(1) In these Rules, unless the context otherwise requires—(a) "Act" means the Government of National Capital Territory of Delhi Act, 1991 (1 of 1992); (b) "Article" means an article of the Constitution; (c) "Assembly" means the Legislative Assembly of the National Capital Territory of Delhi; (d) "Bulletin" means the Bulletin of the House containing; (a) a brief record of proceedings of the House at each of its sittings, (b) information on any matter relating to or connected with the business of the House or other matter which, in the opinion of the Speaker, may be included therein, and (c) information regarding Committees; (e) "Capital" means the National Capital Territory of Delhi; (f) "Clear Days" include Saturdays, Sundays and holidays but do not include the date of receipt of a notice by the Secretariat; (g) "Committee" means any committee elected or constituted by the House or nominated by the Speaker for any specific or general purpose and which functions under the direction of the Speaker and presents its report to the House or to the Speaker; (h) "Constitution" means the Constitution of India; (i) "Deputy Speaker" means the Deputy Speaker of the Assembly; (j) "Division" means the recording of votes by sending the members to lobbies or by adopting any other method; (k) "Finance Minister" includes any Minister; (l) "Financial Year" means a period of twelve months commencing from April 1, and ending on March 31, next following; (m) "Gazette" means the Delhi Gazette; (n) "Government" means the Government of National Capital Territory of Delhi; (o) "House" means the Assembly; (p) "Leader of the House" means the Chief Minister if he is the member of the House or a Minister who is the member of the House and is ^ nominated by the Chief Minister to function as the Leader of the House; (q) "Legislature" means the Assembly; (r) "Lieutenant Governor" means the Lieutenant Governor of the National Capital Territory of Delhi appointed by the President under Article 239 read with Article 239-AA of the Constitution; (s) "Lobby" means the covered corridors immediately adjoining the Assembly Hall and coterminous with it; (t) "member" means a member of the Assembly and also includes for the purposes of Section 11, a Minister; (u) "member-in-charge" in relation to a resolution or motion means the member who has moved such a resolution or motion; (v) "member-in-charge of the Bill" means, as respects a Government Bill, any Minister, and as respects other Bills, the member who has introduced the Bill or a member authorised in writing by such member to act in his behalf; (w) "Minister" means a member of Council of Ministers; (x) "Motion" means a proposal made by a member for consideration of the Assembly and includes an amendment to a resolution or a motion; (y) "naming a Member" means drawing by the Speaker the attention of the House to the conduct of a Member with a view to action being taken against him; (z) "precincts of the House" means the Assembly Hall, the lobbies, the galleries, the rooms in the occupation of the Assembly Secretariat, the Speaker's room, the Deputy Speaker's room, the Committee room, the Assembly Library, the Reading room, Party rooms, all accommodation in the charge of officers of the Assembly Secretariat and approaches leading thereto, and also such other places as the Speaker may from time to time specify; (za) "President" means the President of India; (zb) "private member" means a member other than a Minister; (zc) "prorogation" means the termination of a Session by an order of the Lieutenant Governor under sub-section (2) of Section 6; (zd) "resolution" means a proposal for the purpose of discussing a matter of general public interest; (ze) "Roll of Members" means a register in which newly elected members sign, after making and subscribing the oath or affirmation and before taking their seats for the first time in the House; (zf) "rule" means a rule of the Rules of Procedure and Conduct of Business in the Assembly; (zg) "section" means a section of the

Act;(zh)"secretariat" means and includes the Assembly's Secretariat in Delhi and any other Camp Office set up outside Delhi for the time being under the authority of Speaker;(zi)"Secretary" means the Secretary to the Legislative Assembly and includes any other person as is empowered to perform the functions of the Secretary;(zj)"Select Committee" means a Committee of members to which a Bill is referred by the Assembly for consideration and report;(zk)"session" means the period of time commencing from the first sitting of the Assembly upon the summon of the Lieutenant Governor under sub-section (1) of Section 6 until its prorogation or dissolution under sub-section (2) thereof;(zl)"Speaker" means the Speaker of the Assembly;(zm)"Table" means the Table of the House.(2)Words and expressions used in the Constitution or in the Act and not defined herein shall, unless the context otherwise requires, have the meanings to them in the Constitution or in the Act.

Chapter II

Summons to Members and Seating Arrangement

3. Summoning of the Assembly.

(1)The Assembly shall be summoned by the Lieutenant Governor from time to time to meet at such time and place as he may appoint.(2)The summons to members shall ordinarily be issued by the Secretary fifteen days before the date so appointed under sub-rule (1):Provided that when a session is called at short notice or emergently, summons need not be issued to each member separately, but an announcement of the date, time and place shall be published in the Gazette and in the press and members informed telegraphically.

4. Oath or Affirmation.

- Every member of the House, in pursuance of Section 12, shall before taking his seat make and subscribe before the Lieutenant Governor or some person appointed in that behalf by him an oath or affirmation according to the form set out for the purpose in the Schedule-to the Act and sign the Roll of Members.

5. Seating of Members.

- The members shall sit in such order as the Speaker may determine.

6. Contravention of the provisions of Section 17.

(1)No person other than a member shall sit on the seat meant exclusively for the members in the Assembly Hall.(2)Any person violating the provisions of Section 17 of the Act when so determined by the Speaker, shall be liable to the penalty provided therefor. The decision of the Speaker in this behalf shall be final.

7. Attendance Register for Members.

- There shall be an Attendance Register for the members which shall be signed by every member on each day of his attendance in the presence of an official deputed by the Secretary for the purpose: Provided that this rule shall not apply to Speaker, Deputy Speaker or a Minister.

Chapter III

Election of Speaker, Deputy Speaker and Nomination of Panel of Chairman

8. Election of Speaker.

(1) The election of Speaker shall be held on such date as the Lieutenant Governor may fix, and the Secretary shall send to every member notice of this date. (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, of a motion that another member be chosen as the Speaker of the House, and the notice shall be seconded by a third member and shall be accompanied by a statement by the member whose name is proposed in the notice that he is willing to serve as Speaker, if elected: Provided that a member shall not propose his own name, or second a motion proposing his own name, or propose or second more than one motion. (3) A member in whose name a motion stands on the list of business shall, unless he states that he does not wish to move the motion, move the motion when called upon to do so. In either case he shall confine himself to a mere statement to the effect that he moves the motion or that he does not intend to move the motion. (4) The motions which have been moved and duly seconded shall be put one by one in the order in which they have been moved, and decided, if necessary, by division. If any motion is carried, the person presiding shall without putting later motions, declare that the member proposed in the motion which has been carried, has been chosen as the Speaker of the House.

9. Election of Deputy Speaker.

(1) The election of the Deputy Speaker shall be held on such date as the Speaker may fix, and the Secretary shall send to every member notice of this date. (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, of a motion that another member be chosen as the Deputy Speaker of the House and the notice shall be seconded by a third member and shall be accompanied by a statement by the member whose name is proposed in the notice that he is willing to serve as Deputy Speaker, if elected: Provided that a member shall not propose his own name, or second a motion proposing his own name, or propose or second more than one motion. (3) A member in whose name a motion stands on the list of business shall, unless he states that he does not wish to move the motion, move the motion when called upon to do so. In either case he shall confine himself to a mere statement to the effect that he moves the motion or that he does not intend to move the motion. (4) The motions which have been moved and duly seconded shall be put one by one in the order in which they have been moved, and

decided, if necessary, by division. If any motion is carried, the person presiding shall, without putting later motions, declare that the member proposed in the motion which has been carried, has been chosen as the Deputy Speaker of the House.

10. Panel of Chairman.

(1) At the commencement of every financial year the Speaker shall nominate from amongst the members of the assembly a panel of not more than five members, and any one of the whom may preside over the sitting of the Assembly in the absence of the Speaker and the Deputy Speaker when so requested by the Speaker, or in his absence, by the Deputy Speaker or in the absence of the Deputy Speaker also by the Chairman. (2) A member of the Panel of Chairman nominated under sub-rule (1) shall hold office until a new panel of Chairman is nominated.

11. Election of Chairman in the absence of Speaker, Deputy Speaker and Panel of Chairman.

- If the Speaker and the Deputy Speaker are both absent and there is no member of the panel of Chairman duly authorised to preside over the sitting of the Assembly, then, on quorum being present action shall be taken to elect a Chairman for the sitting in the following manner-"A member, addressing himself to the Secretary shall propose to the House some other member then present and move that the said member do take the Chair of the Speaker till such time as a person competent to preside under the Act or these Rules arrives, and on such a motion being seconded by another member, the Secretary shall put the motion or motions to the vote of the House. The member so elected shall occupy the Chair."

12. Powers of the Deputy Speaker and other presiding member.

- The Deputy Speaker or any member competent to preside over a sitting of the Assembly under the Act or these Rules shall, when so presiding, have the same powers as the Speaker when so presiding, and all references to the Speaker in these Rules shall, in such a case, be deemed to be references to the person so presiding.

13. Delegation of powers by Speaker.

- The Speaker may, at any time, by order in writing, delegate to the Deputy Speaker and in the absence of the Deputy Speaker to any member of the panel of Chairman, all or any of his powers under these Rules and may likewise revoke any such delegation.

Chapter IV

Duly Constituted Sitting of the Assembly

14. Duly constituted sitting.

- A sitting of the House shall be duly constituted only when it is presided over by the Speaker or any other member competent to preside over a sitting of the House under the Act or these Rules.

15. Commencement and Conclusion of sitting.

(1)After the commencement of a session, the Assembly shall sit on such days as the Speaker may, from time to time, having regard to the state of business of the Assembly and in consultation with the Leader of the House, determine.(2)Subject to the directions of the Speaker, the sitting of the Assembly shall commence at such hour as the Speaker may direct and continue until the business fixed for the day is concluded:Provided that if the Speaker considers proper or the circumstances make it necessary, to do so, the sitting may be adjourned before the conclusion of the business fixed.(3)Unless the House otherwise determines, there shall be no sittings on Saturdays, Sundays and other public Holidays.(4)The session shall commence with the playing of the National Song 'Vande Matram' and adjourn sine die with the playing of the National Anthem 'Jana Gana Mana'.

16. Quorum.

- The quorum to constitute a sitting of the Assembly shall be one-third of the total number of members of the House.

17. Adjournment of the House and Procedure for reconvening.

(1)The Speaker shall determine the time when a sitting of the House shall be adjourned sine-die or to a particular day, or to an hour or part of the same day:Provided that the Speaker may, if he thinks fit, call a sitting of the House before the date or time to which it has been adjourned or at any time after the House has been adjourned sine-die.(2)In case the House, after being adjourned is reconvened under proviso to sub-rule (1), the Secretary shall communicate to each member the date, time, place and duration of the next part of the session.

18. The effect of Prorogation.

- When the Assembly is prorogued.(a)all pending notices, statements and discussions shall lapse and fresh notices shall be given for the next session:Provided that questions which have been entered in the list of business, but was postponed and remained pending for answer at the close - of the preceding session shall not lapse.(b)a Bill pending in the House at the time of prorogation shall not lapse by reason of the prorogation of the House;(c)any business pending before a Committee shall not lapse;(d)any motion, resolution or amendment which has been moved and is pending in the House shall not lapse.

Chapter V

Lieutenant Governor's Address and Message to Assembly

19. Address by the Lieutenant Governor to the House and its discussing in the Assembly.

(1)At the commencement of the first session after each general election to the Assembly and at the commencement of the first session of each year, the Lieutenant Governor shall address the House and inform the Assembly causes of its summons:Provided that the making of the prescribed oath or affirmation by a member and the election of the Speaker, if necessary, may precede the Lieutenant Governor's Address.(2)At the first sitting of the Assembly held after the Lieutenant Governor's Address the Secretary shall lay a copy of such Address on the Table of the House.(3)The Speaker shall in consultation with the Leader of the House allot time, which shall ordinarily be four days, for discussion on the matters referred to in the Lieutenant Governor's Address:Provided that the discussion on the Address may be postponed in favour of a Government Bill or other Government business on a motion being made that the discussion on the Address be adjourned to a subsequent day to be appointed by the Speaker. The Speaker, shall forth with put the question, no amendment or debate being allowed.(4)On the day or days so allotted, the House shall be at liberty to discuss the matters referred to in such address on a motion of thanks moved by a member, and seconded by another member.(5)Amendments may be moved to such motion of thanks in such form as may be considered appropriate by the Speaker.(6)The rules relating to resolution shall mutatis mutandis apply to the discussion on such motion:Provided that no amendments may be moved except by way of addition of words at the end of the original motion.(7)Upon the motion being adopted, with or without amendment, the Speaker shall communicate it to Lieutenant Governor.(8)The Speaker shall read to the House if in session, the message of Lieutenant Governor to the motion.

20. Lieutenant Governor's Address under sub-section (1) of Section 9.

- The Speaker may allot time for the discussion of the matters referred to in the Address of the Lieutenant Governor under sub-section (1) of Section 9.

21. Government's right to reply.

- 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 inquire how much time will be required for the speech so that he may fix the hour by which the discussion shall conclude.

22. Time limit for speeches.

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

23. Message of the Lieutenant Governor under sub-section (2) of Section 9.

- Where a message from the Lieutenant Governor for the House under sub-section (2) of Section 9 is received by the Speaker he shall read the message to the House and give necessary directions in regard to the procedure that shall be followed for the consideration of matters referred to in the message. In giving these directions, the Speaker shall be empowered to suspend or vary the rules to such extent as may be necessary.

Chapter VI

Arrangement of Business

24. Information about the business to be taken up in the House.

- The Government shall inform the Assembly Secretariat about the business to be taken up in the House in the first week of any session at least fifteen days before the commencement of such meeting and thereafter on each last working day of the week, the Leader of the House or any member of the Council of Ministers shall inform the House, after the question hour about the business to be taken up in the next week.

25. List of Business.

(1)A list of business for each 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, business, not included in the list of business for the day shall not be transacted at any sitting without the leave of the Speaker.(3)Unless the Speaker otherwise directs, no business requiring notice shall be set down in the list of business for a day before the period of required notice has expired.

26. Allotment of time for Private Member's Business.

- Private member's business shall be taken up on each Friday and unless the Speaker otherwise directs, it shall have precedence over official business :Provided that the Speaker may allot different Fridays for the disposal of different classes of such business and on Fridays so allotted for any particular class of business, the business of that class shall have precedence :Provided further that the Speaker may, in consultation with the Leader of the House, allot any other day if Friday in the given week happens to be a holiday for the transaction of Private Members Business.

27. Arrangement of Government Business.

- On days other than those allotted for the business of Private Members no business other than Government business shall be transacted without the consent of the Speaker. The Secretary shall arrange the business in such order as the Speaker may, in consultation with the Leader of the House, decide:Provided that the Speaker may, in consultation with the Leader of the House, alter or

28. Private Members' Business outstanding at the end of the day.

- Private Member's business set down for the day allotted therefor and not taken up on that day shall not be set down for any subsequent day unless fresh notice thereof is received and it has gained priority at the ballot held with reference to that day: Provided that any business which is under decision at the end of that day shall be set down for the next day allotted for that class of business for Private Member's business and shall have precedence over all other business set down for that day.

Chapter VII

Questions

29. Subject matter of Questions.

- A question must relate to a matter of administration for which the Government is responsible. Its purpose shall be to elicit information or to give suggestion of action on a matter of public importance.

30. Classification of Questions.

- The question shall be classified as follows: (a) Short notice questions; (b) Starred questions; and (c) Unstarred questions. Explanation 1 - Short notice question means a question relating to matter of urgent public importance. It shall be distinguished by placing two asterisks. Supplementary questions arising out of the answer given can be put thereon with the permission of the Speaker. Explanation 2 - Starred question means a question on which supplementary questions arising out of the answer given can be put with the permission of the Speaker. It shall be distinguished by placing one asterisk. Explanation 3 - Unstarred question means a question to which a written reply may be given to the member concerned and on which no supplementary question is permissible.

31. Admissibility of Questions.

- The right to ask a question shall be governed by the following conditions, namely- (i) It shall not bring in any name or statement not strictly necessary to make the question intelligible; (ii) If it contains a statement by the member, the member asking it shall himself be responsible for the accuracy of the statement; (iii) It shall not be excessively length; (iv) It shall not contain arguments, inferences, ironical or offensive expressions, imputations, epithets or defamatory statements; (v) It shall not be asked for an expression of opinion or for the solution of a legal question, or a hypothetical proposition; (vi) It shall not refer to the character or conduct of any person except in his official or public capacity, nor relate to individual cases, unless a matter of principle is involved

;(vii)It shall not repeat in the same session in substance questions already answered or to which an answer has been refused ;(viii)It shall not ask for information which is available in accessible documents or in ordinary works of reference ;(ix)It shall not ask for information on a matter which is under adjudication by a Court of Law having jurisdiction in any part of India;(x)It shall not refer to the conduct of any judge or a Court of Law having jurisdiction in any part of India in relation to his or its judicial functions;(xi)It shall not make or imply a charge of a personal, character;(xii)It shall not ask for information on matters of limited importance or on vague or meaningless matters, nor information of too many details;(xiii)It shall not relate to day-to-day administration of local bodies or other semi-autonomous bodies. The Speaker may, however, allow questions which arise out of their relationship with the Government or relate to breaches of law or rules or to important matters of public interest;(xiv)It shall not refer to debates in the current session ;(xv)It shall not criticise decisions of the House ;(xvi)It shall not seek information about matters, which in their nature are secret, such as, decision on Proceedings of the Council of Ministers, advice given to the Lieutenant Governor by Law Officers and other similar subjects ;(xvii)It shall not deal with a matter before a Committee or with matters within the jurisdiction of the Chairman of a Committee or the authorities of the House ;(xviii)It shall not deal with a matter which is within the exclusive jurisdiction of the Speaker ;(xix)It shall not relate to a statement made by a private individual or a non-official body;(xx)It shall not reflect on the character or conduct of those persons whose conduct may only be challenged on a substantive motion;(xxi)It shall not raise questions of policy too large to be dealt with within the limits of an answer to a question;(xxii)It shall primarily relate to one department;(xxiii)In matters which are, or have been, the subject of correspondence between the Central Government and the Government, no question shall be asked except as to matters of fact and the answer shall be confined to a statement of facts ;(xxiv)It shall not enquire about matters pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions or any Commission or Court of Inquiry appointed to enquire into or investigate any matters, but may refer to matters concerned with procedure or scope or stage of inquiry, if it is not likely to prejudice the consideration of the matter by the Tribunal, Statutory authority, Commission or Court of Enquiry.

32. Short Notice Questions.

(1)Whenever a member desires to ask a short notice question he shall give three clear days notice of such a question in writing to the Secretary. The Secretary will ordinarily obtain the orders of the Speaker regarding the admissibility of the question as a short notice question within 24 hours of its receipt.(2)After the orders of the Speaker have been obtained, a copy of the question shall be sent to the Minister concerned requesting him to inform the Secretary whether he is in a position to answer the question at a short notice.(3)If the Minister agrees to answer it at short notice, it shall be placed immediately on the List of Business or so soon thereafter as the Speaker may direct.(4)If the Minister concerned is not in a position to answer it at short notice and the Speaker is of the opinion that it is of sufficient public importance, he may direct that it may be given priority on the list of questions for the day as determined by the Speaker and answered as a starred question and be placed in a separate annexure :Provided that the number of such priority given questions on the List of Business for the day shall not exceed three and not more than one question of any one member shall be placed therein.(5)Where two or more Members give short notice questions on the same

subject and the question of one of the Members is accepted for answer at short notice, the names of the other members shall be bracketed with the name of the member whose question has been accepted for answer: Provided that the Speaker may direct that all the notices be consolidated into a single notice if in his opinion it is desirable to have a single self-contained question covering all the important points raised by Members and the Minister shall then give his reply to the consolidated question: Provided further that in the case of a consolidated question the names of all the Members concerned may be bracketed and shown against the question on the order of priority of their notices.

33. Notice of Starred and Unstarred Question.

(1) Not less than twelve clear days notice of starred and unstarred questions shall be given in writing by the Member to the Secretary. (2) Such question shall ordinarily be forwarded to the Government by the Secretary within three days: Provided that unless the Speaker otherwise decides, no question shall be placed on the list of questions for answer until the expiration of nine days from the date of the notice of such question to the Minister or the department concerned: Provided further that if the Speaker is of opinion that a longer period is necessary to decide about the admissibility or non-admissibility of a question, the question shall be placed on the list of questions for answer at a day later than it should have been fixed under the rules. (3) The provisions of sub-rule (5) of Rule 32 shall also apply in the case of notices of starred and unstarred questions. (4) The relative precedence of the notices of questions for oral answers given by members shall be determined by ballot, to be held in accordance with the directions given by the Speaker, on such day as the Speaker may appoint. (5) Where a notice of question has been received from more than one Member, only names of five Members including the name of such Member in whose name the question has got priority in balloting shall be placed on the list of questions.

34. Time for Questions.

- Unless the Speaker directs otherwise the first hour of every sitting shall be available for asking and answering of questions during which- (1) priority given starred question shall be taken up first; (2) thereafter, the starred question, listed for the day, shall be taken up; (3) replies to unstarred question shall be deemed to have been laid on the Table of the House; (4) then the short notice questions shall be taken up after the question Hour is over.

35. Copies of written answers to be made available to the Member and Disposal of Question-Answers in the House.

(1) A copy of written answer to a question shall be made available to the member concerned on the day for which the question is listed for answer. (2) The answers to short notice questions and starred questions shall be read out by the Minister concerned and. answer to all such unstarred questions included in the List of Business which have not been postponed, shall be deemed to have been laid on the Table of the House and such unstarred questions and their written answers shall be published as part of the proceedings for the day.

36. Limitation on Number of Questions.

(1) A member may give notice of only five questions in a day including short notice questions, starred questions and unstarred questions. In case any Member gives notice of more than five questions on any day, his first five notices may be taken up and rest of the notices shall be deemed rejected. (2) Not more than twenty questions distinguished by asterisk marks shall be placed on the list of questions for oral answer on any one day and not more than three starred questions of any one member shall be placed on the list. Starred questions of the members in excess of three fixed for any one day, shall be placed on the list of unstarred question: Provided that the total number of unstarred questions fixed for any one day shall not ordinarily exceed 200.

37. 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 Minister or Ministers concerned in such manner, 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 Minister or Ministers, for whom time on that day has been allotted, shall be placed on the list of questions for answer. This rule shall not apply to short notice questions.

38. Postponement of questions due to absence of Minister.

- In the event of the absence of Minister concerned on account of special or unexpected circumstances, the Speaker; on request being made in that behalf, may postpone the question to any future day.

39. Mode of asking Questions.

(1) During the question hour the Speaker shall call successively each Member in whose name a question is listed with due regard to priority of questions or in any other manner as the Speaker may in his discretion decide and such member when so called shall stand in his seat to indicate his presence. If the Member called is absent the Speaker shall pass on to the next question. (2) The Member who has given notice of the question shall rise in his place to ask question by reference to its number on the list of question when called by the Speaker and Minister concerned shall give the reply immediately: Provided that when the question is shown in the name of more than one member, the Speaker shall call the name of first member or, in his absence, the name of second member, and so on.

40. Mode of giving Notice of Questions.

- The questions shall be addressed to the Minister of the department concerned, and notice thereof shall be given to the Secretary in writing. Explanation - Questions received on a day shall be treated as of the same date irrespective of the fact that the questioner may have put different dates on them.

41. Manner of answering questions.

(1) Answers to questions shall be relevant to the subject matter of questions and may take the form of laying statements on the table of the House if so decided by the Speaker. (2) A question shall be replied on the date on which it is listed. If the information required by the Member is not available, the Minister shall state the position accordingly, and the Speaker may allow such further time as he may under the circumstances deem proper and fix a date for the answer. (3) If the Minister is of opinion that the information required by a Member cannot be given in public interest, he will say so. The refusal of a Minister to supply the information on this ground cannot be raised as a matter of privilege nor can a motion for adjournment of the House be brought on this ground.

42. 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 reasons 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 or if any other Member is interested in that question.

43. Withdrawal or postponement of questions.

- A Member may, with the consent of the Speaker, by notice, given at any time before the sitting for which his question has been placed on the list, withdraw his question, or make a request to postpone it to a later day to be specified in the notice, and the question fixed for such later day, subject to the provisions of Rule 34, shall be placed on the list after the questions tabled for that day.

44. Written answers to questions not replied orally.

(1) If a short notice or starred question fixed for reply on any date is not taken up in the House on the said date for any reason whatsoever, it shall be deemed to have been answered and the written answers to all such questions shall be published as part of the proceedings of the day. (2) If there is no Question Hour owing to the cancellation of a sitting or its adjournment without transacting any business, the answers to questions included in the lists of questions for oral as well as written answer shall be deemed to have been laid on the Table by the Ministers to whom such questions are addressed at the next sitting of the House after the Question Hour and form part of the proceedings of that day. (3) If the last sitting of a session is cancelled for any reason whatsoever, the questions in the list of questions for oral as well as written answer for the day shall lapse.

45. Supplementary Questions.

(1) No discussion shall be permitted during the time for questions under Rule 34 in respect of any question or answer. (2) A Member may, with the permission of the Speaker, put a supplementary question for the purpose of further elucidating the facts relating to the matter under

question: Provided that the Speaker shall disallow any supplementary question if in his opinion it infringes any of the rules regarding questions.

46. Questions to the Speaker.

- Questions to the Speaker shall be by private notice. Such questions may either be answered by a written reply or in his chamber.

47. Questions to Private Members.

- A question may be addressed by a member to a private member provided the subject matter of the question related to some Bill, Resolution or other matter connected with the business of the House for which the member is responsible and the procedure in regard to such question shall so far as may be, be the same as is followed in the case of questions addressed to a Minister with such variations as the Speaker may consider necessary or convenient.

48. Speaker to decide admissibility of questions.

- The Speaker shall decide the admissibility of a question and may disallow any question or a part thereof which, in his opinion, contravenes these rules or is an abuse of the right of asking questions. The Speaker shall inform the Member concerned in brief the reasons for disallowing the question. He may also amend a question to bring it into conformity with the rules or may return a question for improvement.

49. Power of the Speaker to change class of question.

- The Speaker may convert a short notice question into a starred or unstarred question and a starred question into an unstarred question: Provided that the Speaker may, if he thinks fit, call upon the Member who has given notice of a starred question to state in brief his reasons for so classifying his question and, after considering the same, may direct that the question be so classified.

50. List of Questions for the Day.

(1) Questions which have not been disallowed shall be entered in the list of questions for the day for oral or written answers, as the case may be, in accordance with the directions of the Speaker and shall be called in the order in which they stand in the list. The remaining starred questions allotted for the said day shall be entered in the list of unstarred questions. (2) The Secretary shall prepare a provisional list of questions fixed for each working day and shall send in advance, its copies to all Members. In case the House is sitting on that day, he shall instead of despatching copies to the members, place them on the desks of the members.

51. Questions and answers to be entered in proceedings of the Assembly.

- All questions asked and answers given thereto shall be entered in the proceedings of the Assembly: Provided that a question which has been disallowed may not be so entered.

52. Prohibition of publicity of questions and answers in advance.

- Answers to questions which Ministers propose to give in the House shall not be released for publication until the answers have actually been given on the floor of the House or laid on the Table. Half-An-Hour Discussions

53. Discussion on matters arising out of questions and answers.

(1) The Speaker may allot half-an-hour for discussion on a matter of sufficient public importance which has been the subject of a question and answer in the House recently. (2) Unless the Speaker directs otherwise, the allotment shall be made during the sitting of the House; of any day except Friday after the termination of its usual business. (3) A member wishing to raise such a matter shall give notice in writing to the Secretary three days in advance of the day on which the matter is desired to be raised and shall briefly specify the matters or matter that he wishes to raise: Provided that the notice shall be accompanied by an explanatory note stating the reasons for raising discussion on the matters in question: Provided further that the Speaker may, with the consent of the Minister concerned waive the requirement concerning the period of notice. (4) If necessary, two notices may be taken up at one sitting. If more than two notices have been received and admitted by the Speaker, the Speaker shall decide which two of them are to be taken up: Provided that in 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 other day unless the Speaker otherwise directs. (5) There shall be no formal motion before the House nor voting. The member who has given notice will introduce the subject in a brief statement. The Minister concerned will reply briefly. The Speaker may then permit other members to put questions for the purpose of further elucidating any matter of fact. The member introducing the subject may be permitted to speak a second time to make a reply and the discussion will end with the remarks of the Minister concerned.

Chapter VIII

Calling Attention to Matters of Urgent Public Importance

54. Calling attention to matters of urgent public importance.

(1) A member may give notice for calling the attention of a Minister to a matter of urgent public importance to the Secretary three hours before the commencement of the sitting. Such a notice shall be in duplicate. The Secretary shall send one copy of the notice to the Minister concerned for information. (2) On any such notice being admitted the Member shall confine himself to the text of the notice and Minister concerned may make his brief statement on the matter give notice of on the

same day or on a future day. In the case of a written statement one copy thereof shall also be given to the Member concerned.(3)There shall be no-debate on such a statement but the Speaker may, if he, deems fit, permit questions for elucidating facts relating to the matter given notice of.(4)Not more than one such matter shall be raised at the same sitting.(5)In the event of more than one notice being given for the same day, that notice which, in the opinion of the Speaker, is most urgent and important shall be admitted :Provided that no Member shall give more than one such notice for any one sitting:Provided further that the names of not more than three Members shall be shown in the List of Business.

Chapter IX

Short Duration Discussion on Matters of Urgent Public Importance

55. Notice for raising discussion.

- 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:Provided that the notice shall be accompanied by an explanatory note stating reasons for raising a discussion on the matter:Provided further that the notice shall be supported by the signatures of at least two other members.

56. Speaker to decide admissibility.

- If the Speaker is satisfied, after calling of 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 House at an early date, he may admit the notice and in consultation with the Leader of the House, fix the date and time for that matter to be taken up for discussion. He shall announce the date and subject matter of the notice in the House and allow such time for discussion not exceeding two and a half 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.

57. No formal motion.

- There shall be no formal motion before the House for Voting. The Member who has given notice may make a short statement and the Minister shall reply briefly. Any other Member may be permitted to take part in the discussion. The Member introducing the subject may be permitted to speak a second time to make a reply and the discussion will end with the final remarks of the Minister concerned.

58. Time limit for Speeches.

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

Chapter X

Motion for Adjournment on a Matter of Urgent Public Importance

59. Method of giving Notice.

- Notice of an adjournment motion shall be given to the Secretary in duplicate at least three hours before the commencement of the sitting of the day on which the motion is proposed to be made. The secretary shall send one copy of the notice to the Minister concerned: Provided that a notice received after the stipulated time and the day would be deemed to have lapsed.

60. Speaker's Consent necessary to make Motion.

- Subject to the provisions of these rules, a motion for an adjournment of the business of the House for the purpose of discussing a definite matter of urgent public importance may be made with the consent of the Speaker.

61. Restrictions on right to make Motion.

- The adjournment motion shall be subject to the following restrictions, namely: (1) not more than one 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 raise a question of privilege; (5) the motion shall not revive discussion on a matter which has been discussed in the same session. (6) the motion shall not anticipate a matter which has been previously fixed for consideration. But, the Speaker in disallowing the matter on this ground, shall take into consideration that the discussion of the matter anticipated is likely to be taken up in the House within a reasonable time, and (7) the motion shall not deal with a matter on which resolution could not be moved; (8) the motion shall not deal with any matter which is under adjudication by a court of law having jurisdiction in any part of India; (9) the motion shall relate to a matter which is primarily the concern of the Government.

62. Motion for discussion on matters before Tribunals, Commissions, etc.

- No motion which seeks to raise discussion on a matter pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions or any Commission or Court of Inquiry appointed to inquire into or investigate a matter shall ordinarily be permitted to be moved: Provided that the Speaker may in his discretion allow such matter being raised in the House as is concerned with the procedure, or scope or stage of inquiry if the Speaker is satisfied that it is not likely to prejudice the consideration of such matter by the Tribunal, Statutory authority,

63. Mode of asking for leave to move adjournment Motion.

(1)If the Speaker holds that the matter proposed is in order and gives his consent under Rule 60, he shall call the member concerned who shall rise in his place and ask for leave to move for the adjournment of the House.(2)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 one-sixth of the total number of members of the House for the time being rise accordingly, the Speaker shall intimate that leave is granted. If less than the required number of members rise, the Speaker shall inform the member that he has not the leave of the House.

64. Time for taking up Motion.

- If leave to make such a motion is granted, the motion shall be taken up an hour before the time fixed for the usual termination of the business of the day, or if the Speaker so directs, at any earlier hour at which the business of the day may terminate.

65. Limitation of Time of Discussion.

(1)The debate on a motion to discuss a definite matter of urgent public importance if not earlier concluded, shall automatically terminate on the expiration of time fixed for conclusion of the sitting of the House and thereafter no question shall be put. The debate on a motion shall not exceed two hours.(2)The Speaker shall prescribe a time limit for speeches:Provided that no speech shall exceed fifteen minutes in duration.

Chapter XI

Questions Involving Breach of Privilege and Contempt

66. Raising a question of Breach of Privilege or Contempt.

- A question involving a breach of privilege or contempt either of a member or of the House or of a Committee thereof may, with the consent of the Speaker, be raised by;(i)a complaint from a member;(ii)a report from the Secretary;(iii)a petition, or(iv)a report from a Committee :Provided that if the breach of privilege or contempt is committed in the view of the House, the House may with the consent of the Speaker take action without any complaint.

67. Complaint by Members.

- A member wishing to raise such a question shall give notice in writing to the Secretary at least three hours before the commencement of the sitting on the day on which the question is proposed to be raised. If the question is founded upon a document, the original or a copy thereof shall

accompany the notice. If the complaint is against any member of the House, such a notice shall be in duplicate, a copy of which shall be sent to the member concerned.

68. Conditions of Admissibility.

(1) Admissibility of such question shall be governed by the following conditions: (a) the question is restricted to a definite matter of recent occurrence; (b) the subject matter of the notice shows prima facie a question of breach of privilege or contempt; and (c) the matter requires the intervention of the House: Provided that if the complaint is against a member, the Speaker, before giving his consent and determining its admissibility, shall hear him after giving an opportunity to inspect the concerned documents, if any, and if need be, may also hear the complainant or any other member.

69. Mode of raising question of privilege.

(1) The Speaker, if he gives consent under Rule 66 and holds that the matter proposed to be discussed is in order, shall call the member, who shall rise in his place and, while asking for leave to raise the question of privilege, may make a short statement relevant thereto: Provided that where the Speaker has refused his consent under Rule 66 or is of opinion that the matter proposed to be discussed is not in order, he may, if he thinks fit, state that he refuses consent or holds that the notice of question of privilege is not in order: Provided further that if the Speaker deems it necessary, he may hear the member concerned and other member(s) and also seek such other information as he may require before giving his decision: Provided also that the Speaker may if he is satisfied with 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. (2) If objection to leave being granted is taken, the Speaker shall put the motion to vote before the House. If not less than one-sixth of the members rise in support of the motion, the Speaker shall declare that the leave is granted. If however, the number of members rising in support of the motion is less than one-sixth, the Speaker shall inform the member that he does not have the leave of the House.

70. Presentation of Complaint.

- If in the opinion of the Speaker, the notice of breach of privilege or contempt is fit for giving consent and is admissible under these rules, he may refer that matter to the Committee of Privileges for examination, investigation and report and acquaint the House about it. If in the opinion of the Speaker, the notice is inadmissible he shall inform the House accordingly: Provided that if the Speaker deems it necessary, he may hear the member concerned and other members before giving his decision.

71. Consideration of Question of Breach of Privilege or Contempt by the House.

- If the Speaker is of opinion that the matter given notice of is such as can be disposed of by the House without being referred to the Committee of Privileges, it will be permissible to move that the

question be taken up for consideration forthwith or at some future date: Provided that if the notice is received by a report from the Secretary or a Committee or by a petition, copies of the report or petition shall, if the Speaker considers it necessary, be printed and distributed amongst the members before the consideration of the matter by the House.

72. Disposal of a Complaint before the House.

(1) If it is decided to bring a complaint against a member before the House for disposal, the said member shall be given notice and an opportunity to be heard in explanation and exculpation of his case and also to inspect and to produce relevant document or documents. (2) The member complained against shall attend the House of the day fixed and if he is unable to attend, he shall intimate to the Speaker his reasons for absence and the House, in view of the reasons given, may postpone the consideration of the matter. If, however, the House is of the opinion that there are no valid reasons for absence or the member has wilfully absented himself, it may proceed with the consideration of the matter in his absence. In case member is absent and has failed to intimate the reasons for his absence due to unavoidable circumstances, the House may reopen the question at his request. (3) The member complained against after attending the House and giving his explanation shall withdraw from the House, and shall not enter the House as long as the matter is under consideration of the House. The House may, however, allow him to hear the proceedings or recall him for purposes of giving a further explanation or for tendering an apology. (4) The procedure provided in this rule shall mutatis mutandis apply to those persons also who are not members.

73. Motion after Presentation of the Report.

- After presentation of its report, the Chairman of the Committee of Privilege or any member thereof or any member of the House may make a motion that the report of the Committee be taken into consideration forthwith or at some future time within which the report may be printed and copies supplied to members.

74. Substantive Motion.

- When the House agrees to the motion: (i) that the question of breach of privilege or contempt, committed in view of the House, be considered; or (ii) that the matter be taken up for consideration forthwith under Rule 71; or (iii) that the report of the Committee of Privileges may be considered under Rule 73- any member may move a substantive motion confirm the commission of the breach of privilege or contempt, or the report, as the case may, and also suggesting the action to be taken by the House thereon, and any other member may move an amendment to the said motion.

75. Opportunity to Person Charged.

- Except where the breach of privilege or contempt has been committed in the view of the House, the House shall before passing any sentence give an opportunity to the person charged to be heard in explanation or exculpation of the offence against him: Provided that if the matter has been referred

to the Commission of Privileges and the person charged has been heard before the Committee, it shall not be necessary for the House to give him that opportunity unless the House directs otherwise.

76. Summoning the Party Charged.

- The Speaker may summon the person charged by notice or warrant of arrest to appear before the House at any stage of the proceedings.

77. Punishment.

(1)The House on its own or on the recommendation of the Committee of Privileges may inflict the following punishments:(a)Admonition;(b)reprimand;(c)suspension of member;(d)fine;(e)expulsion of member;(f)imprisonment the term whereof is at the pleasure of the House but cannot extend beyond prorogation or dissolution; and(g)any other punishment which the House may deem proper and subject to the provisions of Section 18.(2)The members suspended from the Service of the House shall stand debarred from entering into the precincts of the House and from taking part in the proceedings of the House and the Committees, but the Speaker may, on a request being made to that effect, allow a suspended member to enter into the precincts of the House for any particular purpose.(3)The House may, on a motion being made, order that any punishment of suspension or the unfinished part thereof may be rescinded.

78. Groundless Complaint.

- In case the House finds a charge of breach of privilege or contempt groundless, it may order the payment by the complainant of an amount not exceeding Rs. 500/- as cost to the party charged.

79. Execution of Orders of the House.

- The Speaker or any other person authorised by him in this behalf shall have the power to execute all the order passed and sentences inflicted by the House.

80. Brevity of Debate.

- The debate at all stages on question involving breach of privilege or contempt shall be brief.

81. Regulation of Procedure.

- The Speaker may issue such direction as may be necessary for regulating the procedure in matters connected with the consideration of the question of privilege or contempt either in the Committee or in the House.

82. Power of Speaker to refer Question of Privilege or Contempt to Committee.

- Notwithstanding anything contained in these rules the Speaker may refer any question of privilege or contempt to the Committee of Privileges for examination, investigation or report, and acquaint the House about it.

83. Procedure on Question of Breach of Privileges or Contempt of the House by a member or officer or servant of any other House.

- If a member, officer or servant of any other Legislature in India is involved in a case of contempt or an alleged breach of privilege of the House, the Speaker shall refer the matter to the Presiding Officer of that Legislature, unless on hearing the member who raised the question or perusing any document, where the complaint is based on document, the Speaker is satisfied that no breach of privilege has been committed or the matter is too trivial to be taken notice of, in which case he may disallow the motion for breach of privilege. When a case of contempt or an alleged breach of privilege of any other Legislature in India, in which a member, officer or servant of the House involved, is referred to the House by the Presiding Officer of the Legislature of which contempt has been committed, the Speaker shall deal with that matter in the same manner as if it were a case of breach of privilege of the House and communicate to the Presiding Officer who made the reference, a report about the inquiry and the action taken on the reference received. Intimation to Speaker of Arrest Detention, etc. and Release of a Member

84. 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 judge, magistrate or executive authority, as the case may be, shall immediately intimate such fact to the Speaker indicating the reason for the arrest, detention or conviction, as the case may be and also the place of detention or imprisonment of the member in the appropriate form set out in the First Schedule annexed to these Rules.

85. Intimation to Speaker on Release of a member.

- When a member is arrested and after conviction released on bail pending an appeal or is otherwise released, such fact shall also be intimated to the Speaker by the authority concerned in the appropriate form set out in the First Schedule annexed to these Rules.

86. Treatment of Communication received from Magistrate.

- As soon as may be, the Speaker shall, after he has received a communication referred to in Rule 80 or which may also be sent by wireless message, teleprinter or telegram, read it out in the House if it is sitting, or if the House is not sitting, direct that the members be informed of the same: Provided

that if the intimation of the release of a member either on bail or otherwise is received before the House has been informed of the original arrest or imprisonment, the act of his arrest or imprisonment and his subsequent release or discharge may, in the discretion of the Speaker, not be intimated to the House by him. Procedure Regarding Service of a Legal Process and Arrest Within the Precincts of the House

87. Arrest within the Precincts of the House.

- No arrest shall be made within the precincts of the House without obtaining the permission of the Speaker.

88. Service of Legal Process.

- A legal process, Civil or Criminal shall not be served within the precincts of the House without obtaining the permission of the Speaker.

Chapter XII Resolutions

89. Notice of Resolution by Private Members.

- A private member who wishes to move a resolution shall give not less than fifteen days notice to the Secretary of his intention and shall together with the notice, submit a copy of the resolution which he wishes to move.

90. Notice of Resolution by Government.

- If a Minister desires to move a resolution he shall give seven days notice and shall alongwith it supply a copy of the resolution to the Secretary, who shall have its copies sent to members ordinarily within forty-eight hours of its receipt: Provided that the Speaker may allow shorter notice.

91. Subject-matter of Resolution.

- Subject to the provisions of these rules, any member or Minister may move a resolution relating to any matter of general public interest.

92. Form of Resolution.

- A resolution may be in the form of a declaration of opinion or a recommendation or may be in the form so as to record either approval or disapproval by the House of an act or policy of Government, or convey a message or command, urge or request an action, or call attention to a matter or situation for consideration by Government, or in such other form as the Speaker may consider appropriate.

93. Conditions of admissibility of Resolutions.

- In order that a resolution may be admissible, it shall satisfy the following conditions, namely:(1)it shall be clearly and precisely expressed;(2)it shall raise substantially only one definite issue;(3)it shall not contain arguments, inferences, ironical expressions, imputations or defamatory statements;(4)it shall not refer to the conduct of character of person except in their official or public capacity;(5)it shall not relate to any matter which is under adjudication by a Court of law having jurisdiction in any part of India; and(6)it shall not reflect upon the conduct of the President as distinct from the Government of India or of the Lt. Governor as distinct from the Government.

94. Raising discussion in matters before Tribunals or other Statutory Authorities.

- No resolution, which seeks to raise discussion on a matter pending before any statutory Tribunal or statutory Tribunal or statutory authority performing any judicial or quasi-judicial functions or any Commission or Court of Inquiry appointed to inquire into or investigate any matter, shall be permitted to be moved:Provided that the Speaker may in his discretion allow such matter to be raised in the House as is concerned with the procedure or subject or stage of inquiry, if the Speaker is satisfied that it is not likely to prejudice the consideration of such matter by the Tribunal or Commission or Court of Inquiry.

95. Admissibility of Resolutions.

- The Speaker shall decide on the admissibility of a resolution and may, in his discretion amend the form of a resolution so as to bring it into conformity with the rules. He may disallow any resolution or part thereof which does not comply with the rules or is an abuse of the right of moving a resolution or is otherwise calculated to obstruct or prejudicially affect the procedure of the House.

96. Precedence of Private Member's Resolution.

(1)The relative precedence of notices of resolutions given by private members shall be determined by ballots, to be held in accordance with the directions given by the Speaker, on such day as the Speaker may appoint.(2)Unless the Speaker otherwise directs, not more than three resolutions in addition to any resolution which is outstanding under proviso to Rule 25, shall be set down in the list of business for any day allotted for the disposal of private member's resolutions.

97. Sending copy of Private Member's Resolution to Government.

- If a private member's resolution has obtained a place in the ballot and has been admitted by the Speaker, a copy thereof shall be sent to the Government ordinarily twelve days before the date fixed for its discussion.

98. Moving of Resolutions.

(1) A member in whose name a resolution appears on the List of Business or any other member whom he may have authorised to act on his behalf may, when called upon, either move the resolution, in which case he shall commence his speech by a formal motion in the terms appearing on the List of Business, or decline to move the resolution, in which case he shall confine himself to a mere statement to that effect: Provided that the Speaker in his discretion may allow the members make a brief statement as to why he does not propose to move the resolution. (2) If the member when called upon is absent and no other member has authorised to act on his behalf under sub-rule (1) the resolution standing in his name shall lapse.

99. Amendments.

- When a resolution is under discussion any member may, subject to the rules relating to resolutions move an amendment to such resolution.

100. Notice of Amendments.

(1) If a copy of an amendment has not been delivered to the Secretary two clear days before the day fixed for the discussion of the resolution any member may object to the moving of the amendment and such objection shall prevail unless the Speaker allows the amendment to be moved. (2) The Secretary shall, if time permits, make available to members from time to time lists of amendments of which notices have been given.

101. Duration of Speeches.

- No speech shall, except with the permission of the Speaker, exceed fifteen minutes in duration: Provided that the mover of a resolution when moving the same and the Minister in charge of the department concerned when speaking for the first time may speak for twenty-five minutes or for such longer time as the Speaker may permit.

102. Withdrawal of Resolution.

(1) A member who has moved a resolution or an amendment to a resolution, shall not withdraw the same except by leave of the House. (2) No discussion shall be permitted on a motion for leave to withdraw.

103. Resolution not Discussed.

- If a resolution of which notice has been given and which has been entered in the List of Business is not discussed during the sitting, it shall be deemed to have lapsed.

104. Splitting of Resolution.

- When any resolution involving several questions has been discussed, it shall be in the discretion of the Speaker to split the resolution and put each or any part thereof separately to the vote as he may think fit.

105. Repetition of Resolution.

- 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: Provided that when a resolution has been withdrawn with the leave of the House, no resolution raising substantially the same question shall be moved during the same session.

106. Copy of Resolution passed to be sent to Minister.

(1) A copy of every resolution which has been passed by the House shall be forwarded to the Minister concerned. (2) The Minister concerned shall inform the House about the status of the resolution in the next session.

Chapter XIII

Motions

107. Discussion on a Matter of Public Interest by Motion.

- Save in so far as is otherwise provided by the Act or by these rules, no discussion on a matter of public interest shall take place except on a motion made with the consent of the Speaker.

108. Notice of a Motion.

- Save as provided by Rule 110 notice of a motion shall be given in writing addressed to the Secretary.

109. Condition of Admissibility of a Motion.

- In order that a motion may be admissible it shall satisfy the following conditions, namely:-(i) that it shall raise substantially only one definite issue of recent occurrence; (ii) that it shall not contain arguments, inferences, ironical expressions, imputations or defamatory statements; (iii) that it shall not refer to the conduct or character of persons except in their public capacity; (iv) that it shall not raise a question of privilege; (v) that it shall not revive discussion on a matter which has been discussed in the same session or within the preceding six months, whichever is earlier; (vi) that it shall not anticipate a matter which is to be discussed in the same session; and (vii) that it shall not relate to any matter which is under adjudication by a court of law having jurisdiction in any part of

India ;(viii)that it shall not ordinarily relate to a matter under consideration of a House Committee ;(ix)that it shall not raise a matter which is not primarily the concern of the Government.

110. Speaker to decide Admissibility of a Motion.

- The Speaker shall decide whether motion or a part thereof is or is not admissible under these rules and may disallow any motion or a part thereof which is, in his opinion, an abuse of the right of moving a motion or calculated to obstruct or prejudicially affect the procedure of the House or is in contravention of these rules.

111. Motion for raising discussion on matter before Tribunals, Commissions, etc.

- No motion which seeks to raise discussion on a matter pending before any statutory Tribunal or statutory authority performing any judicial or quasi judicial functions of any Commission or Court of Inquiry appointed to inquire into or investigate any matter shall be permitted to be moved:Provided that the Speaker may in his discretion allow such matter to be raised in the House as is concerned with the procedure or scope or stage of inquiry, if the Speaker is satisfied that it is not likely to prejudice the consideration of such matter by the Tribunal, statutory authority, Commission or Court of Inquiry.

112. Allotment of time and discussion of Motions.

- The Speaker may after considering the state of business in the House allot a day or days or part of a day for discussion of any such motion.

113. Time limit for Speeches.

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

114. Motion without Notice.

- The following motions may be made, if the Speaker permits, without notice:(i)motion for condolence or congratulation;(ii)motion for adjournment of a sitting;(iii)motion for a withdrawal of strangers;(iv)motion for electing members to Committees;(v)motion for withdrawal of a Bill, resolution or a motion or amendments thereto;(vi)motion for postponement of any business;(vii)motion for closure of debate;(viii)motion for suspension of a rule; and(ix)motion to extend duration of a sitting.

115. Repetition of Motion.

- Save as otherwise provided, where any motion is pending or has been disposed of, no motion or amendment raising substantially the same issue or question as was involved in the earlier motion

shall be moved during the Pendency of, as the case may be within six months from the date of disposal of such a motion: Provided that nothing herein contained shall, unless the Speaker otherwise directs, be deemed to prevent the making of any of the following motions, namely-(a) a motion for taking into consideration or the reference to a Select Committee of a Bill where an amendment has been carried to a previous motion of the same kind to the effect that the Bill be circulated or re-circulated for obtaining opinion thereon; (b) a motion, made after return of a Bill by Lieutenant Governor for reconsideration of the Assembly, for an amendment relevant to the matter or matters referred for reconsiderations; and (c) a 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.

116. Motion for postponement of Business.

(1) A motion that consideration of a Bill, other than an Appropriation Bill under Section 29, which has been introduced, or of a motion other than a motion for adjournment, or of a resolution, be postponed to any future day available for such business in the same session or to any future session sine die, may be made by any member at any time and such motion shall take precedence on any other motion than before the Assembly. The Speaker after permitting a brief explanatory statement from the mover and from the member opposing, if the motion is opposed, may without further debate, put the question thereon. (2) If a motion for the postponement of private members' business to a specified day is carried the adjourned business shall have priority over the private members' business fixed for that day. (3) The Speaker may disallow such motion for the postponement of business if, in his opinion, it has been made for the purpose of obstructing the business of the Assembly or for securing the adjournment of the sitting.

117. 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) When the motion under sub-rule (1) has been carried, the question or questions consequent thereon shall be put forthwith without further debate: Provided that the Speaker shall allow any member a right of reply which he may have under these rules.

Chapter XIV

Legislation

(A) Introduction and Publication of Bills

118. Speaker's power of Publication of Bills before Introduction.

- The Speaker may, on request being made in this behalf, order the publication of any Government Bill (together with the Statement of Objects and Reasons, the Memorandum regarding Delegation of

Legislation and the Financial Memorandum if any, accompanying it and the previous sanction of the President or the recommendation of the Lieutenant Governor, if necessary, in the Gazette, 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: Provided that ordinarily no Bill may be so published in the Gazette when the House is in session.

119. Notice of Motion or Leave to Introduce a Bill by a Private Member.

(1) A Private Member 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 a Statement of Objects and Reasons which shall not contain any arguments: Provided that the Speaker may, if he thinks fit, revise the Statement of Objects and Reasons. (2) The Secretary shall as soon as may be after the receipt of the notice, refer the Bill to the Minister concerned for obtaining the sanction, or the recommendation of the President or the Lieutenant Governor, as the case may be. (3) The period of notice of a motion for leave to introduce a Bill under this rule shall be fifteen days unless that Speaker allows the motion to be made at shorter notice.

120.

The order of the President or the Lt. Governor granting or withholding the sanction or the recommendation as the case may be to the introduction or consideration of a Bill shall be communicated to the Secretary by the Minister concerned in writing.

121. Introduction of a Bill dependent on another Bill pending before the House.

- A Bill which is dependent wholly or partly upon another Bill pending before the House may be introduced in the House in anticipation of the passing of the Bill upon which it is dependent: Provided that such a Bill shall be taken up for consideration and passing in the House only after the pending Bill has been passed by the House and assented to by the President or the Lieutenant Governor, as the case may be.

122. Notice of an Identical Bill.

- When a Bill is pending before the House, notice of an identical Bill whether received before or after the introduction of the pending Bill, shall be removed from or not entered in the list of pending notices, as the case may be, unless the Speaker otherwise directs.

123. Financial Memorandum to Bill and Money Clauses in Bills.

(1) A Bill involving expenditure shall be accompanied by a financial memorandum which shall invite particular attention to 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.(2)Clauses or provisions in Bills involving expenditure from the Consolidated Fund of the Capital shall be printed in bold type or in italics:Provided that where a clause in a Bill involving expenditure is not printed in bold type or in italics, the Speaker may permit the member-in-charge of the Bill to bring such clauses to the notice of the Assembly.

124. Explanatory memorandum to Bills delegating Legislative Power.

- A Bill involving proposals for the delegation of legislative power shall further be accompanied by a memorandum explaining the scope of such proposals.

125. Speaker's power to disallow notice of a Bill.

- The Speaker may disallow notice of a Bill in case the Bill does not comply with the provisions of Rules 123 and 124.

126. Precedence of Private Members' 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 directions given by the Speaker on such day being not less than fifteen days before the day in respect of which the ballot is held, as the Speaker may appoint.(2)The relative precedence of the private member's Bills pending in the House shall be determined in the following order:(a)Bills returned by the Lieutenant Governor with message under Section 24 and Section 25 as the case may be;(b)Bills in respect of which motions for their passing have been made;(c)Bills in respect of which motions have been carried that they be taken into consideration; .(d)Bills in respect of which reports of Select Committees have been presented;(e)Bills which have been circulated for the purpose of eliciting opinions;(f)Bills introduced and in respect of which no further motion has been made or carried; and(g)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.(4)The Speaker may by a special order to be announced in the Assembly make such alteration in the relative precedence of the Bills set out in sub-rule (2) as he may consider necessary and convenient.

127. Copy of Private Member's Bill to Minister.

- Whenever a private member of the Assembly gives notice of his intention to move for leave to introduce a Bill and if it obtains a place in the ballot the Secretary shall as soon as possible, send a copy thereof together with the Statement of Objects and Reasons to the Minister concerned.

128. Notice of motion for leave to introduce a Bill.

- A Minister desiring to move for leave to introduce a Bill, shall give notice in writing to the Secretary of his intention to do so. The period of notice of a motion for leave to introduce a Bill shall

be seven days unless the Speaker allows the motion to be moved at a shorter notice.

129. Motion for leave to Introduce and Copies of Bills to Members.

(1) Leave of the House shall be obtained, before introducing any Bill, by a motion in that behalf: Provided that unless the Speaker otherwise directs, no such motion shall be made until copies of the Bill have been made available to the members two days preceding the day on which the motion is made. (2) If such a motion is opposed, the Speaker after permitting, if he thinks fit, brief explanatory statement from the member who moved the motion and 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.

130. Introduction of Bill.

- After the completion of the procedure set out in Rule 129, the Bill shall be introduced by the member in charge of the Bill.

131. Power to ask for papers connected with a Bill.

- After a Bill has been introduced, any member may demand that copies of paper, if any, on which the Bill is based and which are not confidential, be placed on the Table.

132. Publication of Bills.

- 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.

133. Copy of Bill to the Lieutenant Governor and the President.

- A copy of every Bill introduced in the Assembly shall, immediately after its introduction, be forwarded by the Secretary to the Lieutenant Governor and the President for their information.

134. Statement regarding Ordinance.

(1) Whenever a Bill seeking to replace an Ordinance promulgated under Article 239-B of the Constitution, with or without modification, is introduced in the House, these shall be placed before the House, along with the Bill, a statement explaining the circumstances which have necessitated immediate legislation by Ordinance. (2) Whenever an Ordinance, which embodies wholly or partly or with modification the provisions of a Bill pending before the House, is promulgated, a statement explaining the circumstances which had necessitated immediate legislation by Ordinance shall be laid on the Table at the commencement of the session following the promulgation of the Ordinance. (B) Motions After Introduction

135. Motion after Introduction.

- After a Bill is introduced, or on some subsequent occasion, the member-in-charge of the Bill may make one of the following motions, namely:-(a)that it be taken into consideration either at once or at some future day to be then specified; or(b)that it be referred to a Select Committee of the House with such instructions as may be considered necessary; or.(c)that it be circulated for the purpose of eliciting opinion thereof:Provided that no such motion shall be made unless copies of the Bill have been made available to the members three days before the day on which the motion is made and any objection by a member shall prevail unless the Speaker allows the motion to be made.

136. Discussion on Principles of Bills.

(1)On the day on which any motion referred to in Rule 135 is made, or on any subsequent day to which the discussion is postponed, the principles of the Bill and its provisions may be discussed generally, but the details of the Bill shall not be discussed further than is necessary to explain its principles.(2)(a)At this stage no amendments to the Bill may be moved but if the member-in-charge moves that the Bill (a) be taken into consideration, any member may move as an amendment that the Bill be referred to a Select Committee with such instructions as may be considered necessary or be circulated for the purpose of eliciting opinion thereon by a date to be mentioned in the motion:(b)be referred to a Select Committee, any member may move as an amendment that the Bill be circulated for the purpose of eliciting opinion by a date to be specified in the motion.(3)(a)Where opinions upon circulation of a Bill for eliciting opinion under the foregoing rules have been received, a statement containing a gist of opinions shall be laid on the Table by the Secretary as soon as possible after the last date of the receipt of such opinion.(b)Thereupon the member-in-charge of the Bill, if he wishes to proceed further with his Bill, 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 forthwith or at some future date.

137. Motion to Constitute a Select Committee.

- When the House decides to refer a Bill to a Select Committee, a motion to constitute the Select Committee according to the rules shall be made.

138. 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 of the Bill, except by way of amendment to a motion made by the member-in-charge of the Bill:Provided that if the member-in-charge of a Bill is unable for reasons which the Speaker considers adequate to move the next motion in regard to his Bill at any subsequent stage after introduction, he may with the approval of the Speaker authorise another member to move that particular motion.Explanation. - Notwithstanding the provision contained in

the proviso, the member who introduced the Bill shall continue to be the member-in-charge of the Bill.(C)Procedure After Presentation of Report of the Select Committee

139. Motion that may be moved after Presentation of Report of the Select Committee.

(1)After the presentation of final report of the Select Committee of the House on the Bill, the member-in-charge may move:-(a)that the Bill as reported by the Select Committee of the House be taken into consideration:Provided that any member may object to the report being so taken into consideration if a copy, of the report has not been made available for the use of members three days before the day on which the motion is made, and such objection shall prevail, unless the Speaker allows the report to be taken into consideration; or(b)that the Bill as reported by the Select Committee of the House be recommitted to the same Select Committee or to a new Select Committee, either-(i)without limitation; or(ii)with respect to particular clauses or amendments only; or(iii)with instructions to the committee to make some particular or additional provision in the Bill, or(c)that the Bill as reported by the Select Committee of the House be circulated, as the case may be, for the purpose of eliciting opinion or further opinion thereon.(2)If the member-in-charge moves that the Bill as reported by the Select Committee be taken into consideration, any member may move as an amendment that the Bill be recommitted to the Committee or be circulated or recirculated for the purpose of eliciting opinion or further opinion thereon.

140. Scope of Debate.

- The debate on a motion that the Bill as reported by the Select Committee be taken into consideration shall be confined to consideration of the report of the Select Committee and the matters referred to in that report or any alternative suggestions consistent with the principle of the Bill.

141. Notice of Amendment.

(1)If notice of an amendment to any clause or Schedule of a Bill has not been given two 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 a Government Bill notice for amendment of which has been received from the member-in-charge of the Bill it shall not lapse by reason of the fact that the member-in-charge of the Bill 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:Provided further that previous notice shall not be necessary in the case of amendments of a purely verbal character or of amendments consequential upon or moved in respect of amendments which have been carried.(2)The Secretary shall, if time permits, make available to members from time to time, lists of amendments of which notices have been received.

142. Conditions of Admissibility of Amendments.

- The following conditions shall govern the admissibility of amendment to clauses or Schedules of a Bill-(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 House on the same question;(iii)An amendment shall not be such as to make the clause which it proposes to amend unintelligible or ungrammatical;(iv)If 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 fully intelligible;(v)The Speaker shall determine the order in which an amendment shall be moved;(vi)The Speaker may refuse to allow an amendment which in his opinion, is frivolous or meaningless;(vii)An amendment may be moved to an amendment, which has already been allowed by the Speaker.

143. Sanction of the President or recommendation of the Lieutenant Governor to be annexed to notice of Amendment.

(1)If Government desire to move an amendment which under the Act cannot be made without the previous sanction of the President or recommendation of the Lieutenant Governor, it shall annex to the required notice a copy of such sanction or recommendation and the notice shall not be valid until this requirement is complied with.(2)If a Private Member gives notice of an amendment which in the opinion of the Speaker cannot be moved without the previous sanction of the President or recommendation of the Lieutenant Governor, the Secretary shall, as soon as may be, after the receipt of the notice refer the amendment to the President or the Lieutenant Governor, as the case may be through the Minister concerned and the notice shall not be valid until the required sanction or recommendation has been received.

144. Minister to communicate sanction/recommendation of President/Lt. Governor to an amendment to a Bill to Secretary.

- The order of the President or the Lieutenant Governor granting or withholding the sanction or recommendation, as the case may be, to an amendment to a Bill, shall be communicated in writing.

145. Moving of Amendments.

(1)Amendments shall ordinarily be considered in the order of the clauses of the Bill to which they respectively relate:Provided that if a member requests that an amendment be put separately, the Speaker shall put that amendment separately:Provided further that in order to save time and repetition, a single discussion may be allowed to cover a series of interdependent amendments.

146. Withdrawal of Amendments.

- An amendment moved may, by leave of the House 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 until the amendment proposed to it has been disposed of. (D) Amendments to Clauses etc. and Consideration of Bills

147. Submission of Bills clause by clause.

(1) When a motion that the Bill be taken into consideration is passed, the motion "that this clause do stand part of the Bill" shall be deemed to have been made in respect of each clause of the Bill. Notwithstanding anything in these rules it shall be in the discretion of the Speaker, to submit the Bill or any part of the Bill to the House clause by clause. The Speaker shall call each clause separately, and when the amendments relating to it have been disposed of in accordance with the provisions of succeeding rules, shall put the question "that this clause or as the case may be, that this clause as amended, do stand part of the Bill." (2) The Speaker may, if he thinks fit, put as one question a group of clauses to which no amendments have been moved: Provided that if a member requests that any clause be put separately, the Speaker shall put that clause separately.

148. Postponement of clause.

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

149. Consideration of 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 Schedule 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, do stand part of the Bill.": Provided that the Speaker may allow the Schedule or Schedules, if any, to be considered before the clauses are disposed of or alongwith a clause or otherwise as he may think fit.

150. Clause One, 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 Preamble or the Title (or as the case may be, that clause one, Preamble or Title, as amended) do stand part of the Bill." (E) Passing & Authentication of Bills

151. Passing of a Bill.

(1) When a motion that a Bill be taken into consideration has been carried and no amendment has been made in the Bill, the member-in-charge of the Bill may at once move that the Bill be passed. (2) If an amendment is made in the Bill, any member may object to a motion being made on the same day that the Bill be passed, and such objection shall prevail unless the Speaker allows the motion to be made.

152. Scope of Debate.

- The discussion on a motion that the Bill be passed shall be confined to the submission of arguments either in support of the Bill or for the rejection of the Bill.

153. Correction of patent Errors.

- When the Bill is passed by the Assembly, the Secretary shall re-number the clauses, revise and complete the marginal notes thereof, make such purely formal, verbal or consequential amendments therein as may be required and correct such error as may appear to him to be due to inadvertence. (F) General

154. Power of Speaker to bring the year of the Bill in conformity with the year of Assent.

- In cases of Bills introduced in the preceding year but passed in subsequent year or if passed in the same year but the assent is likely to be given in the subsequent year, the Speaker may change the year of the Bill bringing it in conformity to the year of its passing or 'likely assent' by the President or the Lieutenant Governor, as the case may be.

155. Assent to the Bill.

(1) After the Secretary has made verbal or consequential amendments, if any, under Rule 153, the Bill shall be submitted to the Speaker for his signatures. (2) After the Speaker has signed the Bill, it shall be submitted to the Lieutenant Governor for taking appropriate action as he deems fit under Section 24 of the Act. When the assent has been obtained, the Bill shall be published in the Gazette as an Act of the Legislature and a copy thereof shall be laid on the Table by the Minister concerned. (3) If it is a Money Bill, the Speaker shall endorse the necessary certificate under Section 24 and thereafter it shall be submitted to the Lieutenant Governor in triplicate for his assent.

156. Note of verbal amendments.

- Alongwith the signed copy under Rule 155 a statement showing the verbal and consequential amendment or rectification of errors made in the Bill under Rules 153 and 154 shall also be submitted to the Lieutenant Governor. A Copy of these alterations shall be placed on the Table by

the Secretary prior to the announcement of Lieutenant Governor's assent.(G)Reconsideration of Bills Returned by the Lieutenant Governor

157. Message of the Lieutenant Governor.

- When a Bill passed by the House is returned to it by the Lieutenant Governor under Section 24 or Section 25 of the Act, with a message to the effect that the Assembly should reconsider the Bill or any of its specified provisions or any amendment recommended in the message, the Speaker shall read the message of the Lieutenant Governor in the House, if in session, or if the Assembly is not in session, he shall direct that it be published in the bulletin for the information of the members.(2)Thereafter, the same procedure as is laid down for the disposal of the Bills in the Assembly shall be followed.

Chapter XV

Subordinate Legislation

158. Laying of Regulations, Rules, etc. on the Table.

(1)Copies of the regulations, rules, sub-rules, bye-laws, etc., framed from time to time in pursuance of the power conferred on the Government or a subordinate authority by the Constitution, or an Act of Parliament or of the Assembly or any law in force, shall, whether the relevant Act or law does or does not require them to be laid before the House, be laid on the Table for the specified period as provided in the corresponding law.(2)Where the specified period is not so completed, the regulations, rule, sub-rule bye-law, etc., shall be re-laid in the succeeding session or sessions until the said period is completed in one session.(3)If a regulation, rule, sub-rule bye-law, etc., is modified in accordance with the amendment passed by the House, the amended regulation, rule, sub-rule, bye-law, etc., shall be laid on the Table.

159. Allotment of time for discussion of Amendments.

(1)Amendments relating to a regulation, rule, sub-rule, bye-law etc., laid on the Table may be presented by the members within the period prescribed in the Act for it being laid on the Table and the rules prescribed for consideration of amendment to clauses of a Bill shall with suitable modifications apply to consideration of and decision on those amendments.(2)The Speaker shall, in consultation with the Leader of the House, fix the date for consideration and discussion on these amendments.

Chapter XVI

Procedure For Committees

(A)General

160. Appointment of Committees of the House.

(1)At the commencement of the first session after each general election and thereafter before the commencement of each financial year or from time to time when the occasion otherwise arises, different committees for specific or general purposes shall either be elected or constituted by the House or nominated by the Speaker:Provided that no member shall be appointed to a committee unless he is willing to serve on the committee.(2)Casual vacancy in a Committee shall be filled as soon as possible, by nomination of a member by the Speaker and any person nominated to fill such vacancy shall hold office for the unexpired portion of the term for which the member in whose place he is nominated would have held the office:Provided that the proceedings of the committee shall neither be invalid nor be held up on the ground that casual vacancies have not been filled.

161. Objection to membership of a Committee.

- Where an objection is taken to the inclusion of a member in a Committee on the ground that the member has personal, pecuniary or direct interest of such an intimate character that it may prejudicially affect the consideration of any matters to be considered by the committee, the procedure shall be as follows:-(a)the member who has taken objection shall precisely state the ground of his objection and the nature of the alleged interest, whether personal, pecuniary or direct, of the proposed member in the matters coming up before the committee.(b)after the objection has been stated, the Speaker shall give an opportunity to the member proposed on the committee against whom the objection has been taken, to state the position;(c)if there is dispute on facts the Speaker may call upon the member who has taken objection and the member against whose appointment on the committee objection has been taken, to produce documentary or other evidence in support of their respective cases;(d)after the Speaker has considered the evidence so tendered before him, he shall give his decision which shall be final;(e)until the Speaker has given his decision, the member against whose appointment on the committee objection has been taken, shall continue to be a member thereof if elected or nominated and take part in discussion but shall not be entitled to vote; and(f)if the Speaker holds that the member against whose appointment objection has been taken has a personal, pecuniary or direct interest in the matter before the committee he shall cease to be a member thereof forthwith:Provided that the proceedings of the sitting of the committee at which such member was present shall not in any way be affected by the decision of the Speaker.Explanation. - For the purposes of this rule the interest of the member should be direct, personal or pecuniary and separately belong to the person whose inclusion in the committee is objected to and not in common with the public in general with any class or section thereof or any matter of State policy.

162. Chairman of the Committee.

(1)The Chairman of each committee shall be appointed by the Speaker from amongst the members of the Committee:Provided that if the Deputy Speaker is a member of the Committee, he shall be the ex-officio Chairman of the Committee.(2)If the Chairman is for any reason unable to act or if the office of Chairman is vacant the Speaker may appoint another Chairman in his place.(3)If the Chairman of the committee is absent from any of its sittings, the Committee shall elect another

member of the committee to act as Chairman for that sitting.

163. Quorum.

(1)The quorum to constitute a sitting of any committee shall, save as otherwise provided in these rules, be not less than one-third of the total number of members of the committee.(2)If at any time fixed for any sitting of the committee, there is no quorum even within ten minutes after the time so fixed, or if at any time during such sitting there is no quorum, the Chairman shall either suspend the sitting until there is quorum or adjourn the sitting to some future date. If the Chairman for any reason is not present and there is also no quorum even ten minutes after the time so fixed, the Secretary shall announce that the sitting stands suspended.(3)When the committee has been adjourned in pursuance of sub-rule (2) on two successive dates fixed for sitting of the committee, the Chairman shall report the fact to the House:Provided that where a committee has been appointed by the Speaker, the Chairman shall report the fact of such adjournment to the Speaker.(4)On such report being made, the House or the Speaker, as the case may be, shall decide the future course of action.

164. Discharge of members absent from sittings of Committees and filling up of their vacancies.

(1)If the member is absent from three consecutive sittings of a committee without permission of the Chairman, the membership of such member from the committee may, after giving him an opportunity to explain, be terminated with the approval of the Speaker and thereupon his office in the committee may be declared vacant with effect from the date of such approval by the Speaker.

165. Resignation of a Member.

- A member may resign his seat from the committee by writing under his hand addressed to the Speaker.

166. Term of a Committee.

- The term of office of members of each of these committees shall be a financial year:Provided that the committees elected or nominated under these rules, shall, unless otherwise specified, hold office until a new committee is appointed.

167. Voting in the Committee.

- 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. Power to appoint sub-committee.

(1)A 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 sitting of the whole committee.(2)The order of reference to a sub-committee shall clearly state the matter or matters for investigation. The report of the sub-committee shall be considered by the whole Committee.

169. Sitting of the Committee.

- The sittings of a committee shall be held on such days and at such hour as the Chairman of the committee may fix:Provided that if the Chairman of the committee is not readily available or if his office is vacant the Secretary may fix the date and time of a sitting.

170. Committee may sit whilst the House is sitting.

- The Committee may sit whilst the House is sitting:Provided that on a division being called in the House, the Chairman of the committee shall suspend the proceedings in the committee for such time as will, in his opinion, enable the members to vote in a division.

171. Venue of sitting.

- The sitting of the committee shall be held in the precincts of the Assembly, and if it becomes necessary to shift the place of sitting to outside the precincts of the Assembly, the matter shall be referred to the Speaker whose decision shall be final.

172. Power to take evidence or call for papers, records or documents.

(1)A witness may be summoned by an order signed by the Secretary and shall produce such documents as are required by the committee for reference, perusal or use.(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.(4)The Committee shall have power to take evidence on oath and to require the attendance of persons or the production of papers or records if considered necessary for the discharge of its duties.Provided that Government may decline to produce a document on the ground that its disclosure would be prejudicial to the interest and safety of the Capital.(5)The format of oath or affirmation to be administered to a witness shall be as follows:-"I, (name), swear in the name of God/solemnly affirm that I shall speak the truth, the whole truth and nothing but truth and that no part of my deposition shall be false."(6)All evidence tendered before the committee shall be treated as secret or confidential until the presentation of the report of the committee to the House:Provided that it shall be in the discretion of the committee to treat any evidence as secret or confidential in which case it shall not form part of the report.

173. Party or a witness can appoint a counsel to appear before Committee.

- A Committee may permit a party to be represented by a counsel appointed by him and approved by the committee. Similarly, a witness may appear before the committee accompanied by a counsel appointed by him and approved by the committee.

174. Procedure for examining witness.

- The examination of witnesses before the committee shall be conducted as follows:-(1)The committee shall, before a witness is called for examination, decide the mode of procedure and the nature of question that may be put to the witness.(2)The Chairman of the committee may first put to the witness such question or questions as he may consider necessary with reference to the subject matter or any subject connected therewith according to the procedure mentioned in sub-rule (1) of this rule.(3)The Chairman may call other members of the 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)When a witness is summoned to give evidence, a verbatim record of proceedings of the committee, shall be kept.(6)The evidence tendered before the committee may be made available to all members of the committee.

175. Strangers to withdraw when the Committee deliberates.

- All persons other than members of the committee, officers and such other persons whose services are required by the committee shall withdraw whenever the committee is deliberating

176. Signing of the Report of the Committee.

- The report of the committee shall be signed by the Chairman, 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 the report on behalf of the committee.

177. Special Report by the Committee.

- A committee may, if it thinks fit, make a special report on any matter that arises or comes to light in the course of its working which it may consider necessary to bring to the notice of the Speaker, or the House, notwithstanding that such matter is not directly connected with, or does not fall within or is not incidental to, its terms of reference.

178. Availability of report before presentation to Government.

- The committee, may, if it thinks fit, make available to Government a copy of its report or any completed part thereof before presentation to the House. Such report shall be treated as confidential until presented to the House.

179. Presentation of Report.

(1)The Report of the committee shall be presented by the Chairman of the committee or the person who has signed the report or any member of the committee so authorised by the Chairman or in the absence of the Chairman or when he is unable to present the report, by any member authorised by the committee and shall be placed on the Table of the House.(2)In presenting the report the Chairman or in his absence the member presenting the report shall, if he makes any observations, confine himself to a brief statement of fact, or draw the attention of the House to the recommendations made by the committee.(3)The Minister concerned or any Minister may give a short reply on that very day or on some future date to which the matter has been postponed, explaining the Government point of view and the action which the Government propose to take.(4)On a demand being made after the report has been presented but within 15 days from the date of its presentation, the Speaker, if he thinks fit, may appoint time for consideration of the Report. There shall neither be a formal motion before the House nor voting.

180. Publication or circulation of report prior to its presentation to the House.

- The Speaker may on a request being made to him and when the House is not in session, order the publication or circulation of a report of a committee although it has not been presented to the House. In that case the report shall be presented to the House during its next session at the first convenient opportunity.

181. Power to make suggestions on procedure.

(1)A committee shall have power to pass resolutions on matters of procedure relating to that committee for the consideration of the Speaker who may make such variations in procedure as he may consider necessary.(2)Any of these committee may, with the approval of the Speaker, make detailed rules of procedure to implement the provisions contained in these rules.

182. Power of Speaker to give direction 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 and the organisation of its work.(2)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.

183. Unfinished work of Committee.

- A Committee which is unable to complete its work before the dissolution of the House may report to the House that the committee has not been able to complete its work. Any preliminary report, memorandum or note that the committee may have prepared or any evidence that the committee may have taken shall be made available to the new committee.

184. Secretary to be ex-officio Secretary of the Committee.

(1)The Secretary shall be the ex-officio Secretary of all the committees appointed under these rules.(2)The Secretary may, with a view to assist the committee, seek clarifications from the officers/witnesses present on a point which, in his opinion, needs to be made clearer to the committee.

185. Applicability of General Rules to Committee.

- Except as otherwise specifically provided in respect of any particular committee, the provisions of the general rules in this Chapter shall apply to all committees.(B)Business Advisory Committee

186. Constitution of the Committee.

(1)There shall be a Committee called the Business Advisory Committee nominated by the Speaker. It shall consist of not more than seven members including the Speaker and the Deputy Speaker. The Speaker shall be the ex-officio Chairman of the Committee.(2)If the Speaker for any reason is unable to preside over any sitting of the Committee, the Deputy Speaker shall be the Chairman for that sitting. If both are unable to preside for any reason, the Speaker shall nominate a Chairman for that sitting from amongst the members of the Committee.

187. Functions of the Committee.

(1)It shall be the function of the committee to recommend the time that should be allocated for the discussion on the stage or stages of such Bills and other Government business as the Speaker, in consultation with the Leader of the House, may direct for being referred to the Committee.(2)The committee shall have the power to indicate in the proposed time table the different hours at which the various stages of the Bill or other Government business shall be completed.(3)The committee shall have such other functions relating to the business of the House as may be assigned by the Speaker from time to time.

188. Report of the Committee.

- The recommendations of the committee shall be presented to the House in the form of a report.

189. Motion after presentation of report.

(1)As soon as may be, after the report has been made to the House, a motion may be moved by a member of the committee nominated by the Speaker:"That this House agrees with the allocation of time proposed by the Committee."(2)When such a motion is accepted by the House, it shall take effect as if it were an order of the House:Provided that an amendment may be moved that the report be referred back to the Committee either without limitation or with reference to any particular matter:Provided further 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.

190. Disposal of outstanding matters at the appointed hour.

- At the appointed hour in accordance with the resolution of the House for the completion of a particular stage of a Bill or other business, the Speaker shall forthwith put every question necessary to dispose of all the outstanding matters in connection with that stage of Bill or business.

191. Variation in the allocation of time.

(1) No variation in the Allocation of Time Order shall be made except on a motion made with the consent of the Speaker and accepted by the House. (2) All efforts shall be made to adhere to the Allocation of Time Order. The Speaker may, however, in his discretion, extend the time of the House in the manner as he deems fit. (C) Committee on Public Accounts

192. Constitution of the Committee.

(1) There shall be a Committee on Public Accounts for the examination of the appropriation accounts of the Capital and the reports of the Comptroller and Auditor General of India thereon, the annual financial accounts of the Capital or such other accounts or financial matters as are laid before it or referred to it or which the committee deems necessary to scrutinize. (2) The Committee on Public Accounts shall consist of not more than seven members who shall be elected by the House every year from amongst its members according to the principle of proportional representation by means of the single transferable vote: Provided that no Minister shall be appointed a member of the Committee and if a member of the Committee is appointed a Minister he shall cease to be a member of the Committee from the date of such appointment.

193. Functions of Committee.

(1) In scrutinizing the appropriation accounts of the Capital and the reports 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 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 such rules as may be prescribed by the competent authority; (d) when the Committee meets to consider the report of the Comptroller and Auditor General, the Auditor General or Secretary (Finance) may with a view to solely assist the Committee seek clarifications from a witness on a point which in their opinion has not been made clearer to the Committee. (2) It shall also be the duty of the Committee on Public Accounts: - (a) to examine the statement of accounts showing the income and expenditure of State trading and manufacturing schemes together with the balance sheets and statements of profit and loss accounts which the Lieutenant Governor may have required to be prepared or are prepared under the provisions of the statutory rules regulating the finances of a particular State trading concern or project and the report of the Comptroller and

Auditor General, thereon;(b)to examine the statement of accounts showing the income and expenditure of autonomous and semi-autonomous bodies the audit of which may be conducted by the Comptroller and Auditor General of India either under the directions of the Lieutenant Governor or by a statute; and(c)to consider the report of the Comptroller and Auditor General in cases where the Lieutenant Governor may have required him to conduct an audit of any receipts or to examine the accounts of stores and stock.(D)Committee on Estimates

194. Constitution of the Committee.

(1)There shall be a Committee on Estimates for the examination of such of the Estimates as the Committee deems fit or are specifically referred to it by the House.(2)The Committee shall consist of not more than seven members who shall be elected by the House every year from amongst its members according to the principle of proportional representation by means of the single transferable vote:Provided that the Minister shall be appointed a member of the Committee and if a member of the Committee is appointed a Minister, he shall cease to be a member of the Committee from the date of such appointment.

195. Functions of the Committee.

(1)The functions of the Committee shall be:-(a)to report what economies, improvements in organization, efficiency or administrative reform consistent with the policy underlying the estimates may be effected;(b)to suggest alternative policies in order to bring about efficiency and economy in administration;(c)to examine whether the money is well laid out within the limits of the policy underlying in the estimates; and(d)to suggest the form in which the estimates shall be presented to Assembly.(2)The Committee may continue its examination of the estimates from time to time throughout the financial year and report to the House 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.(E)Committee on Government Undertakings

196. Constitution of the Committee.

(1)There shall be a Committee on Government Undertakings for the examination of the working of the Government Undertakings specified in the Second Schedule annexed to these Rules.(2)The Committee shall consist of not more than seven members who shall be elected by the House every year from amongst its members according to the principle of proportional representation by means of the single transferable vote:Provided that no Minister shall be appointed a Member of the Committee and if a Member of the Committee is appointed a Minister he shall cease to be a member of the Committee from the date of such appointment.

197. Functions of the Committee.

(1)The functions of the Committee shall be:-(a)to examine the reports and accounts of the

Government Undertakings as specified in the Second Schedule annexed to these Rules;(b)to examine the reports, if any, of the Auditor General on the Public Undertakings;(c)to examine in the context of the autonomy and efficiency of the Government Undertakings, whether the affairs of the Government Undertakings are being managed in accordance with the sound business principles and prudent commercial practices; and(d)to exercise such other functions vested in the committee on Public Accounts and the Committee on Estimates in relation to the Government Undertakings specified in Second Schedule annexed to these Rules as are not covered by Clause (a), (b) and (c) above and as may be allotted to the Committee by the Speaker from time to time:Provided that the Committee shall not examine and investigate any of the following, namely:-(i)matters of major Government policy as distinct from business or commercial functions of the Government Undertakings;(ii)matters of day to day administration; and(iii)matters for the consideration of which machinery is established by any special statute under which a particular Public Undertaking is established.(2)The House may by ordinary Resolution add or delete the names of Undertakings in the Second Schedule annexed to these Rules.(F)Committee on Government Assurances

198. Constitution and functions of the Committee.

- There shall be a Committee on Government Assurances consisting of not more than seven members nominated by the Speaker in order to scrutinize the assurances, promises, undertakings, etc., given by Ministers from time to time on the floor of the House and to report on:-(a)the extent to which such assurances, promises, undertakings, etc., have been implemented; and(b)where implemented, whether such implementation has taken place within the minimum time necessary for the purpose:Provided that no Minister shall be appointed a member of the Committee, and if a member of the Committee is appointed a Minister, he shall cease to be a member of the committee from the date of such appointment.(G)Committee on Petitions

199. Constitution of the Committee.

- There shall be a Committee on Petitions consisting of not more than seven members nominated by the Speaker:Provided that no Minister shall be appointed a member of the Committee and if a member of the Committee is appointed a Minister, he shall cease to be a member of the Committee from the date of such appointment.

200. Petition to whom to be addressed and how to be concluded.

- Every petition shall be addressed to the House and shall conclude with a prayer reciting the definite object of the petitioner in regard to the matter to which it relates.

201. Scope of Petitions.

- Petitions may be presented to the House when it is in session or submitted to the Speaker when not in session, on:-(i)a Bill which has been published under Rule 119 or which has been introduced in the House ;(ii)a matter connected with the business pending before the House; 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 Inquiry or a Statutory Tribunal or Authority or a Quasi Judicial Body or a Commission;(b)for which remedy is available under the law including rules, regulations, bye-laws made by the Central Government or the Government of the National Capital Territory of Delhi or an authority to whom power to make such rules, regulations, etc., is delegated.

202. General form of Petition.

(1)Every petition shall be couched in respectful, decorous and temperate language.(2)Every petition shall be in the language in which the Assembly transacts its business under sub-section (2) of the section 34 and if it is made in any other language it shall be accompanied by a translation in the language used for the transaction of the business in the Assembly and shall be signed by the petitioner.(3)The general form of the petition shall be as set out in the Third Schedule annexed to these rules.

203. Consideration of Petitions.

- After the presentation of a petition to the House the Committee on Petitions shall meet to consider it as early as possible:Provided that in the case of petition on a Bill pending before the House, it shall meet as soon as possible after it has been presented or reported to the House and submit its report to the House or direct the circulations of the petition to the members, as the case may be, well in advance of the Bill being taken up in the House:Provided further that in the case of a petition received on a Bill already under discussion in the House, the Committee shall meet to consider it immediately and submit its report or direct the circulation of the petition to the members, as the case may be, well in advance of the Bill being disposed of by the House.

204. Consideration of Representation, etc.

- The Committee shall also meet as often as necessary to consider representations, letters and telegrams received from various individuals, associations, etc. which are not covered by the rules relating to petitions and give directions for their disposal. The representations, which fall in the following categories shall not be considered by the Committee, but shall be filed on receipt in the Secretariat:-(i)anonymous letters or letters on which names and/or addresses of senders are not given or are illegible;(ii)endorsement copies of letters addressed to authorities other than the Speaker or House unless there is a specific request on such a copy praying for redress of the grievance;(iii)if the representations relate to personal or individual grievances;(iv)if the representation relate to matters specified in Clause (iii) of Rule 201 of the Rule;(v)if they ventilate service grievances of employees/ex-employees;(vi)representations seeking employments; requesting monetary or financial assistance in some form; regarding grievances on matters under control of other State Governments or Central Government; matters sub-judice; suggesting amendment of Constitution; and complaints against Members of Parliament/Assembly in relation to their conduct as private persons and not as Members of Parliament/Assembly;(vii)Letters in regional languages of which translation is not possible in the Secretariat;(viii)representation of a frivolous nature or those

not couched in respectful, decorous or temperate language or which are libellous or defanatory or allegatory in nature;(ix)matters which are beyond the jurisdiction of the Assembly ;(x)matters relating to the Consolidated Fund of the Capital:Provided that the Speaker may, in his discretion, require the Committee to consider any petition as referred by him.

205. Authentication if signatories to a Petition.

- The full name and address of every signatory to a petition shall be set out therein and shall be duly authenticated.

206. Document not to be attached to a Petition.

- Letters, affidavits or other documents shall not be attached to any petition.

207. Counter signature.

(1)Every petition shall be presented and countersigned by a member.(2)A member shall not present a petition from himself.

208. Notice of Presentation.

- A member shall give at least two days advance intimation to the Secretary of his intention to present a petition.

209. Form of Petition.

- A member presenting a petition shall confine himself to a statement in the following form:"I present a petition signed by.....Petitioner(s) regarding..." and no debate shall be permitted on his statement.

210. Procedure after Presentation of a Petition.

(1)Every petition after its presentation under these rules shall be referred to the Committee for examination.(2)After examination, the Committee may, if necessary, direct circulation of the petition in extenso or in an abridged form.(3)After circulation and after evidence, if any, the Chairman of the Committee or any member of the Committee shall report to the House the specific complaint contained in the petition and suggestions for remedial measures for the particular case or to prevent such cases in future.(H)Committee on Delegated Legislation

211. Constitution and functions of the Committee.

- There shall be a Committee on Delegated Legislation consisting of not more than seven members nominated by the Speaker in order to scrutinize and report to the House whether the powers to

make regulations, rules, sub-rules, bye-laws, etc. conferred by the Act or delegated by any other lawful authority are being properly exercised within such delegation: Provided that no Minister shall be appointed a member of the Committee, and if a member of the Committee is appointed a Minister, he shall cease to be a member of the Committee from the date of such appointment.

212. Functions of the Committee.

- The Committee shall, in particular, consider:-(i)whether the delegated legislation is in accordance with the general objects of the Constitution or 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 Legislature;(iii)whether it contains imposition of any tax;(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 Constitution or the Act does not expressly give any such power;(vi)whether it involves expenditure from the Consolidated Fund of the Capital or the Public revenues;(vii)whether it appears to make some unusual or unexpected use of the powers conferred by the Constitution or the Act pursuant to which it is made;(viii)whether there appears to have been unjustifiable delay in the publication or laying of it before the legislature; and(ix)whether for any reason its form or purport calls for any elucidation.

213. Report of the Committee.

- If the Committee is of opinion that any such delegated legislation should be amended wholly or in part, or should be amended in any respect, it shall report that opinion and the grounds thereof to the House. If the Committee is of opinion that any other matter relating to any delegated legislation should be brought to the notice of the House, it may report that opinion and matter to the House.(I)Rules Committee

214. Functions of the Committee.

- There shall be a Committee on Rules to consider matters of procedure and conduct of business in the House and to recommend any amendments or additions to those rules that may be deemed necessary.

215. Constitution of the Committee.

- The Committee shall consist of not more than seven members including the Speaker and the Deputy Speaker. Rest of the members shall be nominated by the Speaker.

216. Notice of amendments in Rules.

- Any member may give notice of amendment to any of these Rules, but shall a notice shall be accompanied with the Statement of Objects and Reasons for the amendment. On receipt of such a notice, the Speaker shall refer the same, if it is not out of order, to the Committee for consideration.

217. Chairman of the Committee.

- The Speaker shall be the ex-officio Chairman of the Committee. If the Speaker for any reason is unable to act as Chairman of the Committee, the Deputy Speaker shall be the Chairman for that sitting. If both are unable to preside for any reason, the Speaker shall nominate a Chairman for that sitting from amongst the members of the Committee.

218. Procedure for the amendment of the Rules.

(1)The recommendations of the Committee shall be laid on the Table and any member may, within a period of three days beginning with the day when it is so laid on the Table, give notice of an amendment including a motion to refer all or any of the recommendations of the Committee for the reconsideration of Committee together with the objects and reasons for such amendment.(2)If no notice of amendment to the recommendations of the Committee is given within the period mentioned of sub-rule (1), the recommendations of the Committee shall be deemed to have been approved by the House on the expiry of the said period and shall be incorporated in the Rules.(3)If notice of any amendment is received within the period prescribed in sub-rule (1), the Speaker shall refer such amendments, which are admissible to the Committee and the Committee may, after considering such amendments, make such changes in its recommendations as it deems fit.(4)The final report of the Committee after considering the amendments mentioned in sub-rule (3) shall be laid on the Table. Thereafter, on the House agreeing to the report on a motion made by a member of the Committee, the amendments to the rules as approved by the House shall be incorporated in the rules.(J)Committee of Privileges

219. Constitution of the Committee.

- The Committee of Privileges consisting of seven members including the Deputy Speaker shall be nominated by the Speaker. The Deputy Speaker shall be the Chairman of the Committee.

220. Examination of the question by the Committee of Privileges and its Procedure.

(1)On a reference being made to the Committee of Privileges, a copy of the complaint shall be sent by the Secretary to the person complained against with the request that he should, if he so desires, submit to the Secretary by a specified date his written statement about the complaint. After the expiry of the date fixed for submission of written statement, the Committee may, if it considers necessary summon, for purposes of inquiry, the person complaining and the person complained against to appear before it on a specified date, time and place.(2)Such a person, if he so desires, may also present his case before the Committee by a counsel.(3)If a party summoned to be present is unable to attend on the specified date he shall inform the Committee of the reasons thereof. The Committee may, on consideration of given reasons, postpone the consideration of the matter to enable the party to appear. If, however, the Committee considers that there are no good reasons for the absence or that the party has wilfully absented, the Committee may after considering the matter

against that party, in his absence, submit its report, and bring to the notice of the House his disobedience of the order for proper action against him.

221. Examination of the Question by the Committee.

- The Committee of Privileges shall examine the question in the light of the evidence and circumstances of the case and determine whether any breach of privileges of contempt, has been committed and look into the nature of the breach and the circumstances leading to it, and make such recommendations as it may deem proper.

222. Disabilities of Members of the Committee.

- The complaining member or the member complained against, if he be a member of the Committee, shall not sit on the Committee so long as the matter complained by or against him as the case may be, is under consideration before the Committee.

223. Sitzings of Committee of Privileges.

- The Committee of Privileges shall meet as soon as may be, after a question of privileges or contempt has been referred to it and from time to time thereafter till report is made during the time fixed by the Speaker or the House, as the case may be: Provided that where no time has been fixed for the presentation of the report, the report shall be presented within one month of the date of reference: Provided further that the Speaker of the House, as the case may be, may from time to time extend the date for the presentation of the report by the Committee.

224. Report of the Committee.

- The Report of the Committee shall indicate if a breach of privilege or contempt has been committed and what punishment in its opinion should be inflicted. It may also recommend the acceptance of any apology, if apology has been tendered. (K) Questions and Reference Committee

225. Constitution of the Committee.

(1) There shall be a Question and Reference Committee consisting of not more than seven members to be nominated by the Speaker and the Deputy Speaker shall be the ex-officio Chairman of the Committee. (2) No Minister shall be a member of the committee mentioned in sub-rule (1) and if a member of the Committee is appointed a Minister, he shall cease to be a member of the Committee from the date of such appointment. (3) The quorum to constitute a sitting of the Committee shall be three.

226. Functions of the Committee.

- The following shall be the functions of the Committee:-(a)If a reply to a question is not received from the Government within time or the reply received is not satisfactory and the Speaker considers it expedient so to do, he may refer the matter to the Questions and Reference Committee.(b)Besides questions, any other matter concerning the House not included within the jurisdiction of other Committee under these rules, may be referred by the Speaker to the said Committee for consideration.(L)General Purposes Committee

227. Constitution and Functions.

(1)There shall be a General Purposes Committee nominated by the Speaker consisting of not more than seven members including leaders of various parties and groups in the Assembly and other important members including the Speaker who shall be ex-officio Chairman of the Committee.(2)The functions of the Committee shall be to consider proposals and to tender advice to the Speaker on important matters specially relating to improvement in the organisation of work in the Assembly and any other matter referred to it by the House or the Speaker.(M)Committee on the Welfare of Schedule Castes and Scheduled Tribes and other Backward Classes

228. Constitution and functions and term.

(1)There shall be a Committee called the Committee on the Welfare of Scheduled Castes and Scheduled Tribes and other Backward Classes nominated by the Speaker consisting of not more than seven members nominated by the Speaker:Provided that no Minister shall be nominated as a member of the Committee and if a member, after his appointment to the Committee is appointed as Minister he shall cease to be a member of the Committee from the date of such appointment.(2)The functions of the Committee shall be:(i)to review the progress and implementation of the welfare programmes and other ameliorative measures as also constitutional safeguards for Scheduled Castes and Scheduled Tribes and other Backward Classes and to report to the House as to the measures that should be taken by the Government in respect of matters within their review;(ii)to suggest ways and means of realising the objective of Government policy to bring about improvement in the conditions of these classes in the shortest possible time; and(iii)to examine such of the matters as may seem fit to the Committee or are specifically referred to it by the House or the Speaker.(3)The term of the office of the Committee shall be one year or until the next Committee is constituted, whichever is later.(N)Committee on Papers Laid on the Table

229. Constitution, term and functions.

(1)There shall be a Committee on Papers laid on the Table of the House consisting of not more than seven members.(2)The Committee shall be nominated by the Speaker and shall hold office for a term not exceeding one year.(3)The functions of the Committee shall be to examine all papers laid on the Table on the House by the Ministers and to report to the House on-(a)whether there has been a compliance of the provisions of the Act, rules or regulations under which the paper has been

laid;(b)whether there has been any unreasonable delay in laying the papers;(c)if there has been any such delay whether a statement explaining the reasons for delay has been laid on the Table and whether those reasons are satisfactory;(d)whether both Hindi and English versions have been laid on the Table;(e)whether a statement explaining reasons for not laying the Hindi version has been given and whether such reasons are satisfactory;(f)the Committee shall perform such other functions in respect of the papers laid on the Table of the House as may be assigned to it by the Speaker from time to time.(4)A member wishing to raise any of the matters referred to in sub-rule (3) shall refer it to the Committee and not raise in the House.(O)Library Committee

230. Constitution, term and functions.

(1)There shall be a Library Committee consisting of not more than seven members including its Chairman. The Speaker shall be the ex-officio Chairman of the Committee.(2)The Committee shall be nominated by the Speaker and the term of office of its members shall be one year or until the next Committee is constituted, whichever is later:Provided that no Minister shall be nominated as a member of the Committee and if a member, after his appointment to the Committee, is appointed a Minister he shall cease to be a member of the Committee from the date of such appointment.(3)The functions of the Committee shall be-(a)to consider and advise on such matters concerning the Library as may be referred to it by the Speaker from time to time; and(b)to consider suggestions for the improvement of the Library and to advise upon matters connected with the services provided to the members by the Library.,(P)Committee on Private Members' Bills and Resolutions

231. Constitution, term and function.

(1)There shall be a Committee on Private Members' Bills and Resolutions consisting of not more than seven members including the Speaker who shall be the Chairman of the Committee.(2)The Committee shall be nominated by the Speaker and shall hold office for a term of one year or until the next Committee is constituted whichever is later.(3)The functions of the Committee shall be-(a)to carefully examine the nature, urgency and importance of all Private Members' Bills after they are introduced in the Assembly or otherwise as the Speaker may direct and to recommend the time that should be allocated for the discussion of the stage or stages of each 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;(b)to examine every Private Members' 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;(c)to recommend time limit for the discussion of private members' resolutions and other ancillary matters;(d)to perform such other functions in respect of Private Members' Bills and Resolutions as may be assigned to it by the Speaker from time to time.(4)Report of the Committee. - At any time after the report has been presented to the Assembly, a motion may be moved that the Assembly agrees with amendments or disagrees with the report:Provided that an amendment may be moved that the report be referred back to the Committee either without limitation or with reference to any particular matter:Provided further that not more than half an hour shall be allotted for discussion of the motion and no member shall speak for more than five minutes on such motion.(5)Allocation of Time-The allocation of time in respect of Bills and resolutions as approved by the Assembly shall take effect as if it were on order of the

Assembly.(6)At the appointed hour, in accordance with the allocation of time, the Speaker shall forthwith put every question necessary to dispose of all the outstanding matters its condition with the completion of a particular stage of the Bill or the resolution.(Q)Committee on Women and Child Welfare

232. Constitution of Committee.

- There shall be a Committee nominated by the Speaker on women and child welfare consisting of not more than seven members:Provided that a Minister shall not be nominated as a member of the Committee and if a member after his nomination to the Committee is appointed a Minister, he shall cease to be a member of the Committee from the date of such appointment.

233. Functions of the Committee.

- The functions of the Committee shall be-(1)to examine(a)the functioning of any orphanage, poor home, welfare home, hospital, asylum, educational institution, boarding house, prison, factory or any place of calling or avocation where women and children are generally admitted or any rescue home, shelter home, Nari Niketan, maternity and child welfare home, borstal school or any other similar institution exclusively meant for women and children and such other premises as the Committee may determine, from time to time, in consultation with the Speaker;(b)the functioning of the institutions and government departments dealing with the welfare of women and children;(c)to consider the reports submitted by the Delhi Commission for Women and to report on the measures that should be taken by the Government for the empowerment of women and for improving their status/conditions in respect of the matters within the purview of the Government.(2)to suggest measure for-(a)the rehabilitation of unmarried or deserted mothers and the aged and destitute women and desolate widows;(b)making the mentally retarded, the infirm and the physically handicapped persons self-sufficient and useful members of the society;(c)the welfare of disorganised group of women engaged in house-hold labour and similar other occupations.(3)to examine such other matters as may be deemed fit by the committee or specially referred to it by the Speaker.(R)Committee On Environment

234. Constitution of Committee.

- There shall be a Committee on environment consisting of not more than seven members to be nominated by the Speaker:Provided that a Minister shall not be nominated as a member of the Committee and that if a member after his nomination to the Committee is appointed a Minister, he shall cease to be a member of the Committee from the date of such appointment.

235. Functions of the Committee.

- The functions of the Committee shall be-(i)to study the environmental problems in the Capital and to recommend remedial measures there to;(ii)to examine the nature, degree and extent of the environmental imbalances caused by different kinds of pollution, the results of such pollutions and

to suggest remedial measures for the prevention and control thereof;(iii)to examine the working and activities of the Departments/ Boards/Corporations in relation to environment;(iv)to review the implementation of the plans and programmes relating to maintenance of environmental balance;(v)to examine such other matters as may be deemed fit by Committee or specially referred to it by the House or by the Speaker.(S)Committee on Appeals (Nivedan)

236. Constitution of Committee.

- There shall be a Committee on Appeals' (Nivedan) consisting of not more than 7 members to be nominated by the Speaker:Provided that a Minister shall not be nominated as a member of the Committee and that, if a member after his nomination to the Committee, is appointed a Minister, he shall cease to be a member of the Committee from the date of such appointment.

237. Functions of the Committee.

- The functions of the Committee shall be:-(i)to consider and examine the appeals presented by members in the House;(ii)to consider and process the comments and replies called for from various departments in response to the appeal; and(iii)to examine papers/document and other such material received from various sources in connection with the appeal.

238. Scope of Appeals.

(1)The appeal, shall relate to a matter of general public interest within the jurisdiction of the Government. An appeal for which remedy is available under the law including rules, regulations, etc. made by the Central Government or the Government may not be admissible. An appeal may also not be admissible if it relates to grievances of an individual or service matters of an employee.(2)The appeal shall not relate to a matter within the cognizance of a court of law having jurisdiction in any part of India or a court of inquiry or a statutory tribunal or an authority or a quasi judicial body or a commission.

239. Notice of Appeal.

(1)A member wishing to present an appeal to the House, shall give notice in writing to the Secretary at least one day before the day on which it is desired to be presented. The notice shall be accompanied by the subject matter of the appeal in brief, say not more than ten lines.(2)When called upon by the Speaker to present the appeal, the member shall strictly confine himself to the written text.

240. Limitation on number of appeals to be presented on a day.

(1)Unless the Speaker otherwise directs, not more than one appeal shall be presented in the House during any sitting of the House and no member shall be permitted to present more than one appeal in any session.(2)All appeals received in the Secretariat shall be examined, processed and placed

before the Speaker, whose decision about the admissibility of an appeal shall be final and binding.

241. Time of Presentation.

(1)The appeal found admissible shall be presented when the House reassembles after the tea break or at such other time as the Speaker may consider appropriate.(2)An appeal which could not be presented in the House due to adjournment of the House or for any other reason or on account of the absence of the member giving notice of appeal, shall be deemed to have lapsed.

242. Procedure after presentation of an Appeal.

(1)Every appeal after its presentation under these rules shall be referred to the committee for its examination.(2)After the examination of appeal, including comments and replies from various sources and after evidence, if any, the Committee shall present its recommendations to the House in the form of a report.Select Committee

243. Constitution of Select Committee.

(1)When a motion that a Bill be referred to a Select Committee is made and agreed to the members of the Select Committee on the Bill shall be appointed by the House.(2)The Select Committee shall consist of seven members as follows:(i)Minister-in-charge of the Bill,(ii)Member-in-charge of the Bill, if any,(iii)The member on whose motion the Bill is referred to the Select Committee,(iv)Four or Five or Six members, as the case may be, of the Assembly to be elected by the method of proportional representation by means of a single transferable vote.

244. Procedure of a Select Committee.

- The procedure in a Select Committee shall, as far as practicable, be the same as is followed in the House during the consideration stage of a Bill, with such adaptation whether by way of modification, addition or omission, as the Speaker may consider necessary or convenient.

245. Notice of Amendments by Members other than Members of Select Committee.

- When a Bill has been referred to a Select Committee, any notice given by a member of any amendment to a clause in the Bill shall stand referred to the Committee:Provided that where notice of amendment is received from a member who is not a member of the Select Committee, such amendment shall not be taken up by the committee unless moved by a member of the Committee.

246. Power of Committee to take Evidence.

- A Select Committee may hear expert evidence and representatives of special interest affected by the measure before it.

247. Printing and Publication of Evidence tendered before a Select Committee.

(1)The discussions of a Select Committee shall not be disclosed by any person present at its sitting nor shall any reference to such discussion be made in the House.(2)The evidence tendered before the Select Committee may be made available to all members of the Select Committee.(3)The Committee may direct, that the whole or a part of the evidence or a summary thereof may be laid on the Table.(4)The evidence given before a Select Committee shall not be published by any member of the Select Committee or by any other person until it has been laid on the Table:Provided that the Speaker may, in his discretion, direct that such evidence be confidentially made available to members before it is formally laid on the Table.

248. Record of Decisions of the Committee.

- A record of the decisions of a Select Committee shall be maintained and circulated to members of the committee under the direction of the Chairman.

249. Report by Select Committee.

(1)Soon after a Bill has been referred to it, the Select Committee shall meet from time to time in order to consider the Bill and shall make a report thereon within the time fixed by the House:Provided that where the House has not fixed any time for the presentation of the report, the report shall be presented before the expiry of three months from the date on which the House adopted the motion for the reference of the Bill to the Select Committee:Provided further that the House 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)Reports may be either preliminary or final.(3)The Select Committee shall in its report state whether the publication of the Bill directed by these 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 it thinks fit, include in its 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 recirculation.

250. Minutes of dissent recorded by a Member.

(1)Any member of a Select Committee may record a minute of dissent on any matter or matters connected with Bill or dealt with in the report.(2)A minute of dissent shall be couched in temperate and decorous language and shall not refer to any discussion in the select committee nor cast aspersions on the Committee.(3)If in the opinion of the Speaker a minute of dissent contains words, phrases or expressions which are unparliamentary or otherwise inappropriate he may order such words, phrases or expressions to be expunged from the minute of dissent.(4)The minutes of dissent, if any, shall form part of the report.

251. Printing and Publication of Report.

- The Secretary shall cause every report of the Select Committee to be printed and a copy of the report shall be made available for the use of every member of the House. The report and the Bill, as reported by the Select Committee shall be published in the Gazette.

Chapter XVII

Resolution for Removal of Speaker and Deputy Speaker and No-Confidence Motion Against Ministers

252. Resolution for removal of Speaker or Deputy Speaker.

- A member wishing to give a notice of his intention to move a resolution under Section 7(2) for the removal of Speaker or the Deputy Speaker from his office shall do so in writing: Provided that no resolution for the aforesaid purpose shall be moved unless such notice has been given to the Secretary at least fourteen days before.

253. Admissibility of Resolution.

- In order that such a resolution may be admissible, it shall satisfy the following conditions, namely:-(i) it shall be specific with respect to the charges; (ii) it shall be clearly and precisely expressed; and (iii) it shall not contain arguments, inferences, ironical expressions, imputations or defamatory statements.

254. Leave of the House to take up Resolution.

(1) The member in whose name the resolution stands may withdraw the resolution, but if he does not do so he shall ask for the leave of the House to move the resolution. No speech shall be permitted at this stage, but the mover may briefly state the reason for bringing the resolution. (2) The Speaker or the Presiding Member shall ask those members who are in favour of leave being granted to rise in their places. If less than one-fifth to the total number of the then members of the House rise in their places; the Speaker or the Presiding member shall inform the mover that he has not the leave of the House to move the resolution.

255. Resolution included in the List of Business on the Appointed Day.

(1) In case, the mover obtains the leave of the House to move the resolution according to the provisions of the last preceding rules, the resolution shall be taken up for consideration on the same day or any appointed day. (2) Such a resolution shall be taken up after the question hour and before any other business is entered upon.

256. The Presiding Person at the time of consideration of the Resolution.

- Subject to the provisions of sub-section (1) of Section 8, the Speaker or the Deputy Speaker or such other person, as is referred to in sub-section (4) of Section 7 shall preside when a resolution for removal under the foregoing rules is taken up for consideration.

257. Time limit for speeches.

- No speech of the resolution shall exceed fifteen minutes in duration :Provided that the mover of the resolution or the Speaker or the Deputy Speaker, as the case may be, may speak for such longer time as the member presiding may permit.

Chapter VIII

Motion of No Confidence in Council of Ministers

258. Motion of No Confidence.

(1)A motion expressing want of confidence in the Council of Ministers may be made with the consent of the Speaker subject to the following restrictions, namely:-(a)Leave to make the motion shall be asked for after questions and before the list of business for the day is entered upon.(b)The member asking for leave shall deliver to the Secretary a written notice of the motion which he proposes to move by 11.00 hours of the sitting for the day.(2)If the Speaker is of opinion that the motion is in order, he shall read the motion to the House and shall request those members who are in favour of leave being granted to rise in their places, and, if not less than one-fifth of the total number of the members of the House rise accordingly, the Speaker shall intimate that leave is granted and that the motion will be taken on such day, not being more than three days from the date on which the leave is granted, as he may appoint. If less than the requisite number of members rise, the Speaker shall inform the member that he has not the leave of the House.(3)If leave is granted under sub-rule (2) the Speaker may, after considering the state of business in the House, 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 the last of the allotted days, as the case may be, forthwith put every question necessary to determine the decision of the House on the motion.(5)The Speaker may, if he thinks fit, prescribe a time limit for speeches.

259. Statement by a Minister who has Resigned.

- A member who has resigned the office of Minister shall have the right with the consent of the Speaker to make a personal statement in explanation of his resignation. 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 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 made.(2)Such statement shall be made after questions and before the list of

business for the day is entered upon.(3)There shall be no debate on such statement, but any Minister may make a statement pertinent thereto.

Chapter XIX

Communication Between the Lieutenant Governor and the Assembly

260. Communications from the Lieutenant Governor to the Assembly.

- Communications from the Lieutenant Governor to the Assembly may be made:by a written message delivered to the Speaker and read to the House by him.

261. Communications from the Assembly to the Lieutenant Governor.

- Communications from the Assembly to the Lieutenant Governor shall be made:(1)by formal address, after a motion made and carried in the House, and(2)through the Speaker.

Chapter XX

Resignation and Vacation of Seats in the House and Absentee Members

262. Resignation of Seats in the House.

(1)A member who desires to resign his seat in the House shall intimate in the following form:ToThe Speaker,Legislative Assembly,National Capital Territory of Delhi.Sir,I hereby tender my resignation of my seat in the House with effect from.....(date) forenoon/afternoon.Yours faithfully,(Signature of Member of the House)Note. - (1) The date and time of resignation given in the letter shall not be earlier than the one on which the latter is written.(2)If a member hands over the letter of his resignation personally to the Speaker and informs him that the resignation is voluntary and genuine, and the Speaker has no information or knowledge to the contrary, the Speaker may accept the resignation immediately.(3)If the Speaker receives the letter of resignation by post or through some other person the Speaker may make such enquiry as he thinks fit to satisfy himself about the voluntary nature and genuineness of the resignation, if the Speaker is satisfied, after making a summary enquiry either himself or through Legislative Assembly Secretariat or such other agency as may deem fit, that the resignation is not voluntary or genuine he shall not accept it.(4)A member may withdraw his resignation before it is accepted by the Speaker.(5)Soon after the acceptance of the resignation of a member, the Speaker shall inform the House that such and such member has resigned his seat in the House and that he has accepted the resignation.Explanation-When the House is not in session, the Speaker shall inform the House immediately after it re-assembles.(6)The Secretary shall, as soon as may be, after the Speaker has accepted the resignation of a member, cause the information to be published in the bulletin and the Gazette and

forward a copy of the notification to the Election Commission for taking steps to fill the vacancy thus caused. But if the resignation is to take effect from future date, the information shall not be published in the bulletin and Gazette before the date from which it is to take effect.(7)The resignation shall take effect from the date and time specified in the letter of resignation.(8)If any dispute arises as regards the genuineness of voluntary nature of the resignation, the same shall be determined by the Speaker before any action is taken under sub-rule (5) or sub-rule (6).(9)If any letter of resignation is not in the form prescribed, it shall be returned to the member concerned for being submitted in the prescribed form.

263. Permission to remain absent from sittings of the House.

(1)A member wishing to obtain permission of the House for remaining absent from sittings thereof under sub-section (3) of Section 14 shall make an application in writing to the Speaker, stating the period for which he may be permitted to be absent from the sittings of the House.(2)Such application shall be set down for consideration by the House soon after receipt, as may be ordered by the Speaker, and shall on the day so fixed considered immediately after question, and before any other business for the day is entered upon.(3)The Speaker shall decide the manner in which the decision of the Assembly shall be taken on such application.(4)The Secretary shall inform the member, as soon as possible of the decision of the Assembly on his application.(5)If a member who has been granted leave of absence under sub-rule (2) attends the session of the House during the period of leave, the unexpired portion of the leave from the date of his resumed attendance shall lapse.(6)If a member is absent without permission from all sittings of the Assembly for a period of 60 days or more, computed in the manner provided in the proviso to sub-section (3) of Section 14, the Leader of the House or any other member may move that such member's seat be declared vacant.(7)Three days notice of such a motion shall be necessary and a complete statement, of the dates on which the member was absent shall be appended to it.(8)The Secretary shall, after the motion under sub-rule (6) is carried, 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.

264. Attendance Register.

- A record of attendance of members in the sittings of the House shall be kept by the Secretary and for this purpose an attendance register shall be maintained. It will be placed in the lobbies an hour before the commencement of a sitting and the members, other than Speaker, the Deputy Speaker, Ministers, and the Leader of Opposition, shall sign it before the sitting is adjourned for the day. A member who has not signed the register shall be treated as absent:Provided that the member who has been treated as absent may, within fifteen days of such a sitting which he attended and during which he failed to sign the attendance register, satisfy the Speaker about his attendance and the Speaker, if so satisfied, may order that he may be marked present.

Chapter XXI

General Rules Of Procedure

(A) Notice

265. Giving of Notices.

(1) Every notice required by the rules shall be given in writing addressed to the Secretary and signed by the member giving notice, also indicating his division number, and shall be delivered in the Notice Office between such hours as notified from time to time, on every day except Saturdays, Sundays and public holidays. (2) A notice received in the Notice Office after the hours other than those specified in sub-rule (1) shall be treated as given on the next working day. (3) While the House is sitting, copies of the notices except of cut motions, received under sub-rule (1) shall be circulated by the Secretary to members by next day. (B) Amendments

266. Amendments which may be admissible.

(1) Subject to these rules an amendment shall be relevant to the subject matter of the motion to which it is proposed. (2) A notice of amendment shall be given at least one day before the day on which the motion is to be considered, unless the Speaker directs otherwise. (3) An amendment may not be moved which if carried, would have merely the effect of a negative vote. (4) After a decision has been given on an amendment to any part of a motion an earlier part shall not be amended. (5) No amendment may be proposed which is inconsistent with a previous decision on the same subject. (6) The Speaker shall have the power to select amendments given notice of and he may, at any stage, disallow an amendment or refuse to put to vote an amendment which in his opinion is frivolous or irregular.

267. Amendment how put to Vote.

(1) When one or more amendments are moved to a motion, the Speaker shall, before putting the question thereon, state or read to the House the original motion. (2) It shall be in the discretion of the Speaker either to put the original motion to vote first or any of the amendments thereto. (C) Rules to be Observed by Members

268. Rules to be observed by members while present in the House.

- While the House is sitting, a member:-(i) shall not read any book, newspaper or letters, nor shall he do anything which is unconnected with the business of the House; (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 House, 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 or cross the floor of the House when the Speaker is addressing the House; (vi) shall always address the Chair; (vii) shall keep

to his usual seat while addressing in the House;(viii)shall maintain silence when not speaking in the House;(ix)shall not obstruct or interrupt the proceedings by shouting hissing or in any other manner whatsoever when speeches are being made in the House or the House is in session;(x)shall not, while speaking, point to any stranger in the gallery;(xi)shall not applaud when a stranger enters any of the Galleries, or the Special box;(xii)shall not shout slogans in the House;(xiii)shall not sit or stand with his back towards Chair;(xiv)shall not approach the Chair personally in the House. He may send chits to the officers at the Table, if necessary;(xv)shall not wear or display badges of any kind in the House;(xvi)shall not bring or display arms in the House;(xvii)shall not display flags, emblems or any exhibits in the House;(xviii)shall not leave the House immediately after delivering his speech;(xix)shall not distribute within the precincts of the house any literature, questionnaire, pamphlets, press notes, leaflets, etc. not connected with the business of the House;(xx)shall not place his hat/cap on the desk in the House, bring boards in the Chamber for keeping files or for writing purposes, smoke or enter the House with his coat hanging on the arms;(xxi)shall not carry walking stick into the House unless permitted by the Speaker on health grounds;(xxii)shall not tear off documents in the House in protest;(xxiii)shall not bring or play cassette or tape recorder in the House;(xxiv)shall avoid talking or laughing in Lobby loud enough to be heard in the House; and(xxv)shall not carry any telephone apparatus or electronic gadgets in the House.

269. Member to speak when called by the Speaker.

- When a member rises to speak, the Speaker shall call his name. If more members than one rise at the same time, the member whose name is called shall be entitled to speak.

270. Mode of addressing the House.

- A member desiring to make any observations on any matter before the House shall rise when he speaks and shall address the Speaker:Provided that a member disabled by sickness or infirmity may be permitted by the Speaker to speak while sitting.

271. Rules to be observed while speaking.

(1)The matter of every speech must be strictly relevant to the matter under discussion.(2)A member while speaking shall not:(a)Give any evasive reply to any question;(b)express any opinion or make any comment on any matter or fact under consideration of a Court of Justice;(c)make a personal charge or accusation against a member;(d)use offensive expressions about the conduct of business of Parliament or the legislature of any State;(e)reflect on any decision of the House except when a motion for rescinding it is under consideration;(f)reflect upon the conduct of the President or any Governor or any Court of Justice;(g)utter reasonable or defamatory words but he may, with the permission of the Speaker, quote them for the purposes of his argument; and(h)say anything which is derogatory to the Chair or to the House;(j)refer to Government officials by name;(j)read a written speech except with the prior permission of the Chair.

272. Procedure for making allegation against any person.

- No member shall make any allegation of defamatory or offensive nature against any person unless the member has given prior notice to the Speaker and the Minister concerned so that the Minister may examine the matter for the purpose of reply: Provided that the Speaker may prohibit any member at any time from making such allegation, if he is of the opinion that such allegation is against the dignity of the House or such allegation does not serve public interest.

273. Questions to be asked through the Speaker.

- When for the purposes of explanation during discussion or for any other sufficient reason, any member has to ask a question from another member on any matter under the consideration of the Assembly, he shall ask the question through the Speaker.

274. Irrelevance or repetition.

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

275. Personal Explanation.

- A member may give personal explanation with the permission of the Speaker though there may be no question before the House, provided that in such case no controversial question shall be raised and there would be no debate. (D) Order of Speeches & Right of Reply

276. Order of speeches and right of reply.

(1) After the member who makes a motion has spoken, other members may speak on the motion in such order as the Speaker may determine. If any member when called upon by the Speaker does not speak he shall not be entitled except with the permission of the Speaker to speak on the motion at any later stage of the debate. (2) Except as otherwise provided, no member shall speak more than once on any motion. (3) A member who has moved the original motion or an amendment thereto or has made a motion for reduction or omission of an item under the budget demands, may speak again by way of reply, and if the motion or the amendment is moved by a private member, the Minister to whose department the matter under discussion relates shall have the right of speaking after the mover whether he has previously spoken in the debate or not. (4) Subject to the provisions of sub-rule (3) the reply of the mover of the original motion shall in all cases conclude the debate.

277. Ministers Rights to Intervene in the Debate or to Make a statement.

(1)(a) A Minister with the permission of the Speaker may intervene at any stage of debate and will also have a right to reply to the debate so as to conclude it; (b) a statement may be made by Minister

on a matter of public importance with the consent of the Speaker but no question shall be asked at the time the statement is made.(2)A Minister desiring to make a statement in the House under Clause 1(b) shall intimate in advance the date on which the statement is proposed to be made and also send a copy of the statement to the Secretary.(3)The statement shall pertain to a subject for which the Minister is responsible and shall be made to explain Government's policy in regard to a specific matter of public importance or topical interest.

278. Address by Speaker.

- The Speaker may suo moto or on a point being raised or on a request made by a member address the House at any time on a matter under consideration in the House with a view to aiding members in their deliberations and such expression of views shall not be taken to be in the nature of a decision.(E)Procedure When Speaker Rises

279. Speaker to be heard in silence.

(1)Whenever the Speaker speaks or rises to address the House, 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 House.(F)Decision

280. Procedure for obtaining decision of the House.

- A matter requiring the decision of House shall be decided by means of a question put by the Speaker.

281. Proposal and putting of question.

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

282. Decision.

(1)Votes may be taken by voices or by division and shall be taken by division, if any member so desires :Provided that the Speaker may, if he is satisfied that division is unnecessarily claimed, avoid a division and take votes by show of hands.(2)The result of a division shall at once be announced by the Speaker and shall not be challenged.(G)Speaker's Power to Order Withdrawal of a Member of to Adjourn the House or Suspend a Sitting

283. Peace and Order in the House.

(1)The Speaker shall preserve order and may direct any member whose conduct in his opinion is disorderly or is defiant to the Speaker to withdraw immediately from the House forthwith and shall

absent himself during the remainder of the day's sitting.(2)The Speaker may name a member in the following cases:(a)if a member on being ordered by the Speaker under sub-rule (1) to withdraw does not obey the order, or(b)if the Speaker considers the power conferred under sub-rule (1) to be inadequate, or(c)if a member wilfully and persistently obstructs the proceedings of the House in a disorderly manner, or(d)if action under this rule becomes necessary against him on successive occasions in the same session.(3)(a)As soon as a member is named, the Leader of the House or the Minister for Parliamentary Affairs or in his absence any other member shall forthwith make a motion to the effect that the member so named be suspended from the service of the House and the question on such motion shall be put before the House without any amendment, debate or adjournment proceeding.(b)On a member being so suspended, the period of suspension shall be for the first occasion for 3 sittings, for the second occasion for 7 sittings and on subsequent occasions unless otherwise decided by the House, for the remainder of the session:Provided that any period of suspension shall in no case be longer than the remainder of the session.(c)The member suspended by the House shall forthwith withdrawn from the precincts of the House. But on his not doing so and on the attention of the House being drawn by the Speaker to the fact that recourse to force has become necessary, the suspended member shall stand suspended for the remainder of the session without any further action.(d)The member suspended from the service of the House shall stand debarred from entering the precincts of the House and from taking part in the proceedings of the House and the Committees:Provided that the Speaker may allow a suspended member to enter the precincts of the House for any particular purpose on a request being made to that effect.(4)The House may at any time, on a motion being made order that any punishment of suspension under sub-rule (3) aforesaid or the unfinished part thereof may be rescinded.(5)The Speaker shall have full authority to carry out his order or the decisions of the House and may employ, or authorise the employment of, necessary force, at any stage of the proceedings.(6)The Speaker may, in the case of grave disorder arising in the House, suspend a sitting for a time to be determined by him.

284. Suspension of a member.

- If during any sitting of a House any member after entering into empty space in the Chamber of the House snatches or tries to snatch the papers kept on the table of the servants of the House or tears or tries to tear them or throw or tries to throw any paper, file, etc. towards the Speaker's chair, or climbs or tries to climb the Speaker's chair, such member shall on being named by the Speaker or presiding member be deemed to have been suspended from the services of the House for the said sitting.(H)Points of Orders

285. Points of order and decisions thereon.

(1)A point of order shall relate to the interpretation or enforcement of these rules or such articles of the Constitution or such sections of the Act as regulate the business of the House and shall raise a question which is within the cognizance of the Speaker.(2)A point of order may be raised in relation to the business before the House at the moment:Provided that the Speaker may permit a member to raise a point of order during the interval between the termination of one item of business and the commencement of another if it relates to the maintenance of order in or the arrangement of business before the House.(3)Subject to the conditions referred to in sub-rules (1) and (2) a member

may raise a point of order and the Speaker shall decide whether the point raised is a point of order and if so, give his decision thereon, which shall be final.(4)No debate shall be allowed on a point of order, but the Speaker may, if he thinks fit, hear members before giving his decision.(5)A point of order is not a point of privilege.(6)A member shall not raise a point of order-(a)to ask for information, or(b)to explain his position, or(c)while a question on any motion is being put to the House, or(d)which is hypothetical, or(e)that division bells did not ring or were not heard.

286. Raising of a matter which is not a point of order.

- A member who wishes to bring to the notices of the House any matter which is not a point of order, shall give notice to the Secretary in writing stating briefly the point which he wishes to raise in the House together with reasons for wishing to raise it and he shall be permitted to raise it only after the Speaker has given his consent and at such time and date as the Speaker may fix.(I)Record & Report of Proceedings

287. Record of proceedings of the Assembly.

(1)The Secretary shall keep a journal in which a short record of the decisions of the Assembly for each day shall be entered.(2)The journal after each sitting of the House, shall be signed by the Speaker, and when so signed by shall form an authentic record of the decisions of the House.(3)The short record of each day's proceedings shall be circulated to the members in the form of a bulletin as soon as possible.

288. Report of proceedings of the Assembly.

(1)The Secretary shall also cause to be prepared a full and accurate record of the proceedings of the Assembly at each of its sittings and shall publish it in such form and manner as the Speaker may from time to time direct.(2)A copy of such report shall be sent by the Secretary to each member of the Assembly and to the Lieutenant Governor within three months.

289. Expunction of words from proceedings of the House.

(1)If the Speaker is of the opinion that a word or words has or have been used in the House 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 House.(2)The portions of the proceedings of the House so expunged shall not be printed, in their place asterisks shall be marked and an explanatory footnote shall be inserted in the proceedings as follows:"Expunged as ordered by the Chair, on such and such date."(J)Admission of Strangers

290. Speaker to regulate admission of strangers.

- Admission of strangers to those portions of the precincts of the House, which are not reserved for the exclusive use of members, shall be regulated by orders or rules made by the Speaker.

291. Powers to order withdrawal of strangers.

- The Speaker may, at any time, order the withdrawal of strangers from any portion of the precincts of the House.

292. Steps for expulsion of strangers.

- The Speaker may take such steps or action as may, in his discretion be necessary in the circumstances of the case for the expulsion of any stranger from any portion of the precincts of the House. (K) Power of Speaker to Make Regulations for Election by Single Transferable Vote and for Ballot

293. Speaker to make regulation for election by single transferable vote and for ballot.

- The Speaker shall make regulations governing the method of election by single transferable vote or the holding of ballot for any other purposes for which no provision has been made in these rule. (L) Election by the Assembly

294. Election by the Assembly.

- When in pursuance of an Act or otherwise, the members of the Assembly or a section thereof have to elect their representatives on a public body, the Secretary shall, when requested in this behalf arrange to hold an election in accordance with the provisions of the Act or the directions of and regulations, if any, made by the Speaker. (M) Laying of A Paper or Document on the Table of the House

295. Laying of any paper or documents on the table of the House.

- No paper or document shall be laid on the Table without the order of the authority of the Speaker: Provided that when a paper or document is laid on the Table prior notice shall be given to the Secretary: Provided further that whenever statutory regulations, rules, sub-rules, bye-laws, etc. are required to be laid on the Table, prior notice thereof shall be given by the Minister to the Secretary in writing along with the authenticated copies of the relevant documents, at least, one day in advance. (N) Miscellaneous

296. 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 House and if the motion is carried, the rule in question shall be suspended for the time being. The Speaker shall decide the procedure to be followed in such a case.

297. Interpretation and removal of difficulties.

- If any doubt arises as to interpretation of any of the provisions of these rules, the decision of the Speaker shall be final.

298. 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.

299. Speaker's decision not to be questioned.

- No decision of the Speaker in respect of allowing or disallowing of any resolution or question or in respect of any other matter shall be questioned.

300. Objection to vote of a member.

- If the vote of a member in a division in the House is challenged on the ground of personal, pecuniary or direct interest in the matter to be decided, the Speaker may, if he considers necessary, call upon the member making the challenge, to state precisely grounds of his objection and the member whose vote has been challenged to state his case and shall decide whether the vote of that member should be disallowed or not and his decision shall be final: Provided that the vote of any member or members is challenged immediately after the division is over and before the result is announced by the Speaker. Explanation. - For the purposes of this rule, the interest of a member should be direct, personal or pecuniary and separately belong to the member whose vote is questioned and not in common with the public in general or with any class or section thereof or on a matter of state policy. First Schedule (See Rules 84 and 85) Form of communication regarding arrest, detention, conviction or release, as the case may be of a member Place..... Date..... To The Speaker, Legislative Assembly, National Capital Territory of Delhi. Dear Shri Speaker, (A) I have the honour to inform you that I have found it my duty in the exercise of my power under section..... of the..... (Act), to direct that Shri..... member of the Legislative Assembly of the Capital be arrested/detained for..... (reason for the arrest or detention as the case may be). Shri..... M.L.A. 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 of the Capital, was tried at the Court before me on a charge (or charges) of..... (reasons of the conviction). On..... (date) after a trial lasting for..... days, I found him guilty of and sentenced him to imprisonment for .. His application for leave to appeal to ... is pending consideration. I have the honour to inform you that Shri..... Member of the Legislative Assembly of the Capital, who was convicted on..... (date) and imprisoned for.. (period) for..... (reasons for conviction) was released on bail pending appeal (or released on the sentence being set aside on appeal, as the case may be) on the..... (date). Yours faithfully (Judge, Magistrate or Executive Authority) Name of the

1. The Delhi Financial Corporation

2. The Delhi Khadi and Village Industries Board

3. The Delhi State Civil Supplies Corporation

4. The Delhi Scheduled Castes Financial Development Corporation

5. The Delhi Tourism and Transportation Development Corporation

6. The Delhi State Industrial Development Corporation

Third Schedule(See Rule 202(3))Form of PetitionToDelhi Vidhan SabhaThe humble petition of(here insert names and designation or description of petitioner(s) in concise form, e.g. "A.B. and others" or "the inhabitants of" or "the municipality of " etc.)Showeth(Here insert concise statement of case) and accordingly your petitioner(s) 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(s)" or any other appropriate prayer regarding the Bill or matter before the House or a matter of general public interest) and your petitioner(s) as in duly bound will ever pray.

Name of Petitioner Address Signature or Thumb impression

Counter signature of number presentingBy order,Secy.(Legislative Assembly)