

# **The Orissa Legislative Assembly Speaker's Advisory Committee Rules, 1994**

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### **Rule**

### **THE-ORISSA-LEGISLATIVE-ASSEMBLY-SPEAKER-S-ADVISORY-COM of 1994**

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The Orissa Legislative Assembly Speaker's Advisory Committee Rules, 1994Published vide Notification No. 3735-OLA/2-5/95-PAD, dated 12th June 1995, Orissa Gazette Extraordinary No. 1444 dated the 20.12.1995Government of OrissaParliamentary Affairs DepartmentResolutionSubject - Rules of Procedure of the Speaker's Advisory Committee.Matters relating to the administration of the Orissa Legislative Assembly are regulated through different Enactments and Rules framed under Article, 187 of the Constitution or orders issued by the Government of Orissa. The Orissa Legislative Assembly Members' Salary, Allowances and Pension Act, 1954 and Rules framed thereunder, (ii) The Orissa Legislative Assembly Speaker's Salary, Allowances and Pension Act, 1960, (iii) The Orissa Legislative Assembly Deputy Speaker's Salary, Allowances and Pension Act, 1959. (iv) The Leader of the Opposition of the Orissa Legislative Assembly Staff, Privilege Rules, 1968, (v) The Government Chief Whip and Deputy Chief Whip of the Orissa Legislative Assembly Staff and Privileges Rules, 1969, (vi) The Orissa Legislative Assembly Secretariat (Recruitment and Condition of Services)' Rules framed under Act, 187 of the Constitution of India are relevant. In matters not specifically provided for in the aforesaid Act/Rules, the Rules and Instructions issued by the State Government from time to time are adopted for the Orissa Legislative Assembly Secretariat, under orders of the Speaker. Budget and other financial matters are regulated as per the Home Department Resolution No.20359, dated 26.9.1958.After careful consideration, Government have been pleased to frame separate Rules in order to streamline the administration of the Orissa Legislative Assembly Secretariat.

## **1.**

(i) These rules may be called the "Orissa Legislative Assembly Speaker's Advisory Committee Rules", 1994. (ii) These shall come into force after the same is laid on the Table of the House for a period of 7 days and published in the Orissa Gazette.

## **2.**

In these rules, unless the context otherwise requires - (1) "Assembly" means the Orissa Legislative Assembly. (2) "Budget" means the Budget of the Orissa Legislative Assembly. (3) "Committee" means the Orissa Legislative Assembly Speaker's Advisory Committee. (4) "Secretary" means Secretary of the Orissa Legislative Assembly or any other Officer authorised by the Speaker to act as such.

## **3. Constitution of Advisory Committee.**

- The Speaker's Advisory Committee shall consist of 5 members, namely (1) Speaker, Chairman (2) The Minister, Finance, Orissa (3) The Minister, Parliamentary Affairs, Orissa (4) Leader of the Opposition or the group in Opposition to the Government having the largest numerical strength in the Assembly. (5) Government Chief Whip

## **4. Meeting.**

- The Secretary shall issue notice of the meeting of the Committee under orders of the Speaker. The Secretary shall also function as the Secretary to the Committee and maintain brief record of the proceedings.

## **5. Powers and Functions of the Committee.**

- (i) The Committee shall be competent to create posts up to the level of Joint Secretary and convert temporary post up to the level of Deputy Secretary into permanent ones. (ii) The Budget estimates of the O.L.A. and its Secretariat compiled by the Budget Branch and approved by the Secretary, Orissa Legislative Assembly shall be placed before a Committee appointed by the Speaker consisting of the Deputy Speaker, the Chairman, Public Account Committee and The Chairman, Estimates Committee. The estimates shall be finally submitted to the Speaker within the ceiling fixed by the F.D. for the Assembly alongwith the recommendations, if any, of the Committee for his approval. The estimates shall then be forwarded to the Finance Department for incorporation in the State Budget. The re appropriation within the Budget and the augmentation of provision in the Budget shall be routed in the same manner. If, however, ceilings in respect of various items of expenditure/receipt indicated by the Finance Department are exceeded, the matter will be referred to Government. Here Government means Government in the Parliamentary Affairs Department. The estimates shall not be subject to any examination by the Finance Department or any other Committee of the Orissa Legislative assembly. In case the Finance Department shall have any suggestion to make, it shall be done only at officers' levels and matter sorted out. In the event of

non-agreement between the Finance Department and the Orissa Legislative Assembly Secretariat, the matter shall be placed before the Hon'ble Speaker. The Finance Minister shall be advised to discuss with the Speaker and resolve to the matter. The views of the Speaker shall normally prevail. No cut motion or any discussion relating to the Budget of the Orissa Legislative Assembly and its Secretariat shall be allowed on the floor of the House.(iii)To approve amendment to the existing Rules in relation to the provision of amenities to the Members of the Assembly except those regulated under the statutes.(iv)To approve all other matters connected with the administration of the Orissa Legislative Assembly Secretariat other than those coming within the competence of the Speaker, Orissa Legislative Assembly under the Rules in force. Notwithstanding anything contained in the Rules or Orders referred to above, the decision of the Advisory Committee shall prevail except to the extent those are contrary to the provisions of any Act or Rules framed under Act, 187 of the Constitution. In order to constitute a meeting of the Committee, the quorum shall be three.

## **7.**

The Committee shall meet in the Assembly Building at such intervals as may be necessary.

## **8. Procedure.**

(1) All proposals to be placed before the Committee shall have the prior approval of the Speaker. (2) The Secretary shall be responsible to place before the Committee for its consideration all such proposals coming under Rule 5 in the shape of memorandum. (3) The Secretary shall forward copies of such memorandum to the Departments of Finance and Parliamentary Affairs for information at least 15 (fifteen days) before the meeting of the Committee, in which these are proposed to be considered. Provided that in urgent cases, memorandum on any subject not coming under Rule 5, may be placed before the Committee with shorter notice.

## **9. Implementation.**

- The Secretary shall be responsible to implement the decision taken by the Committee and keep the State Government in the Finance Department and the Parliamentary Affairs Department informed.