

The Rules of Procedure and Conduct of Business in Rajasthan Legislative Assembly, 1959

RAJASTHAN

India

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Rule

THE-RULES-OF-PROCEDURE-AND-CONDUCT-OF-BUSINESS-IN-RAJASTHAN LEGISLATIVE ASSEMBLY, 1959

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The Rules of Procedure and Conduct of Business in Rajasthan Legislative Assembly, 1959 Published vide Notification No. 130/LA/9, dated May 27, 1952, published in Rajasthan Gazette, Extraordinary, Part 4-C dated 1-6-1959 at page 171-240 The following Rules of Procedure and Conduct of Business made by the Rajasthan Legislative Assembly in pursuance of the provisions of Article 208 (1) of the Constitution of India, are hereby published for general information:-

Chapter I

Short Title and Definitions

1. Short title.

- These rules may be called the "Rules of Procedure and Conduct of Business in the Rajasthan Legislative Assembly."

2. Definitions.

(1) In these rules, unless the context otherwise requires, - "Assembly" means the Legislative Assembly of Rajasthan; ["Bulletin" means the bulletin of the House issued under the authority of the Speaker in two parts, part I containing a brief record of the proceedings of the House at each of its sittings; and part II containing information on any matter relating to or connected with the business of the House or its committees or other matter of which the Speaker may direct to be included therein;]

[Substituted by amending rules vide Notification S.O. 118, published in Rajasthan Gazette, Extraordinary, Part IV-C(II), dated 1-9-1981, page 295(1) 46.] ["Clear days" includes Sundays and holiday but does not include the day of the meeting and the day of the receipt of notice or the day of the issue of summons by the Secretary, as the case may be;] [Substituted by amending rules vide Notification S.O. 118, published in Rajasthan Gazette, Extraordinary, Part IV-C(II), dated 1-9-1981, page 295(1) 46.] "Committee" means any Committee which is appointed or elected by the House or nominated by the Speaker and which works under the direction of the Speaker and presents its report to the House or to the Speaker; "Constitution" means the Constitution of India; ["Day" or "Days" means "working day" or "working days" respectively, unless the House or the Speaker, as the case may be, otherwise directs;] [Substituted by amending rules vide Notification S.O. 118, published in Rajasthan Gazette, Extraordinary, Part IV-C(II), dated 1-9-1981, page 295(1) 46.] "Finance Minister" includes any Minister; ["Gazette" means the Rajasthan Gazette ;] [Substituted by amending rules vide Notification S.O. 118, published in Rajasthan Gazette, Extraordinary, Part IV-C(II), dated 1-9-1981, page 295(1) 46.] "Government business" includes all business other than private members' business; "Governor" means the Governor of Rajasthan ; "House" means the Rajasthan Legislative Assembly; ["Member" means a member of the Rajasthan Legislative Assembly;] [Substituted by amending rules vide Notification S.O. 118, published in Rajasthan Gazette, Extraordinary, Part IV-C(II), dated 1-9-1981, page 295(1) 46.] "Member-in-Charge" in the case of a resolution or motion means the member who has moved or made such resolution or motion; "Member-in-charge of the Bill" means in the case of a Government Bill any Minister and in any other case the member who has introduced the Bill; "Minister" means a member of the Council of Ministers, a Minister of State, a Deputy Minister or a Parliamentary Secretary; "Motion" means a proposal made by a member for the consideration of the Assembly and includes a resolution and an amendment to a motion; ["Precincts of the House" means and includes the main Vidhan Sabha Bhawan, its Annexe and Notice of the Assembly Secretariat situated in Jaleb Chowk, and such other places as the Speaker may, from time to time, specify;] [Substituted by amending rules vide Notification S.O. 118, published in Rajasthan Gazette, Extraordinary, Part IV-C(II), dated 1-9-1981, page 295(1) 46.] "Private member" means a member other than a Minister; "Secretary" means the Secretary to the Assembly and includes any person for the time being performing the duties of the Secretary; "Sergeant-at-Arms" means any person appointed as such or any officer to whom duties of Sergeant-at-Arms under these rules and other cognate duties may be assigned under the direction of the Speaker; "Session" means the period from the time the Assembly meets at the summons of the Governor to the time when it is prorogued by the Governor; "State" means the State of Rajasthan; "Substantive motion" means a self-contained proposal submitted for the approval of the Assembly and drafted in such a way as to be capable of expressing a decision of the Assembly; "Table" means the Table of the House. (2) Words and expression used in the Constitution and also in these rules shall, unless the context otherwise require, have the meanings assigned to them in the Constitution.

Chapter II

Summons to Members, Seating, Oath or Affirmation and Roll of Members

3. Summoning of Assembly.

(1) When a session of the Assembly is summoned, the Secretary shall intimate to each member the [date] [Inserted by item 4 of the amending rules vide Notification S.O. 118, published in Rajasthan Gazette Extraordinary, Part IV-C(II), dated 1-9-1981, page 295 (1) 46.] time and place appointed by the Governor for the meeting of the Assembly and shall cause a notification to be issued in the Gazette. (2) The summons under sub-rule (1) shall ordinarily be issued [fourteen clear days] [Inserted by item 4 of the amending rules vide Notification S.O. 118, published in Rajasthan Gazette Extraordinary, Part IV-C(II), dated 1-9-1981, page 295 (1) 46.] before the date so fixed: Provided that if a session is called at short notice, the Secretary shall intimate the [date,] [Inserted by item 5 of the amending rules vide Notification S.O. 118, published in Rajasthan Gazette Extraordinary Part IV C(II), dated 1-9-1981, page 295(1) 46.] time and place for the meeting of the Assembly to members in such other manner as the Speaker may direct.

4. Seating of Members.

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

5. [Oath or Affirmation. [Inserted by item 5 of the amending rules vide Notification S.O. 118, published in Rajasthan Gazette Extraordinary Part IV C(II), dated 1-9-1981, page 295(1) 46.]

- As soon as feasible after a member is declared duly elected, the Secretary shall arrange the making and subscribing of oath or affirmation by him, in pursuance of Article 188 of the Constitution, before the Governor or the person appointed by him at such place and on such date and time as the Governor, or the person appointed by him, as the case may be, may determine: Provided that members returned after each General Election shall ordinarily make and subscribe the oath either before the Governor or at the commencement of the sitting of the House assembled for the first time after such election before the person appointed by the Governor under Article 188 of the Constitution.]

6. Roll of Members.

- There shall be a Roll of Members of the House which shall be signed by every member in the presence of the Secretary before taking his seat.

Chapter III

Election of Speaker and Deputy Speaker and Panel of Chairmen

7. Election of Speaker by House.

(1)The election of a Speaker shall be held on such date as the 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 Assembly 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 may, when called, move the motion or withdraw the motion, and shall confine himself to a mere statement to that effect.(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 Assembly.

8. Election of Deputy Speaker by House.

(1)The election of a 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 Assembly 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 may, when called, move the motion or withdraw the motion, and shall confine himself to a mere statement to that effect.(4)The motions 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 chosen as the Deputy Secretary of the Assembly.

9. [Panel of Chairmen. [Substituted by item 7 amending rules vide Notification S.O. 118, published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981, page 295 (1) 46.]

(1)At the commencement of the House or from time to time, as the case may be, the Speaker shall nominate from amongst the members a panel of not more than four Chairmen, any one of whom may preside over the House in the absence of the Speaker or the Deputy Speaker at the request of the Speaker or the Deputy Speaker or the person then presiding.](2)A Chairman nominated under sub-rule (1) shall hold office until a new panel of Chairmen is nominated.

10. Powers of Deputy Speaker or other member presiding over sitting of House.

- The Deputy Speaker or any other member competent to preside over a sitting of the House under the Constitution of 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 these circumstances be deemed to be references to any such person so presiding.

Chapter IV

Sitting of the House

11. When is sitting of House duly constituted.

- A sitting of the House is duly constituted when it is presided over by the Speaker or any other member competent to preside over a sitting of the House under the Constitution or these rules.

12. Sitting of House.

(1)The House shall sit on such days as the Speaker, having regard to the state of business of the House, may, from time to time direct.(2)Sitting of the House shall, subject to the direction of the Speaker, ordinarily commence at 11.00 a.m. and conclude at 5.00 p.m.

13. Adjournment of House.

- The Speaker shall determine the time when a sitting of the House shall be adjourned sine die or to a particular day or to 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.

Chapter V

Governor's Address and Messages to the House

14. [Motion of Thanks for the Governor's Address under Article 176 (1). [All the Rules 14, 15 & 16 substituted by item 7, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(1), dated 1-9-1981 page 295 (1) 46.]

(1)As soon as may be after the authenticated copy of the Governor's Address to the House under Article 176(1) has been laid on the Table of the House, any member selected by the Chief Minister may move a motion expressing thanks to the Governor for his Address in the following terms:-"That an Address be presented to the Governor in the following terms:-"That we, the members of the

Rajasthan Legislative Assembly, assembled in this session are grateful to the Governor for the Address which he has been pleased to deliver to this house."The motion shall be seconded by another member selected by the Chief Minister.(2)The notice of such motion shall be signed by the mover and the seconder and shall be sent to the Secretary through the Minister for Parliamentary Affairs.]

15. [Amendments. [All the Rules 14, 15 & 16 substituted by item 7, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(1), dated 1-9-1981 page 295 (1) 46.]

- Amendments may be moved of the motion of thanks in such form as may be considered appropriate by the Speaker.]

16. [Allotment of time for discussion of the Address. [Substituted by item 7, amending rules vide Notification S O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C (1), dated 1-9-1981 page 295 (1) 46.]

- The House shall, on the recommendation of the Business Advisory Committee, allot time for the discussion of the matters referred to in the Governor's Address:Provided that in emergent cases the Speaker may allot such time in consultation with the Leader of the House.]

17. Other business that may be taken up.

(1)Notwithstanding that a day has been allotted for discussion on the Governor's Address,-(a)a motion or motions for leave to introduce a Bill or Bills may be made and a Bill or Bills may be introduced on such day, and(b)other business of a formal character may be transacted on such day before the House commences or continues the discussion on the Address.(2)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 [or time] [Inserted by item 8, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(1), dated 1-9-1981 page 295 (1) 46.] to be appointed by the Speaker. The Speaker shall forthwith put the question, no amendment or debate being allowed.(3)The discussion on the Address shall be interrupted in the course of a sitting by an adjournment motion under Rule 55.

18. Government's right of 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.

19. [Deleted by item 10, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(1), dated 1-9-1981 page 295 (1) 46.]

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20. Governor's address under Article 175(1).

- [The House, may on the advise of the Business Advisory Committee] [Substituted by item 11, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(1), dated 1-9-1981 page 295 (1) 46.] allot time for the discussion of the matters, referred to in the Governor's Address under Article 175 (1) of the Constitution.

21. Messages from Governor.

- Where a message from the Governor for the House under Article 175 (2) of the Constitution 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 direction, the Speaker shall be empowered to suspend or vary the rules to such extent as may be necessary.

Chapter VI

Arrangement of Business and List of Business

(a)Arrangement of Business

22. [Arrangement of Government business. [Whole Rule 22 substituted by item 12, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(1), dated 1-9-1981 page 295 (1) 46.]

- On days allotted for the transaction of Government business, such business shall have precedence and the Secretary shall arrange that business in such order as may be determined by the House on the recommendation of the Business Advisory Committee.]

23. [Allotment of time for private members' business. [Whole Rule 23 substituted by item 13, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(1), dated 1-9-1981 page 295 (1) 46.]

- The House may, on the advice of the Business Advisory Committee, allot as many days as may be possible for private members' business and may allot different days for the disposal of different

classes of such business and on days so allotted for any particular class of business, business of that class shall have precedence. Provided that two days in a month shall be allotted for the transaction of private members' business subject to such variations as the Speaker may consider necessary or convenient.]

24. Precedence of Private members' Bills.

(1) On a day allotted for the disposal of private members' Bills such Bills shall have relative precedence in the following order, namely:-(a) Bills in respect of which the motion is that leave be granted to introduce the Bill; (b) Bills returned by the Governor with a message under Article 200 of the Constitution; (c) Bills in respect of which the next stage is that the Bill be passed; (d) Bills in respect of which a motion has been carried that the Bill be taken into consideration; (e) Bills in respect of which the report of a Select Committee has been presented; (f) Bills which have been circulated for the purpose of eliciting opinion thereon; (g) Bills introduced and in respect of which no further motion has been made or carried; (h) Other Bills. (2) The relative precedence of Bills falling under the same clause of sub-rule (1) shall be determined by ballot to be held in accordance with the orders made by the Speaker and on such day and in such manner as the Speaker may direct: Provided that the motion in respect of Bills falling under clause (a) of sub-rule (1) shall be entered in the list of business in the order in which notices of such motions have been received in point of time. (3) The Speaker may, by special order to be announced in the House, make such variations in the relative precedence of Bills set out in sub-rule (1) as he may consider necessary or convenient.

25. [Deleted by item 14, amending Rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(1), dated 1-9-1981 page 295(1)46.]

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26. Business outstanding at end of day.

- Private members' business set down for the day allotted for that class of business [and not reached for discussion] [Substituted by item 15, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(1), dated 1-9-1981 page 295 (1) 46.] on that day shall not be set down for any subsequent day, unless it has gained priority at the ballot held with reference to that day: Provided that notwithstanding anything contained [in Rule 24] [Substituted by item 15, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(1), dated 1-9-1981 page 295 (1) 46.] and sub-rule (1) of Rule 110-A any such business which is under discussion at the end of that day shall be set down for the next day allotted to business of that class, and shall have precedence over all other business set down for that day.

27. Resumption of adjourned debate on private members' Bill or resolution.

(1) When on a motion being carried the debate on a private member's Bill or resolution is adjourned to the next day allotted for private members' business in the same or next session [it will not be included in the ballot but shall be given priority over the items resulting from the ballot.]

[Substituted by Item 16, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(1), dated 1-9-1981 page 295 (1) 46.]

(2) When the debate on a private member's Bill or resolution is adjourned sine die, the member-in-charge of the Bill or the mover of resolution, as the case may be, may, if he wishes to proceed with such Bill or resolution on a subsequent day allotted for private members' business, give notice for resumption of the adjourned debate and on receipt of such notice the relative precedence of such Bill or resolution shall be determined by ballot.

(b) List of Business

28. List of Business.

(1) A list of business for the day shall be prepared by the Secretary, and a copy thereof shall be made available for the use of every member. (2) Save as otherwise provided in these rules, no business not included in the list of business for the day shall be transacted at any sitting without the permission of the Speaker. (3) Save as otherwise provided in these rules no business requiring notice shall be set down for a day earlier than the day after that on which the period of the notice necessary for that class of business expires. (4) [The Speaker may, after being satisfied that circumstances exist wherein it is expedient or unavoidable to do so, may not include in the list of business for the allotted day any item of business covered by the report of the Business Advisory Committee as adopted by the House or may direct that a particular item of business already appearing on the list of business shall not be taken up for discussion, or that the order given in the list of business be varied.] [Substituted by Item 17, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(1), dated 1-9-1981 page 295 (1) 46.] [Chapter VII [Substituted by Item 18, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(1), dated 1-9-1981 page 295 (1) 46.] Questions (a) General]

29. [Categorisation of Questions. [Substituted by Item 17, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(1), dated 1-9-1981 page 295 (1) 46.]

- Questions shall be of three categories, namely:-(1) Starred Questions, (2) Unstarred Questions, and (3) Short Notice Questions. Notice of each category of question shall be given on the form prescribed for such category. Explanation. - (1) Starred Questions are those Questions to which a member desires an oral answer to be given and in respect of which supplementary questions may be asked. (2) Un-starred Questions are those to which written replies shall be given to the member concerned. (3) Short Notice Questions are those to which a member desires an oral answer within a period shorter than ten clear days.]

30. [Form of notice of Question. [Inserted by item 19 by amending rules vide Notification S.O. 118, published in Rajasthan Gazette Extraordinary, Part IV-C(II), dated 1-9-1981, page 295 (1) 46.]

- Notice of a question shall be given in writing to the Secretary and shall specify the official designation of the Minister to whom it is addressed.](b)[Starred and Un-starred Questions]
[Substituted by item 18 by amending rules vide Notification S.O. 118, published in Rajasthan Gazette Extraordinary, Part IV-C(II), dated 1-9-1981, page 295 (1) 46.]

31. [Time for Starred Questions. [Substituted by item 18 by amending rules vide Notification S.O. 118, published in Rajasthan Gazette Extraordinary, Part IV-C(II), dated 1-9-1981, page 295 (1) 46.]

- Unless the Speaker otherwise directs, the first hour of every sitting shall be available for the asking and answering of starred questions, including short notice questions.]

32. [Notice of Starred and Un-starred Questions. [Substituted by item 18 by amending rules vide Notification S.O. 118, published in Rajasthan Gazette Extraordinary, Part IV-C(II), dated 1-9-1981, page 295 (1) 46.]

- Unless the Speaker otherwise directs, not less than ten clear days notice of a starred and un-starred question shall be given.]

33. [Limit of Starred Questions. [Inserted by item 19 by amending rules vide Notification S.O. 118, published in Rajasthan Gazette Extraordinary, Part IV-C(II), dated 1-9-1981, page 295 (1) 46.]

(1)Unless, the Speaker otherwise permits, no member shall give notice of more than sixty starred questions during a session in which the Demands for Grants in respect of the Annual Financial Statement of the State are discussed and more than twenty starred questions during any other session.(2)Not more than two starred questions by the same member shall be placed on the list or questions for oral answer on any one day.]

34. Allotment of days for oral answers to questions.

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

35. Written answers to questions not replied orally.

- If any question placed on the list of questions for oral answer on any day is not called for answer within the time available for answering questions on that day, the Minister to whom the question is addressed shall forthwith lay on the Table a written reply to the question, and no oral reply shall be required to such question and no supplementary questions shall be asked in respect thereof. [The written reply to such question shall be furnished to the member concerned.] [Inserted by item 19 by amending rules vide Notification S.O. 118, published in Rajasthan Gazette Extraordinary, Part IV-C(II), dated 1-9-1981, page 295 (1) 46.]

36. Questions to private members.

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

37. Conditions of admissibility of questions.

(1) Subject to the provisions of sub-rule (2), a question may be asked for the purpose of obtaining information on a matter of public importance within the special cognisance of the Minister to whom it is addressed. (2) The right to ask a question is governed by the following conditions, namely:-(i) it shall not relate to a matter with which a Minister is not officially connected; (ii) it shall not bring in any name or statement not strictly necessary to make the question intelligible; (iii) if it contains a statement the member shall make himself responsible for the accuracy of the statement; (iv) it shall not contain arguments, inferences, ironical expressions, imputations, epithets or defamatory statements; (v) it shall not ask for an expression of opinion or the solution of an abstract legal question or of a hypothetical proposition; (vi) it shall not ask as to the character or conduct of any person except in his official or public capacity, or reflect on the character or conduct of any person whose conduct can only be challenged on a substantive motion; (vii) 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; (viii) it shall not be of excessive length; (ix) it shall not ask for information set forth in accessible documents or in ordinary works of reference; (x) it shall not raise question of policy too large to be dealt with within the limits of an answer to a question; (xi) it shall not amount in substance to a suggestion or request for any particular action but it may ask for a statement of the intentions of Government in respect of a matter on which a question may be asked; (xii) it shall not relate to a matter which is not primarily the concern of the State Government; (xiii) it shall not raise matter under the control of bodies or persons not primarily responsible to the State Government; (xiv) it shall not make or imply a charge of a personal character; (xv) it shall not ask about proceedings in a Committee which have not been placed before the House by a report from the Committee; (xvi) it shall not repeat in substance questions already answered or to which an answer has been refused; (xvii) it shall not ask information on trivial matters; (xviii) it shall not ordinarily ask for information on matters of past history; (xix) it shall not ordinarily ask for information on matters

which are under consideration before a Committee;(xx)it shall not ordinarily ask about matters pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions or any commission or court of enquiry appointed to enquire into, or investigate, any matter but may refer to matters concerned with procedure or subject or stage of enquiry, if it is not likely to prejudice the consideration of the matters by the tribunal or commission or court of enquiry;(xxi)it shall relate to a single matter;(xxii)it shall not relate to an individual case unless it raises a question of principle or policy;(xxiii)it shall not relate to any matter within the jurisdiction of the Speaker;(xxiv)it shall not relate to day-to-day administration of local bodies or other autonomous or semi-autonomous bodies but may seek to elicit information on a subject arising out of their relation with the Government or refer to breaches of law or rules or relate to important matters involving general welfare; and(xxv)it shall not ask for information regarding Cabinet discussions or advice given to the Governor in relation to any matter in respect of which there is a constitutional, statutory or conventional obligation not to disclose information.

38. Speaker to decide admissibility of questions.

(1)The Speaker shall decide whether a question, or a part thereof, is or is not admissible under these rules and may disallow any question, or part thereof, when in his opinion it is an abuse of the right of questioning or calculated to obstruct or pre-judicially affect the procedure of the House or is in contravention of these rules.(2)If a question is disallowed, the Secretary shall give intimation to the member that his question has been disallowed and shall also state the reason or reasons thereof.(3)[x x x] [Deleted by item 21, amending rules vide Notification S.O. 118, published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981, page 295(1) 46.]

39. Speaker to decide if a question is to be treated starred or unstarred.

- If, in the opinion of the Speaker, any question put down for oral answer is of such a nature that a written reply would be more appropriate, the Speaker may direct that such question be placed on the list of questions for written answer:Provided that the Speaker may, if he thinks fit, call upon the member who has given notice of a question for oral answer to state in brief his reasons for desiring an oral answer and, after considering the same, may direct that the question be included in the list of questions for written answer.

40. List of questions.

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

41. Order in which questions shall be called.

- Questions for oral answer shall be called, if the time made available for questions permits, in the order in which they stand on the list before any other business is entered upon at the sitting:Provided that a question not reached for oral answer may be answered after the end of the

Question Hour with the permission of the Speaker, if the Minister represents to the Speaker that the question is one of special public interest to which he desires to give a reply.

42. Answers laid on the Table.

- Lengthy answers to starred questions may, on statement by the Minister concerned, be laid on the Table without being read, but a copy in such case may be delivered to the member asking such question in advance of the answer being laid on the Table.

43. Withdrawal or postponement of questions.

- A member may, by notice given at any time before the sitting for which his question has been placed on the list, withdraw his question or postpone it to a later day to be specified in the notice and on such later day the question shall, subject to the provisions of Rule 34 be placed on the list after all questions which have not been so postponed: Provided that a postponed question shall not be placed on the list until four clear days have expired from the day when the notice of postponement has been received by the Secretary.

44. Mode of asking questions.

(1) When the time for asking questions arrives, the Speaker shall call successively each member in whose name a question appears on the list of questions. (2) The members so called shall rise in his place and unless he states that it is not his intention to ask the question standing in his name, ask the question by reference to its number on the list of questions. (3) If on a question being called, it is not asked or the member in whose name it stands is absent, the Speaker may, at the request of any member, direct that answer to it be given.

45. Questions of absent members.

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

46. Supplementary questions.

(1) No discussion shall be permitted during the time for questions under Rule 31 in respect of any question or of any answer given to a question. (2) Any member when called by the Speaker may ask a supplementary question for the purpose of further elucidating any matter of fact regarding which an answer has been given: Provided that the Speaker shall disallow any supplementary question, if in his opinion, it infringes the rules regarding question: [Provided further that priority to ask supplementary question shall be given to the member in whose name the question stands.] [Added by item 22, amending rules vide Notification S.O. 118, published in Rajasthan Gazette Extraordinary

Part IV-C (II), dated 1-9-1981, page 295 (1) 46.]

47. Publicity of answers to questions 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.(c)Short Notice Questions

48. Short Notice Questions.

(1)A question relating to a matter of public importance may be asked with notice shorter than ten clear days and if the Speaker is of opinion that the question is of an urgent character, he may direct that an enquiry made from the Minister concerned if he is in a position to reply and, if so, on what date.(2)If the minister concerned agrees to reply, such question shall be answered on a day to be indicated by him and shall be called immediately after the questions which have appeared on the list of questions for all answer have been disposed of.(3)[If the Minister is unable to answer the question at short notice, he shall give reasons thereof in writing to the Speaker and if the Speaker is still of opinion that the question is of sufficient public importance to be orally answered in the House, he may fix the date when the question shall be asked and answer given thereto:Provided that where two such questions have been fixed for a particular day, the relative priority of such questions shall be such as may be determined by the Speaker.] [Added by item 23, amending rules vide Notification S.O. 118, published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981, page 291 (1) 46.](4)Where two or more members give notice of short notice questions on the same subject and one of the questions 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 questions in the order of priority of their notice.(5)Where a member desires an oral answer to a question at a shorter notice, he shall briefly state the reasons for asking the question with short notice. Where no reasons have been assigned in the notice of the question, the question shall be returned to the member.(6)The member who has given notice of the question shall be in his seat to read the question when called by the Speaker and the Minister concerned shall give a reply immediately:Provided that when a question is shown in the names of more than one member the Speaker shall call the name of the first member or, in his absence, any other name.(7)In other respects, the procedure for short notice question shall be the same as for ordinary questions for oral answer, with such modifications as Speaker may consider necessary or convenient.

Chapter VIII

Half-an-Hour Discussion

49. Discussion on a matter of public importance arising out of answer to a question.

(1)The Speaker shall allot half-an-hour for raising discussion on a matter of sufficient public importance which has been the subject of a recent question, oral or written, and the answer to which needs elucidation on a matter of fact.(2)A member wishing to raise 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] [Substituted by item 24, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981, page 295(1) 46.] specify the point or points that he wishes to raise:Provided that the notice shall be accompanied by an explanatory note stating the reasons for raising discussion on the matter in question:Provided further that the notice shall be supported by the signatures of at least two other members:Provided further that the Speaker may with the consent of the Minister concerned waive the requirement concerning the period of notice.(3)The Speaker shall decide whether the matter is of sufficient public importance to be put down for discussion, and may not admit a notice which in his opinion, seeks to revise the policy of Government.(4)If more than two notices have been received and admitted by the Speaker, the Secretary shall hold a ballot with a view to draw two notices and the notices shall be put down in the order in which they were received in point of time:Provided that if any matter put down for discussion on a particular day is not disposed of on that day it shall not be set down for any other day, unless the member so desires, in which case it shall be included in the ballot for the next available day.(5)There shall be no formal motion before the House nor voting. The member who has given notice may make a [brief] [Substituted by item 24, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981, page 295(1) 46.] statement and the Minister concerned shall reply [briefly] [Substituted by item 24, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981, page 295(1) 46.]. Any member who has previously intimated to the Speaker may be permitted to ask a question for the purpose of further educating any matter of fact:Provided that if the member who has given notice is absent, any member who has supported the notice may, with the permission of the Speaker, initiate the discussion.

Chapter IX

Motion for Adjournment on a Matter of Public Importance

50. 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.

51. Method of giving notice.

- Notice of an adjournment motion shall be given before the commencement of the sitting on the day

on which the motion is proposed to be made to each of the following: (i) the Speaker, (ii) the Minister concerned, and (iii) the Secretary.

52. Restrictions on right to make motion.

- The right to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance shall be subject to the following restrictions, namely:—(i) not more than one such motion shall be made at the same sitting; (ii) not more than one matter shall be discussed on the same motion; (iii) the motion shall be restricted to a specific matter of recent occurrence; (iv) the motion shall not revive discussion on a matter which has been discussed in the same session; (v) the motion shall not anticipate a matter, which has been previously appointed for consideration. In determining whether a discussion is out of order on the ground of anticipation, regard shall be had by the Speaker to the probability of the matter anticipated being brought before the House within a reasonable time; (vi) the motion shall not raise a question of privileges; (vii) the motion shall not deal with any matter which is under adjudication by a court of law having jurisdiction in any part of India; (viii) the motion shall not raise any question which under the Constitution or these rules can only be raised on a distinct motion by a notice given in writing to the Secretary.

53. 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 enquiry appointed to enquire into, or investigate, any 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 subject or stage of enquiry if the Speaker is satisfied that it is not likely to prejudice the consideration of such matter by the statutory tribunal, statutory authority, commission or court of enquiry.

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

(1) The Speaker, if he gives consent under Rule 50 and holds that the matter proposed to be discussed is in order, shall, after the questions and before the list of business is entered upon, call the member concerned who shall rise in his place and ask for leave to move the adjournment of the House: Provided that where the Speaker has refused his consent under Rule 50 or is of opinion that the matter proposed to be discussed is not in order, he may, if he thinks it necessary, read the notice of motion and state the reasons for refusing consent or holding the motion as being not in order. (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-tenth of the total number of members rise accordingly, the Speaker shall intimate that leave is granted. If less than one-tenth of the total number of members rise, the Speaker shall inform the member that he has not the leave of the House.

55. Time for taking up motion.

- If the leave is granted, the motion shall be taken up on the same day at such time as the Speaker may decide.

56. Closure of debate.

- The Speaker may, if he is satisfied that there has been adequate debate, put the question: Provided that if the debate is not concluded within two hours from the time at which it was commenced it shall automatically terminate and no question shall be put.

57. [[Deleted by item 25, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981, page 295(1) 46.]

Deleted.]

Chapter X Legislation

(a) Introduction and publication of Bills

58. Publication before introduction.

- The Speaker may, on request being made to him by the Government, order the publication of any Bill (together with the Statement of Objects and Reasons, the memorandum regarding delegation of legislative power and the financial memorandum accompanying it) 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 to introduce the Bill and, if the Bill is afterwards introduced, it shall not be necessary to publish it again.

59. Notice of motion for leave to introduce to private member's Bills.

(1) Any member, other than a Minister, desiring to move for leave to introduce Bill, shall give notice of his intention, and shall, together with the notice, submit a copy of the Bill and an explanatory Statement of Objects and Reasons which shall not contain arguments: Provided that the Speaker may, if he thinks fit, revise the Statement of Objects and Reasons. (2) If the Bill is a Bill which under the Constitution cannot be introduced without the previous sanction of the President or recommendation of the Governor, the member shall annex to the notice such sanction or recommendation conveyed through a Minister and the notice shall not be valid until this requirement is complied with. (3) The period of notice of a motion for leave to introduce a Bill under this rule shall be [fifteen days] [Substituted by item 26, amending rules vide Notification S.O. 118,

Published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981, page 295(1) 46.] unless the Speaker allows the motion to be made at shorter notice.(4)The Speaker may disallow a notice of a Bill in case the Bill does not comply with the requirement of sub-rule (2) of this rule, or Rule 61 or 62.

60. Communication of sanction or recommendation of President or Governor.

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

61. Financial memorandum and money clauses.

(1)A Bill involving expenditure shall be accompanied by a financial memorandum which shall invite particular attention to the clauses involving expenditure and shall also give an estimate of the recurring and non-recurring expenditure involved in case Bills passed into law.(2)Clauses or provisions in Bills involving expenditure from public funds shall be printed in thick type or in italics:Provided that where a clause in a Bill involving expenditure is not printed in thick type or in italics, the Speaker may permit the member in-charge of the Bill to bring such clauses to the notice of the House.

62. Explanatory memorandum to Bill delegating legislative powers.

- A Bill involving proposals for the delegation of legislative powers shall further be accompanied by a memorandum explaining such proposals and drawing attention to their scope and stating also whether they are of normal or exceptional character.

63. Statement in connection with Ordinances.

(1)Whenever a Bill seeking to replace an Ordinance with or without modification is introduced in the House there shall be placed before the House along with the Bill a statement explaining the circumstances which had 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.

64. Motion for leave to introduce Bill.

- If a motion for leave to introduce a Bill is opposed, the Speaker, after permitting if he thinks fit, a brief explanatory statement from the member who moves and from the members 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 House, the

Speaker may permit a full discussion thereon.

65. Publication after introduction.

- As soon as may be after a Bill has been introduced, the Bill, unless it has already been published, shall be published in the Gazette.(b)Motions after introduction of Bills

66. Motions after introduction of Bills.

- When a Bill is introduced, or on some subsequent occasion, the member in charge may make one of the following motions in regard to his Bill, namely:(a)that it be taken into consideration; or(b)that it be referred to a Select Committee of the House; or(c)that it be circulated for the purpose of eliciting opinion thereon:Provided that no such motion shall be made until after copies of the Bill have been made available for the use of members, and that any member may object to any such motion being made unless copies of the Bill have been so made available for two days before the day on which the motion is made, and such objection shall prevail, unless the Speaker allows the motion to be made.

67. Discussion of principle of Bill.

(1)On the day on which any motion referred to in Rule 66 is made, or on any subsequent day to which the discussion thereof is postponed, the principle of the Bill and its provisions may be discussed generally but the details of the Bill shall not be discussed further than is necessary to explain its principles.(2)At this stage no amendments to the Bill may be moved, but-(a)if the member-in-charge moves that the Bill be taken into consideration, any member may move as an amendment that the Bill be referred to a Select Committee of the House or be circulated for the purpose of eliciting opinion thereon by a date to be specified in the motion;(b)if the member-in-charge moves that the Bill be referred to a Select Committee of the House any member may move as an amendment that the Bill be circulated for the purpose of eliciting opinion thereon by a date to be specified in the motion.(3)Where a motion that a Bill be circulated for the purpose of eliciting opinion thereon is carried, and the Bill is circulated in accordance with that direction and opinion are received thereon, the member-in-charge, if he wishes to proceed with the Bill thereafter, shall move that the Bill be referred to a Select Committee of the House, unless the Speaker allows a motion to be made that the Bill be taken into consideration:Provided that if an amendment or a motion for appointment of a Select Committee has been moved under this rule, any member may move that the House give instructions to the Select Committee, to which the Bill is proposed to be referred, to make some particular or additional provision in the Bill and if necessary or convenient to consider and report on amendments which may be proposed to the original Act which the Bill seeks to amend.

68. Members 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 of the House or be circulated for the purpose of eliciting opinion thereon shall be made by any member other than the member in charge except by way of amendment to a motion made by the member in charge: 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 authorise another member to move that particular motion with the approval of the Speaker. Explanation. - Notwithstanding the provisions contained in the proviso the member who introduced the Bill shall continue to be the member in charge. (c) Procedure after presentation of report of a Select Committee

69. Motions that may be moved after presentation of report of a Select Committee.

(1) After the presentation of the final report of a Select Committee of the House on a 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 use of members for two 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 or re-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 of the House be taken into consideration, any member may move as an amendment that the Bill be recommitted or be circulated or re-circulated for the purpose of eliciting opinion or further opinion thereon.

70. Scope of debate on report of Select Committee.

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

71. Notice of amendments.

(1) If notice of an amendment to a clause or schedule of the Bill has not been given one day 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, an amendment of which notice has been received from the member in charge, shall not lapse by reason of the fact that the member in charge has ceased to be a Minister or a member and such amendment shall be printed in the name of new

member in charge of the Bill.(2)The Secretary shall, if time permits, make available to members from time to time lists of amendments of which notices have been received.

72. Conditions of admissibility of amendments.

- The following conditions shall govern the admissibility of amendments 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 an amendment refers to, or is not intelligible without, a subsequent amendment or schedule, notice of the subsequent amendment or schedule shall be given before the first amendment is moved, so as to make the series of amendments intelligible as a whole.(v)The Speaker shall determine the place at which an amendment shall be moved.(vi)The Speaker may refuse to propose an amendment which is, in his opinion, frivolous or meaningless.(vii)An amendment may be moved to an amendment which has already been proposed by the Speaker.

73. Sanction or recommendation of the President or Governor to be annexed to notice of amendment.

- If any member desires to move as amendment which under the Constitution cannot be moved without the previous sanction of the President or the recommendation of the Governor, as the case may be, he shall annex such sanction or recommendation conveyed through a Minister and the notice shall not be valid until this requirement is complied with:Provided that no previous sanction of the President or the recommendation of the Governor shall be required, if an amendment seeks to-(a)abolish or reduce the limits of the tax proposed in the Bill or amendment, or(b)increase such tax upto the limits of an existing tax.

74. Communication of the order of President or Governor.

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

75. Selection of new clauses or amendments.

- The Speaker shall have power to select the new clauses or amendments to be proposed, and may, if he thinks fit, call upon any member who has given notice of an amendment to give such explanation of the object of the amendment as may enable him to form a judgement upon it.

76. Arrangement of amendments.

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

77. Order of amendments.

(1) Amendments shall ordinarily be considered in the order of the clauses of the bill to which they respectively relate; and in respect of any such clause a motion shall be deemed to have been made: 'That this clause stand part of the Bill'. (2) The Speaker may, if he thinks fit, put as one question similar amendments to a clause: Provided that if a member requests that any amendment be put separately, the Speaker shall put that amendment separately.

78. Mode of moving amendments.

- When a motion that a Bill be taken into consideration has been carried, any member may, when called upon by the Speaker, move an amendment to the Bill of which he has previously given notice: Provided that in order to save time and repetition of arguments, a single discussion may be allowed to cover a series of inter- dependent amendments.

79. 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.

80. Submission of a Bill clause by clause.

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

81. Postponement of clause.

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

82. 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 schedules shall follow the consideration of the original schedules. The question shall then be put: "That this schedule (or, that this schedule as amended, as the case may be) stand part of the Bill": Provided that the Speaker may allow the schedule or schedules, if any, being considered before the clauses are disposed of or along with a clause or otherwise as he may think fit.

83. Voting on group of clauses and schedules.

- The Speaker may, if he thinks fit, put as one question clauses and/or schedule, or clauses and/or schedules as amended, as the case may be, together to the vote of the House: Provided that if a member requests that any clause or schedule, or any clause or schedule as amended, as the case may be, be put separately, the Speaker shall put that clause or schedule, or clause or schedule as amended, as the case may be, separately.

84. Clause one, Enacting Formula, Preamble and Title of Bill.

- Clause one, the Enacting Formula, 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 and Enacting Formula, or the Preamble or the Title (or, that Clause one, Enacting Formula, Preamble or Title as amended, as the case may be) do stand part of the Bill." (e) Passing of Bills

85. Passing of Bill.

(1) When a motion that a Bill be taken into consideration has been carried and no amendment of the Bill is made, the member in charge may at once move that the Bill be passed. (2) Where a Bill has undergone amendments the motion that the Bill as amended be passed shall not be moved on the same day on which the consideration of the Bill is concluded, unless the Speaker allows the motion to be made. (3) To such a motion no amendment may be moved which is not either formal, verbal or consequential upon an amendment made after the Bill was taken into consideration.

86. Scope of debate.

- The discussion on a motion that the Bill or the Bill as amended, as the case may be, be passed shall be confined to the submission of arguments either in support of the Bill or for the rejection of the Bill. In making speech a member shall not refer to the details of the Bill further than is necessary for the purpose of his arguments which shall be of a general character.

87. Correction of patent errors.

- Where a Bill is passed by the House the Speaker shall have power to correct patent errors and make such other changes in the Bill as are consequential upon the amendments accepted by the House.(f)Adjournment of debate on and withdrawal and removal of Bills

88. Adjournment of debate on Bill.

- At any stage of a Bill which is under discussion in the House, a motion that the debate on the Bill be adjourned may be moved with the consent of the Speaker.

89. Withdrawal of Bill.

- The member in charge of a Bill may at any stage of the Bill move for leave to withdraw the Bill on the ground that-(a)the legislative proposal contained in the Bill is to be dropped; or(b)the Bill is to be replaced subsequently by another Bill which includes all or any of its provisions contained therein; or(c)the Bill is to be replaced subsequently by another Bill which includes all or any of its provisions in addition to other provisions;and if such leave is granted no further motion shall be made with reference to the Bill:Provided that where a Bill is under consideration by a Select Committee of the House, notice of any motion for the withdrawal of Bill shall automatically stand referred to the Committee and after the Committee has expressed its opinion in a report to the House, the motion shall be set down in the list of business.

90. Explanatory statement by member who moves or opposes withdraw a motion.

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

91. Removal of Bill from Register of Bills.

(1)Where any of the following motions made by the member in charge under rules in regard to a Bill is rejected by the House, no further motion shall be made with reference to the Bill and such Bill shall be removed from the Register of Bills pending in the House for the session :-(i)that leave be granted to introduce the Bill;(ii)that the Bill be referred to a Select Committee;(iii)that the Bill be taken into consideration;(iv)that the Bill as reported by Select Committee of the House be taken into consideration; and(v)that the Bill (or, that the Bill as amended, as the case may be) be passed.(2)A Bill pending before the House shall also be removed from the Register of Bills pending in the House in case a Bill substantially identical is passed by the 1 louse or the Bill is withdrawn under Rule 89.Explanation. - A Bill pending before the House shall include-(i)a Bill introduced in the House which does not fall within the categories of Bills mentioned in this rule or Rule 92; and(ii)a Bill returned by the Governor with a message under Article 200 of the Constitution.

92. Special provision for removal of private member's Bill from Register of Bills.

- A private member's Bill pending before the House shall also be removed from the Register of Bills pending in the House in case-(a)the member in charge cease to be a member of the House;(b)the member in charge is appointed a Minister.(g)Authentication of Bills

93. Authentication of Bill.

- When a Bill is passed by the House and is in possession of the House, the Bill shall be signed in duplicate by the Speaker and presented to Governor:Provided that in the absence of the Speaker the Secretary may, in case of urgency, authenticate the Bill on behalf of the Speaker.(h)Reconsideration of Bills returned by the Governor

94. Reconsideration of Bill returned by the Governor.

- When a Bill which has been passed by the House is returned by the Governor for reconsideration, the point or points referred for reconsideration or the amendments recommended shall be put before the House by the Speaker and shall be discussed and voted upon in the same manner as amended to a Bill or in such other way as the Speaker may consider most convenient for their consideration by the House.

95. Authentication of Bill passed again by House.

- When a Bill is passed again by the House, the Bill shall be signed in duplicate by the Speaker and presented to the Governor in the following form:-"The above Bill has been passed again by the House in pursuance of the proviso to Article 200 of the Constitution.Dated.....
19Speaker."[Provided that in the absence of the Speaker the Secretary may, in case of urgency, authenticate the Bill on behalf of the Speaker.] [Substituted by item 28 amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981, page 295 (1) 46.]

Chapter XI

Petitions

96. Scope of petitions.

- Petition may be presented or submitted to the House with the consent of the Speaker on-(i)a Bill which has been published under Rule 58 or which has been introduced in the House;(ii)any 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 cognisance of a court of law having jurisdiction in any part of India or court of enquiry or a statutory tribunal or authority or a quasi-judicial body,

or a commission;(b)which can be raised on a substantive motion or resolution; or(c)for which remedy is available under the law, including rules, regulations, bye-laws made by the State Government or an authority to whom power to make such rules regulations etc. is delegated.

97. General form of petition.

(1)The General form of petition set out in the First Schedule, with such variation as the circumstances of each case require, may be used, and, if used, shall be sufficient.(2)Every petition shall be couched in respectful, decorous and temperate language:[Provided that the Speaker may, if he thinks necessary, make such verbal or other changes in the petition so as to make it concise, brief and presentable.] [Substituted by item 29 amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981, page 295 (1) 46.]

98. Authentication of petition.

- The full name and address of every signatory to petition shall be set out therein and shall be authenticated by his signature, and, if illiterate, by his thumb impression.

99. Documents not to be attached.

- Letters, affidavits or other documents shall [ordinary] [Inserted by item 30 amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981, page 295 (1) 46.] not be attached to any petition.

100. Countersignature.

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

101. Petition to be addressed to House.

- 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.

102. Notice of presentation.

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

103. Presentation of petition.

- A petition may be presented by a member or be forwarded to the Secretary, who shall report it to the House. The report shall be made in the form set out in the Second Schedule. No debate shall be permitted on the presentation, or the making of such report.

104. Form of petition.

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

105. Reference to Committee on Petitions.

- Every petition shall, after presentation by a member or report by the Secretary, as the case may be, stand referred to the Committee on Petitions.

105A. [Reference of petitions to Committee by Speaker. [Substituted by item 31 amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981, page 295 (1) 46.]

- The Speaker may refer any petition to the Committee on petitions even if the same has not been presented to the House by a member or reported by the Secretary under Rule 105.]

Chapter XII Resolutions

106. [Notice of resolution. [Substituted by No. 32, amending rules vide Notification S.O. 118, published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981 page 295(1) 46.]

- A private member, who wishes to move a resolution on a day allotted for private members' business, shall give notice to that effect at least two days before the date of ballot and shall, together with the notice, submit the text of the resolution which he wishes to move.]

107. Form of resolution.

- A resolution may be in the form of declaration of opinion, or 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 commend, 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.

108. [[Deleted by No. 33, amending rules vide Notification S.O. 118, published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981 page 295(1) 46.]

Deleted.]

109. Conditions of admissibility of resolution.

- In order that a resolution may be admissible, it shall satisfy the following conditions, namely:-(i)it shall be clearly and precisely expressed;(ii)it shall raise substantially one definite issue;(iii)it shall not contain arguments, inferences, ironical expressions, imputations or defamatory statements;(iv)it shall not refer to the conduct or character of persons except in their official or public capacity;(v)it shall not relate to any matter which is not primarily the concern of the State Government;(vi)it shall not relate to any matter which is under adjudication by a court of law, having jurisdiction in any part of India; and(vii)it shall not relate to a matter pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions or any commission or court of enquiry appointed to enquire into or investigate any matter:Provided that the Speaker may, in his discretion, allow such matter being raised in the House as is concerned with the procedure or subject or stage of enquiry. If the Speaker is satisfied that it is not likely to prejudice the consideration of such matter by the statutory tribunal, statutory authority, commission or court of enquiry.

110. Speaker to decide admissibility of resolution.

(1)The Speaker shall decide whether a resolution or a part thereof is or is not admissible under these rules and may disallow any resolution or a part thereof when in his opinion it is an abuse of the right of moving a resolution or is calculated to obstruct or pre-judicially affect the procedure of the House or is in contravention of these rules:Provided that the Speaker may, in his discretion, amend the resolution in form or give member concerned an opportunity of amending it.(2)The Secretary shall give intimation to the member that his resolution has been admitted or admitted as amended or disallowed, as the case may be, and shall, in case the resolution has been disallowed, also state the reasons thereof.

110A. [Order and limit of resolutions. [Inserted by item 34, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981 page 295 (1) 46.]

(1)The relative precedence of resolutions, which have been admitted under Rule 110 shall be determined by ballot to be held in accordance with the orders made by the Speaker on such day as the Speaker may direct.(2)Unless the Speaker otherwise directs, not more than five resolutions (in addition to any resolution which is outstanding under the proviso to Rule 26) shall be set down in the list of business for any day.]

111. Moving of resolution.

(1)A member in whose name a resolution stands on the list of business shall, except when he wishes to withdraw it, when called upon, move the resolution and shall commence his speech by a formal

motion in the terms appearing in the list of business.(2)A member may, with the permission of the Speaker, authorise any other member, in whose name the same resolution stands lower in the list of business, to move it on his behalf, and the member so authorised may move it accordingly.(3)[If the member, in whose name a resolution stands on the list of business, when called, is absent, any other member authorised by him in writing in this behalf may, with the permission of the Speaker, move the resolution.] [Substituted by item 35, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981 page 295 (1) 46.]

112. Amendments.

(1)After a resolution has been moved any member may, subject to the rules relating to resolutions, move an amendment to the resolution.(2)If notice of such amendment has not been given one day previous to the day on which the resolution is moved, any member may object to the moving of the amendment, and such objection shall prevail, unless the Speaker allows the amendment to be moved.(3)The Secretary shall, if time permits, make available to members from time to time, list of amendments of which notices have been received:Provided that the mover of a resolution when moving the same and the Minister concerned when speaking for the first time, may speak for thirty minutes or for such longer time as the Speaker may permit.

113. [[Deleted by item 36, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981 page 295 (1) 46.]

Deleted.]

114. Scope of discussion.

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

115. Withdrawal of resolution and amendment.

(1)A member in whose name a resolution stands on the list of business may when called upon, withdraw the resolution, and shall confine himself to a mere statement to that effect.(2)A member who has moved a resolution or amendment to a resolution shall not withdraw the same except by leave of the House.(3)[x x x] [Deleted by item 37, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981 page 295 (1) 46.]

116. Splitting of resolution.

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

117. Repetition of resolution.

(1) When a resolution has been moved no resolution or amendment raising substantially the same question shall be moved within one year from the date of the moving of the earlier resolution. (2) When a resolution has been withdrawn with the leave of the House, no resolution raising substantially the same question shall be moved during the same session.

118. Copy of resolution passed to be sent to Minister.

- A copy of every resolution which has been passed by the House shall be forwarded to the Minister concerned.

118A. [Government Resolutions. [Inserted by item 38, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981 page 295 (1) 46.]

- A Minister may, with the previous permission of the Speaker, move any resolution on a matter of general public interest, and the rules relating to resolutions shall, mutatis mutandis apply.][Chapter XII-A] [Whole of Chapter XIIA added by item 39, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981 page 295 (1) 46.]
Ratification of Amendment of the Constitution

118AA. Message regarding ratification of amendment of Constitution.

(1) If a message from a House of Parliament for the ratification of an amendment of the Constitution under the proviso to Article 368 of the Constitution is received by the Secretary when the House is in session, he shall report the message to the House at the earliest opportunity after its receipt and lay the same on the Table. (2) If the House is not in session at the time the message is received, a copy of the message shall, as soon as it is received by the Secretary, be forwarded by him to every member and the Secretary shall report the message to the House and lay the same on the Table on the first day of the next session or as soon as may be thereafter. (3) The Secretary shall forward a copy of the message to the State Government at the first convenient opportunity after its receipt and in any case within three days of its receipt. (4) Copies of the Bill as passed by the House of Parliament making provision for the proposed amendment to the Constitution, received with the message, shall be forwarded to the State Government and shall be made available for use of members.

118B. Notice of resolution.

- After the message has been laid on the Table under Rule 118-AA, any member may, after giving seven days notice, or with the consent of the Speaker, at shorter notice, move a resolution that the amendment of the Constitution proposed by the Bill be ratified: Provided that any member may object to the resolution being moved if copies of the Bill have not been available for the use of members for three days before the resolution is moved and such objection shall prevail unless the

Speaker allows the resolution to be moved.

118C. Discussion of resolution.

(1)The Speaker shall, in consultation with the Leader of the House, fix a date for a discussion on the resolution.(2)No amendment shall be proposed to such a resolution.

118D. Communication of decision on resolution.

(1)If the resolution is passed by the House, a message shall be sent to the House of Parliament from which the message referred to in Rule 118-AA was received, that the Assembly ratifies the amendment.(2)If the resolution is rejected by the House, a message shall be sent as aforesaid that the Assembly does not ratify the amendment.(3)If no resolution is moved during the session in which the message of the House of Parliament is laid on the Table, the Secretary shall send information to the effect to the Secretary-General or Secretary, as the case may be, of the House of Parliament from which the message was received.

118E. Procedure for ratification when communication received direct by Government.

(1)If, instead of a message referred to in Rule 118-AA, a communication for the ratification of an amendment of the Constitution proposed by a Bill passed by Parliament is received by the State Government, any Minister may, notwithstanding anything contained in this chapter, after giving seven days notice or, with the consent of the Speaker, at shorter notice, move a resolution that the amendment to the Constitution, proposed by the Bill be ratified.(2)The provision contained in the proviso to Rule 118-B and Rule 118-C shall apply to such resolution.(3)The decision taken by the House on the said resolution shall be communicated by the Secretary to the State Government and to the Secretary or the Secretary-General, as the case may be, of the House of Parliament from which the communication was received by the State Government.

Chapter XIII

Discussion on a Matter of General Public Interest

119. Discussion on a matter of public interest.

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

120. Notice of motion.

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

121. Conditions of admissibility of motion.

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

122. Speaker to decide admissibility of motion.

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

123. Motion for raising 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 enquiry appointed to enquire into, or investigate, any 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 subject or stage of enquiry if the Speaker is satisfied that it is not likely to prejudice the consideration of such matter by the statutory tribunal, statutory authority, commission or court of enquiry.

124. Allotment of time and discussion of motions.

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

125. Speaker to put question at the appointed time.

- 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 original question.

126. [Discussion of Reports etc. [Substituted by item 40, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981 page 295 (1) 46.]

- In any session or sessions of the House the House shall discuss every year such of the following reports etc., as have been laid on the Table of the House, on the recommendation of the Business Advisory Committee, namely:-(a)Annual Report of the Rajasthan Public Service Commission;(b)Report of the Commissioner for Scheduled Castes and Scheduled Tribes;(c)Report of the Lokayukta and the Up-Lokayukta;(d)The Annual Accounts and Reports of the following:-(1)Rajasthan State Road Transport Corporation;(2)Rajasthan State Electricity Board, along with the Annual Financial Statement thereof;(3)Rajasthan Small Scale Industries Corporation;(4)Rajasthan Financial Corporation;(5)Rajasthan State Agro-Industries Corporation;(6)Rajasthan State Industrial Development and Investment Corporation;(7)Rajasthan State Mines and Minerals Ltd.:(8)Rajasthan State Mineral Development Corporation;(9)Rajasthan Housing Board;(10)Rajasthan Co-operative Dairy Federation;(11)Rajasthan State Tanneries Ltd.:(12)Rajasthan State Text Book Board:Provided that the Speaker may, on the advice of the Business Advisory Committee, include for discussion during a particular year any other Board, Corporation or Public Undertaking in the above list.]

Chapter XIV

Discussion on Matters of Urgent Public Importance for Short Duration

127. Notice of 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 discussion on the matter in question:Provided further that the notice shall be supported by the signatures of at least two other members.

128. [Speaker to decide admissibility and allotment of time. [Substituted by item 41, amending rules vide Notification S.O. 118, published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981, page 295(1) 46.]

(1)If the Speaker is satisfied, after calling for such information from the member who has given notice and from the Minister as he may consider necessary, that the matter is urgent and is of sufficient importance to be raised in the House at an early date, he may admit the notice:Provided that if an early opportunity is otherwise available for the discussion of the matter, the Speaker may refuse to admit the notice.(2)The Speaker may allot two sittings in a week on which such matters may be taken up for discussion and allow such time for discussion not exceeding one hour at or

before the end of the sitting, as he may consider appropriate in the circumstances.]

129. 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 member who has previously intimated to the Speaker may be permitted to take part in the discussion.

130. [[Deleted by item 42, amending rules vide Notification S.O, 118, published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981, page 295(1) 46.]

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Chapter XV

Calling Attention to Matters of Urgent Public Importance

131. Calling attention to matters of urgent public importance.

(1)A member may, with the previous permission of the Speaker, call the attention of a Minister to any matter of urgent public importance and the Minister may make a brief statement or ask for time to make a statement at a later hour or date.(2)There shall be no debate on such statement at the time it is made.(3)Not more than one such matter shall be raised at the same sitting.(4)In the event of more than one matter being presented for the same day priority shall be given to the matter which is, in the opinion of the Speaker more urgent and important.(5)The proposed matter shall be raised after the questions and before the list of business is entered upon and at no other time during the sitting of the House.

Chapter XVI

[Motion of No-Confidence in Council of Ministers and Statement by a Minister who has Resigned] [Substituted by item 43, amending rules vide Notification S.O. 118, published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981, page 295(1) 46.]

132. Motion of No-confidence in Ministers.

(1)A motion expressing want of confidence in the Council of Ministers may be made subject to the following restrictions, namely:-(a)leave to [move] [Substituted by item 44, amending rules vide

Notification S.O. 118, published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981, page 295(1) 46.] 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, before the commencement of the sitting for that day, give to the Secretary a written notice of the motion which he proposes to [move] [Substituted by item 44, amending rules vide Notification S.O. 118, published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981, page 295(1) 46.].(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 members rise accordingly the Speaker shall declare that leave is granted and that the motion will be taken up on such day, not being more than ten clear days, from the date on which the leave is asked for, as he may appoint. If less than one-fifth of the total 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.

133. Statement by a Minister who has resigned.

(1)A member who has resigned the office of Minister may, with the consent of the Speaker, make a personal statement in explanation of his resignation.(2)A copy of the statement shall be forwarded to the Speaker and the Leader of the House one day in advance of the day on which it is made:Provided that in the absence of a written statement, the points or the gist of such statement shall be conveyed [in writing] [Inserted by item 45, amending rules vide Notification S.O. 118, published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981, page 295(1) 46.] to the Speaker and the Leader of the House one day in advance of the day on which it is made.(3)Such statement shall be made after the questions and before the list of business for the day is entered upon.(4)There shall be no debate on such statement but after it has been made, a Minister may make a statement pertinent thereto.

Chapter XVII

Resolution for Removal of Speaker or Deputy Speaker from Office

134. Notice of a resolution for removal of Speaker or Deputy Speaker.

(1)A member wishing to give notice of a resolution under clause (c) of Article 179 of the Constitution, for the removal of the Speaker or the Deputy Speaker shall do so in writing to the Secretary.(2)On receipt of a notice under sub-rule (1), a motion for leave to move the resolution shall be entered in the list of business in the name of the member concerned, on a day fixed by the Speaker, provided that the day so fixed shall be [any day after fourteen clear days] [Substituted by item 46, amending rules vide Notification S.O. 118, published in Rajasthan Gazette Extraordinary Part IV C(II), dated

1-9-1981, page 295(1) 46.] and before twenty one clear days from the date of the receipt of notice of the resolution.

135. Leave of House to take up resolution.

(1) Subject to the provisions of Article 181 of the Constitution, the Speaker [or the Deputy Speaker] or such other person as is referred to in clause (2) of Article 180 of the Constitution shall preside when a motion under sub-rule (2) of Rule 134 is taken up for consideration. (2) The member in whose name the motion stands in the list of business shall, except when he wishes to withdraw it, move the motion when called upon to do so, but no speech shall be permitted at this stage. (3) The Speaker or the Deputy Speaker or the person presiding, as the case may be, shall thereupon place the motion before the House and shall request those members who are in favour of leave being granted to rise in their places. If not less than one-fifth of the total number of members rise accordingly, the Speaker or the Deputy Speaker or the person presiding, as the case may be, shall declare that leave has been granted and that the resolution will be taken up on such day not being more than ten days from the date on which leave asked for, as he may appoint. If less than one-fifth of the total number of members rise, the Speaker [or the Deputy Speaker or the person then presiding, as the case may be] [Substituted by item 47, amending rules vide Notification S.O. 118, published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981, page 295(1) 46.], shall inform the member that he has not the leave of the House.

136. Inclusion of resolution in the list of business.

- On the appointed day the resolution shall be included in the list of business to be taken up after the questions and before any other business for the day is entered upon.

137. Time limit for speeches.

- Except with permission of the Speaker or the person presiding a speech on the resolution shall not exceed fifteen minutes in duration: Provided that the mover of the resolution when moving the same may speak for such longer time as the Speaker or the person presiding may permit.

Chapter XVIII

Procedure In Financial Matters

(a) The Budget

138. The Budget.

- The Annual Financial Statement or the statement of the Financial Receipt and Expenditure of the State in respect of each financial year (hereinafter referred to as "the budget") shall be presented to the House on such day as the Government may direct.

139. Budget not to be discussed on presentation.

- There shall be no discussion of the Budget on the day on which it is presented to the House.(b)Demands for Grants

140. Demands for Grants.

(1)No demand for a grant shall be made except on the recommendation of the Governor.(2)A separate demand shall ordinarily be made in respect of the grant proposed for each department, provided that the Finance Minister may include in one demand grants proposed for two or more departments or make a demand in respect of expenditure which cannot readily be classified under particular departments.(3)Each demand shall contain first a statement of the total grant proposed and then a statement of the detailed estimate under each grant divided into items.(4)The Budget shall be presented to the House in such form as the Finance Minister may, after considering the suggestions, if any, of the Estimates Committee, settle.

141. Discussion of Budget.

- The Budget shall be dealt with by the Assembly in two stages, namely:-(i)a general discussion, and(ii)the voting of demands for grants.

142. General discussion on the Budget.

(1)On a day or days to be appointed by the Speaker subsequent to the day on which the Budget is presented and for such time as the Speaker may allot for this purpose, the House shall be at liberty to discuss the Budget as a whole or any question of principle involved therein, but no motion shall be moved nor shall the Budget be submitted to the vote of the House.(2)The Finance Minister shall have a general right of reply at the end of the discussion.

143. Arrangement of demands.

- The demands for grants shall be arranged-in such order as the Leader of the House may, after the advice of the [Business Advisory Committee] [Substituted by item 48, amending rules vide Notification S.O. 118, published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981, page 295(1) 46.] has been taken into consideration, determine.

144. Voting of demands for grants.

- [(1) The House shall, on the recommendation of the Business Advisory Committee, allot so many days as may be adequate for the discussion and voting of demands for grants.] [Substituted by item 49, amending rules vide Notification S.O. 118, published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981, page 295(1) 46.](2)On the last day of the allotted days, the Speaker shall forthwith put every question necessary to dispose of all the outstanding matters in connection with

the demands for grants.(3)Motions may be moved to reduce any demand for grant.(4)No amendments to motions to reduce any demand for grant shall be permissible.(5)When several motions relating to the same demand for grant are offered they shall be discussed in the order in which the heads to which they relate appear in the Budget.

145. Cut motions.

- A motion may be moved to reduce the amount of a demand in any of the following ways:-(a)that the amount of the demand be reduced to Re.1/- representing disapproval of the policy underlying the demand. Such a motion shall be known as "Disapproval of Policy Cut." A member giving notice of such a motion shall indicate the precise terms the particulars of the policy which he proposes to discuss. The discussion shall be confined to the specific point or points mentioned in the notice and it shall be open to members to advocate an alternative policy;(b)that the amount of the demand be reduced by a specified amount representing the economy that can be effected. Such specified amount may be either a lump sum reduction in the demand or omission or reduction of an item in demand. The motion shall be known as "Economy Cut". The notice shall indicate briefly and precisely the particular matters on which discussion is sought to be raised and speeches shall be confined to the discussion as to how economy can be effected;(c)that the amount of the demand be reduced by Rs. 100/- in order to ventilate specific grievance which is within the sphere of the responsibility of the Government. Such a motion shall be known as "Token Cut" and the discussion thereon shall be confined to the particular grievance specified in the motion.

146. Conditions of admissibility of cut motions.

- In order that a notice of motion for reduction of the amount of demand may be admissible, it shall satisfy the following conditions, namely:-(i)it shall relate to one demand only;(ii)it shall be clearly expressed and shall not contain arguments, inferences, ironical expressions, imputations, epithets or defamatory statements;(iii)it shall be confined to one specific matter which shall be stated in precise terms;(iv)it shall not reflect on the character or conduct of any person whose conduct can only be challenged on a substantive motion;(v)it shall not make suggestions for the amendment or repeal of existing laws;(vi)it shall not refer to a matter which is not primarily the concern of the State Government;(vii)it shall not relate to expenditure charged on the Consolidated Fund of the State;(viii)it shall not relate to a matter which is under adjudication by a court of law having jurisdiction in any part of India;(ix)it shall not raise a question of privilege;(x)it shall not revive discussion on a matter which has been discussed in the same session and on which a decision has been taken;(xi)it shall not anticipate a matter which has been previously appointed for consideration in the same session;(xii)it shall not ordinarily seek to raise a 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 enquiry appointed to enquire into, or investigate any matter:Provided that the Speaker may, in his discretion, allow such matter being raised in the House as is concerned with the procedure or stage of enquiry if the Speaker is satisfied that it is not likely to prejudice the consideration of such matter by the statutory tribunal, statutory authority, commission or court of enquiry; and(xiii)it shall not relate to a trifling matter.

147. Speaker to decide admissibility of cut motions.

- The Speaker shall decide whether a cut motion is or is not admissible under these rules and may disallow any cut motion when in his opinion it is an abuse of the right of moving cut motions or is calculated to obstruct or pre-judicially affect the procedure of the House or is in contravention of these rules.

148. Notice of cut motions.

- If notice of a motion to reduce any demand for grant has not been given one day previous to the day on which the demand is under consideration, any member may object to the moving of the motion, and such objection shall prevail unless the Speaker allows the motion to be made.

149. Presentation of Budget in parts.

- Nothing here-in-before contained shall be deemed to prevent the presentation of the Budget to the House in two or more parts and when such presentation takes place, each part shall be dealt with in accordance with these rules as if it were the Budget.

150. Vote-on-Account.

(1) A motion for vote-on-account shall state the total sum required and the various amounts needed for each department or item of expenditure which compose that sum shall be stated in a schedule appended to the motion. (2) Amendments may be moved for the reduction of the whole grant or for the reduction or omission of the items of the grant is composed. (3) Discussion of a general character may be allowed on the motion or any amendments moved thereto, but the details of the grants shall not be discussed further than is necessary to develop the general points. (4) In other respects a motion for vote-on-account shall be dealt with in the same way as if it were a demand for grant.

151. Supplementary, additional, excess and exceptional grants and votes of credit.

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

152. Scope of discussion on supplementary grants.

- The debate on the supplementary grants shall be confined to the items constituting the same and no discussion may be raised on the original grants nor policy underlying them save in so far as it may be necessary to explain or illustrate the particular items under discussion.

153. Token grants.

- When funds to meet proposed expenditure on a new service can be made available by re-appropriation, a demand for the grant of a token sum may be submitted to the vote of the House and, if the House assents to the demand, funds may be so made available.

153A. [Discussion on charged appropriations. [Added by item 50, by amending rules vide Notification S.O. 118, published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981, page 295(1) 46.]

- The House may, on the advice of the Business Advisory Committee, allot time for the discussion of the charged appropriations appearing in the Budget documents along with the demands for grants.](c)Appropriation Bill

154. Appropriation Bill.

(1)Subject to the provisions of the Constitution, the procedure in regard to an Appropriation Bill shall be the same as for Bills generally with such modification as the Speaker may consider necessary.(2)At any time after the introduction in the House of an Appropriation Bill, the Speaker may allot a day or days, jointly or severally, for the completion of all or any of the stages involved in the passage of the Bill by the House, and when such allotment has been made, 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 dispose of all the outstanding matters in connection with the stage or stages for which the day or days have been allotted.(3)Deleted.(4)The debate on an Appropriation Bill shall be restricted to matters of public importance or administrative policy implied in the grants covered by the Bill which have not already been raised while the relevant demands for grants were under consideration.(5)The Speaker may, in order to avoid repetition of debate, require members desiring to take part in discussion on an Appropriation Bill to give advance intimation of the specific points they intend to raise, and he may withhold permission for raising such of the points as in his opinion appear to be repetitions of the matters discussed on a demand for grant or as may not be of sufficient public importance.(6)If an Appropriation Bill is in pursuance of supplementary grant in respect of an existing service, the discussions shall be confined to the items constituting the same, and no discussions shall be raised on the original grant nor the policy underlying it save in so far as it may be necessary to explain or illustrate a particular item under discussion.(d)Finance Bill

154A. Finance Bill.

(1)In this rule "Finance Bill" means the bill ordinarily introduced in each year to give effect to the financial proposals of the Government of Rajasthan for the next following financial year and includes a Bill to give effect to supplementary financial proposals for any period.(2)At any time after introduction in the House of a Finance Bill, the Speaker may allot a day or days, jointly or severally for the completion of all or any of the stages involved in the passage of the Bill by the House, and when such allotment has been made, 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 dispose of all the outstanding matters in connection with the stage or stages for which the days have been allotted: Provided that if a Minister has a right of reply to the debate on the motion which is under discussion at the appointed hour on that day and has not commenced his reply at that hour, the Speaker shall Enquire how much time not exceeding one hour he requires for his reply, and shall call upon any member for the time being addressing the House to resume his seat at such time as will leave available before the appointed hour the amount of time which the Minister has stated that he requires for his reply. (3) Where the question or one of the questions required by sub-rule (2) to be put at the appointed hour on the allotted day or the last of the allotted days is that the Bill be passed, sub-rule (2) shall have effect notwithstanding that amendments to the Bill have been made. (4) Deleted. (5) On a motion that the Finance Bill be taken into consideration, a member may discuss matters relating to general administration, local grievances within the sphere of the responsibility of Government of Rajasthan or monetary or financial policy of Government. (6) In other respects the rules applicable to Bills in Chapter X of these rules shall apply.

155. Business that can be taken up on a day allotted for financial business.

- Notwithstanding that a day has been allotted for other business under Rule 142, 144, or 154, a motion or motions for leave to introduce a Bill or Bills may be made and a Bill or Bills may be introduced on such day before the House enters on the business for which the day has been allotted.

156. Time limit for disposal of financial business.

- In addition to the powers exercisable under these rules, the Speaker may exercise all such powers as are necessary for the purpose of the timely completion of all financial business including allotment of time for the disposal of various kinds of such business, and where time is so allotted, he shall, at the appointed hour, put every question necessary to dispose of all the outstanding matters in connection with the stage or stages for which time has been allotted. Explanation. - Financial business includes any business which the Speaker holds as coming within this category under the Constitution.

Chapter XIX

Privileges

(a) Questions of privilege

157. Question of privilege.

- A member may, with the consent of the Speaker, raise a question involving a breach of privilege either of a member or of the House or of a Committee thereof.

158. Notice of question of privilege.

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

159. Conditions of admissibility of the question of privilege.

- The right to raise a question of privilege shall be governed by the following conditions, namely:-(i)the question shall be restricted to a specific matter of recent occurrence;(ii)the matter requires the intervention of the House.

160. Mode of raising a question of privilege.

(1)The Speaker, if he gives consent under Rule 157 and holds that the matter proposed to be discussed is in order, shall, after the questions and before the list of business is entered upon, call the member concerned, who shall rise in his place and, while asking for leave to raise the question of privilege, make a short statement relevant thereto:Provided that where the Speaker has refused his consent under Rule 157 or is of opinion that the matter proposed to be discussed is not in order, he may, if he thinks it necessary, read the notice of question of privilege and state that he refuses consent or holds that the notice of question of privilege is not in order:Provided further that the Speaker may, if he is satisfied about the urgency of the matter, allow a question of privilege to be raised at any time during the course of sitting after the disposal of questions.(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 ten members rise accordingly, the Speaker shall declare that leave is granted. If less than ten members rise, the Speaker shall inform the member that he has not the leave of the House.

161. [Questions of privilege to be considered by House or Committee.

[Substituted by item 52, amending rules vide Notification S.O. 118, published in Rajasthan Gazette Extraordinary, Part IV-C(II), dated 1-9-1981, page 295(1) 46.]

- If leave under Rule 160 is granted, the House may consider the question and come to a decision or refer it to the Committee of Privileges on a motion made either by the member who has raised the question of privilege or by any other member.]

162. Reference of questions of privileges to Committee by Speaker.

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

163. Power of Speaker to give directions.

- The Speaker may issue such directions as may be necessary for regulating the procedure in connection with all matters connected with the consideration of the question of privilege either in the Committee of Privileges or in the House.(b)Intimation to Speaker of arrest, detention etc. and release of a Member

164. Intimation to Speaker by Magistrate of arrest, detention etc. of a member.

- When a member is arrested on a criminal charge or for a criminal offence or is sentenced to imprisonment by a court or is detained under an executive order, the committing judge, magistrate or executive authority, as the case may be, shall immediately intimate such fact to the Speaker indicating the reasons for the arrest, detention or conviction, as the case may be, as also the place of detention or imprisonment of the member in the appropriate form set out in the Third Schedule.

165. Intimation to Speaker on release of a member.

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

166. Treatment of communication received from Magistrate.

- As soon as may be, the Speaker shall, after he has received a communication referred to in Rule 164 or Rule 165, read it out in the House if in session, or if the House is not in session, direct that it may be published in the Bulletin for the information of the members:Provided that if the intimation of the release of a member either on bail or by discharge on appeal is received before the House has been informed of the original arrest, the fact of his arrest or his subsequent release or discharge may not be intimated to the House by the Speaker.(c)Procedure regarding service of a legal process and arrest within the precincts of the House

167. Arrest within the precincts of House.

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

168. 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 XX

Subordinate Legislation

169. Laying of regulation, rule etc. on the Table.

(1)Where a regulation, rule, sub-rule, bye-law etc. framed in pursuance of the Constitution or of the legislative functions delegated by Legislature to a subordinate authority is laid before the House, the period specified in the Constitution or the relevant Act for which it is required to be laid shall be completed before the House is adjourned sine die and later prorogued, unless otherwise provided in the Constitution or the relevant Act.(2)Where the specified period is not so completed, the regulation, 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.

170. Allotment of time for discussion of amendment.

- The Speaker shall, in consultation with the Leader of the House, fix a day or days or part of a day as he may think fit for the consideration and passing of an amendment to such regulation, rule, sub-rule, bye-law etc. of which notice may be given by a member:Provided that notice of the amendment shall be in form as the Speaker may consider appropriate and shall comply with these rules.

171. Transmission of amendment.

- After an amendment is passed by the House, it shall be forwarded to the Secretary to the Minister concerned.

172. Regulation, rule etc. as amended to be laid on the Table.

- 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.

Chapter XXI

Resignation and Vacation of Seats in the House

173. [Resignation of seats in House. [Substituted by item 53, amending rules vide Notification S.O. 118, published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981, page 295(1) 46.]

(1)A member who desires to resign his seat in the House shall intimate in writing under his hand addressed to Speaker his intention to resign his seat in the House in the following form:"ToThe Speaker,Rajasthan Legislative Assembly,JaipurSir,I hereby tender my resignation of my seat in the

House with effect from

Yours faithfully,

Place..... Member, Rajasthan Legislative

Date..... Assembly (Division Number)"

(2) If a member hands over the letter of resignation to the Speaker personally 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 either by post or through some one else, the Speaker may make such enquiry as he thinks fit to satisfy himself that the resignation is voluntary and genuine. If the Speaker, after making a summary enquiry either himself or through the agency of Assembly Secretariat or through such other agency as he may deem fit, is satisfied that the resignation is not voluntary or genuine, he shall not accept the resignation. (4) A member may withdraw his letter of resignation at any time before it is accepted by the Speaker. (5) The Speaker shall, as soon as may be after he has accepted the resignation of a member, inform the House that the 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 the House 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 Committee for taking steps to fill the vacancy thus caused: Provided that where the resignation is to take effect from a future date, the information shall be published in the Bulletin and the Gazette not earlier than the date from which it is to take effect.]

174. Vacation of seats in House.

(1) The seat of a member shall be declared vacant under clause (4) of Article 190 of the Constitution on a motion by the Leader of the House or by such other member to whom he may delegate his functions in this behalf. (2) If the motion referred to in sub-rule (1) is carried, the Secretary shall cause the information to be published in the Gazette and forward a copy of the notification to the Election Commission for taking steps to fill the vacancy thus caused.

Chapter XXII

Leave of Absence From the Sittings of the House

175. Application for leave of absence.

(1) A member desiring permission of the House to remain absent from the sittings thereof under clause (4) of Article 190 of the Constitution shall make an application in writing to the Speaker. (2) An application under sub-rule (1) shall specify the period for which leave of absence is required indicating also the date of commencement and of termination of such leave of absence and grounds for it: Provided that leave of absence applied for at any one time shall not exceed a period of sixty days.

176. Decision of House communicated to member.

- The Secretary shall, as soon as may be, after a decision has been signified by the House on an application for leave of absence, communicate it to the member.

177. Lapse of unexpired portion of leave if the member attends House earlier.

- If a member who has been granted leave of absence under these rules attends the session of the House during the period for which the leave of absence has been granted to him, the unexpired portion of the leave from the date of his resumed attendance shall lapse.

Chapter XXIII

Communications Between the Governor and the House

178. Communications from Governor to House.

- Communications from the Governor to the House shall be made to the Speaker by written message signed by the Governor or, if the Governor is absent from the place of sitting of the House, his message shall be conveyed to the Speaker through a Minister.

179. Communications from House to the Governor.

- Communications from the House to the Governor shall be made-(i)by formal address, after motion made and carried in the House; and(ii)through the Speaker.

Chapter XXIV

Committees

(a)General

180. Appointment of Committee.

(1)The members of a Committee shall be appointed or elected by the House or nominated by the Speaker, as the case may be.(2)No member shall be appointed to a Committee if he is not willing to serve on it. The proposer shall ascertain whether the member whose name is proposed by him is willing to serve on the Committee.(3)Casual vacancies in a Committee shall be filled by appointment or election by the House on a motion made, or nomination by the Speaker, as the case may be and any member appointed, elected or nominated to fill such vacancy shall hold office of the unexpired portion of the term for which the member in whose place he is appointed, elected or nominated would have normally held office.

180A. Objection to membership of Committee.

- Where an objection is taken to the inclusion of a member in a Committee on the ground that [the] [Inserted by item 55, amending rules vide Notification S.O. 118, published in Rajasthan Gazette Extraordinary, part IV-C(II), dated 1-9-1981, page 295(1) 46.] member has a personal, pecuniary or direct interest of such an intimate character that it may pre-judicially 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 taking 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 case;(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 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 or with any class or section thereof or on a matter of State policy.

181. Term of office of the Committee nominated by the Speaker.

- A Committee nominated by the Speaker shall, unless otherwise specified in the rules contained in this Chapter, hold office for the period specified by him or until a new Committee is nominated.

182. Resignation from Committee.

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

183. Chairman of Committee.

(1)The Chairman of a 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 appointed Chairman of the Committee.(2)If the Chairman is for any reason unable to act, the Speaker may appoint another Chairman in his place.(3)If the Chairman is absent from any sitting, the Committee shall choose another member to act as Chairman for that Sitting.

184. Quorum.

(1)The quorum to constitute a sitting of a Committee shall be, as near as may be, one third of the total number of members of the Committee.(2)If at any time fixed for any sitting of the Committee, or if at any time during any such sitting, there is no quorum, the Chairman of the Committee shall either suspend the sitting until there is a quorum or adjourn the sitting to some future day.(3)[xxx]
[Deleted by item 56, amending rules vide Notification S.O. 118, published in Rajasthan Gazette Extraordinary, part IV-C(II), dated 1-9-1981, page 295(1) 46.]

185. Discharge of members absent from sittings of Committee.

- If a member is absent from two or more consecutive spells of sittings of a Committee without the permission of the Chairman, a motion may be moved in the House for the discharge of such member from the Committee:Provided that where the members of the Committee are nominated by the Speaker, such member may be discharged by the Speaker.

186. Voting in Committee.

- All questions at any sitting of a Committee shall be determined by a majority of votes of the members present and voting.

187. Casting vote by Chairman.

- In the case of an equality of votes on any matter, the Chairman, or the person acting as such, shall have a second or casting vote.

188. Power to appoint sub-committees.

(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 point or points for investigation. The report of the sub-committee shall be considered by the whole Committee.

189. Sittings of Committee.

- The sittings of a Committee shall be held on such days at such hours as the Chairman of the Committee may fix:Provided that if the Chairman of the Committee is not readily available, the Secretary may fix the date and time of a sitting:Provided further that in the case of Select Committee on a Bill, if the Chairman of the Committee is not readily available, the Secretary may, in consultation with the Minister concerned with the Bill, fix the date and time of a sitting.

190. Committee may sit whilst House is sitting.

- A 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 division.

191. Sittings of Committee in private.

- The sittings of a Committee shall be held in private.

192. Venue of sittings.

- The sitting of a Committee shall be held within the precincts of the Assembly House, and if it becomes necessary to change the place of sitting outside the Assembly House, the matter shall be referred to the Speaker whose decision shall be final.

193. All strangers to withdraw when Committee deliberates.

- All persons other than members of the Committee and officers of the Assembly Secretariat shall withdraw whenever the Committee is deliberating.

194. Power to take evidence or call for documents.

(1)A witness may be summoned by an order signed by the Secretary and shall produce such documents as are required for the use of a Committee.(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.

195. Power to send for persons, papers and records.

- A Committee shall have power to send for persons, papers and records:Provided that if any question arises whether the evidence of a person or the production of a document is relevant for the purposes of the Committee, the question shall be referred to the Speaker whose decision shall be final:Provided further that Government may decline to produce a document on the ground that its disclosure would be prejudicial to the safety or interest of the State, [in which case the matter shall be referred to the Speaker whose decision shall be final.] [Added by item 7, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981, page 295(1) 46.]

196. Counsel for a witness.

- A Committee may, under the direction of the Speaker, permit a witness to be heard by a counsel appointed by him and approved by the Committee.

197. Evidence on oath.

(1) A Committee may administer oath or affirmation to a witness examined before it. (2) The form of the oath or affirmation shall be as follows: - "I, A.B. do swear in the name of God solemnly affirm that the evidence which I shall give in this case shall be true, that I will conceal nothing, and that no part of my evidence shall be false."

198. Procedure for examining witnesses.

- The examination of witnesses before Committee shall be conducted as follows: - (i) The Committee shall, before a witness is called for examination decide the mode of procedure and the nature of questions that may be asked of the witness. (ii) The Chairman of the Committee may first ask the witness such question or questions as he may consider necessary with reference to the subject matter under consideration or any subject connected therewith according to the mode of procedure mentioned in clause (i) of this rule. (iii) The Chairman may call other members of the Committee one by one to ask any other questions. (iv) 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. (v) A verbatim record of proceedings of the Committee shall, when a witness is summoned to give evidence, be kept. (vi) The evidence tendered before the Committee may be made available to all members of the Committee.

199. Record of decisions of Committee.

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

200. Evidence, report and proceedings treated as confidential.

(1) A Committee may direct that the whole or a part of the evidence or a summary thereof may be laid on the Table. (2) No part of the evidence, oral or written, report or proceedings of a Committee which has not been laid on the Table shall be open to inspection by one except under the authority of the Speaker. (3) The evidence given before a Committee shall not be published by any member of the 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.

201. Special reports.

- 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 work 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.

202. Report of Committee.

- [(1) Where the House has fixed any time for the presentation of a report by a Committee, the report shall be presented within the said period: Provided that the House may, on a motion made by the Chairman, or in his absence by any other member of the Committee, extend the time for the presentation of the report.] [Substituted by item 58, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette, Extraordinary Part IV-C (II), dated 1-9-1981 page 295(1) 46.](2) Reports may be either preliminary or final. (3) The report of the Committee shall be signed by the Chairman on behalf of the Committee: Provided that in case the Chairman is absent or is not readily available, the Committee shall choose another member to sign the report on behalf of the Committee.

203. Availability of report to Government before presentation.

- A Committee may, if it thinks fit make available to Government any completed part of its report before presentation to the House. Such report shall be treated as confidential until presented to the House.

204. Presentation of Report.

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

205. Printing, publication or circulation of report prior to its presentation to House.

- The Speaker may, on a request being made to him and when the House is not in session, order the printing publication or circulation of a report of 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.

206. Power to make suggestions on procedure.

- A Committee shall have power to pass resolution 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.

207. Power of Committee to make detailed rules.

- A Committee may, with the approval of the Speaker, make detailed rules of procedure to supplement the provisions contained in the rules in this Chapter.

208. Power of Speaker to give directions.

(1)The Speaker may from time to time issue such directions to the Chairman of a 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.

209. Business before Committee not to lapse on prorogation of House.

- Am business pending before a Committee shall not lapse by reason only of the prorogation of the House and the Committee shall continue to function notwithstanding such prorogation.

210. [Unfinished work of Committee. [Substituted by item 59, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette, Extraordinary Part IV-C(II), dated 1-9-1981 page 295(1) 46.]

- Where a Committee has not been able to complete its work before the expiry of its term or before the dissolution of the Assembly, the new Committee may take up the work at the stage where the outgoing Committee left it. 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.]

211. Applicability of general rules to Committees.

- Except for matters for which special provision is made in the rules relating to any particular Committee, the general rules in this Chapter shall apply to all Committees and if and so far as any provision in the special rules relating to a Committee is inconsistent with the general rules, the former rules shall prevail.(b)Business Advisory Committee

212. [Constitution of Business Advisory Committee. [Substituted by item 60, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette, Extraordinary Part IV-C(II), dated 1-9-1981 page 295(1) 46.]

- At the commencement of the House or from time to time, as the case may be, the Speaker may nominate a Committee called the Business Advisory Committee consisting of not more than fifteen members including the Speaker who shall be the Chairman of the Committee: Provided that the Speaker may invite any other member including the Leader of the House, where he is not a member of the Committee, as a special invitee at a sitting of the Committee for consultation or advice.]

213. Functions of Committee.

- [(1) It shall be the function of the Committee or recommend-(a) the order in which Government and other business may be discussed in the House. (b) the number of hours or day or days or actual day or days that may be allotted for discussion of different types of Government and other business.](2) The Committee shall have the power to indicate in the proposed timetable the different hours at which the various stages of the Bill or other business shall be completed. (3) The Committee shall have such other functions as may be assigned to it by the Speaker from time to time.

214. Report of Committee.

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

215. Motion moved in House on Report.

- At any time after the report has been presented to the House, a motion may be moved that the House agrees or 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 the discussion of the motion and no member shall speak for more than five minutes on such motion.

216. Notification of allocation of Time Order.

- The allocation of time in respect of Bills and other business as approved by the House shall take effect as if it were an Order of the House and shall be notified in the Bulletin.

217. Disposal of outstanding matters at the appointed hour.

- At the appointed hour, in accordance with the allocation of Time Order 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 the Bill or other business.

218. Variation in the allocation of Time Order.

- 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: Provided that the Speaker may, after taking the sense of the House, increase the time, not exceeding one hour, without any motion being moved: [Provided further that the Speaker may, on being satisfied as to the urgent need therefor, make such variation in the allocation of time-order as he may deem appropriate.] [Substituted by item 62, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette, Extraordinary Part IV-C(II), dated 1-9-1981 page 295(1) 46.] (c) Select Committees on Bills

219. Constitution of Select Committee.

- The members of a Select Committee on a bill shall be appointed by the House when a motion that the Bill be referred to a Select Committee is made.

220. Other members may be present at a sitting.

- Members who are not members of the Select Committee may be present during the deliberations of the Committee but shall not address the Committee nor sit in the body of the Committee: Provided that a Minister may, with the permission of the Chairman, address the Committee of which he may not be a member.

221. Notice of amendments and procedure generally.

(1) If notice of a proposed amendment has not been given before the day on which the Bill is taken up by the Select Committee any member may object to the moving of the amendment and such objection shall prevail unless the Chairman allows the amendment to be moved. (2) In other respects, 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 adaptations, whether by way of modification, addition or omission, as the Speaker may consider necessary or convenient.

222. Notice of amendments by members other than members of 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.

223. Power of Committee to take evidence.

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

224. Report of Committee.

(1)As soon as may be, after a Bill has been referred to a Select Committee, the Select Committee shall meet from time to time in accordance with Rule 189 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 by a Select Committee, 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)The Select Committee shall in their 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.(3)Where a Bill has been altered, the Select Committee may, if they think fit, include in their report a recommendation to the member-in-charge of the Bill that his next motion should be a motion for circulation, or, where the Bill has already been circulated, for re-circulation.(4)Any member of the Select Committee may record a minute of dissent on any matter or matters connected with the Bill or dealt within the report.(5)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 aspersion on the Committee.(6)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.

225. Presentation of report.

- The report of the Select Committee on a Bill together with the minutes of dissent, if any, shall be presented to the House by the Chairman or, in his absence, by any member of the committee.

226. Printing and publication of reports.

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

227. Constitution of Committee on Petitions.

- At the commencement of the House, or from time to time, as the case may be, the Speaker shall nominate a Committee on Petitions consisting of not more than fifteen members:Provided that a Minister shall not be nominated 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.

228. Functions of Committee.

(1)The Committee shall examine every petition referred to it, and if the petition complies with these rules, the Committee may direct that it be circulated. Where circulation of the petition has not been directed, the Speaker may at any time direct that the petition be circulated.(2)Circulation of the petition shall be in extenso or in summary form as the Committee or the Speaker, as the case may be, may direct.(3)It shall also be the duty of the Committee to report to the House on specific complaints made in the petition referred to it after taking such evidence as it deems fit and to suggest remedial measures either in a concrete form applicable to the case under review or to prevent such case in future.(4)[The Committee shall also meet as often as necessary to consider representations, letters and telegrams from various individuals, associations etc., which are not covered by the rules relating to petitions, and give direction for their disposal:Provided that 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 letter or letters on which names and/or address of senders are not given or are illegible, and(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.(5)The Speaker may, before referring any petition to the Committee on Petitions also, if necessary, ascertain facts from the State Government and inform the member presenting the petition appropriately.] [Whole of sub-rule (4) to rule 228 added by item 63, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette, Extraordinary Part IV-C(II), dated 1-9-1981 page 295(1) 46.](e)Committee on Public Accounts

229. Functions of Committee on Public Accounts.

(1)There shall be a Committee on Public Accounts for the examination of accounts showing the appropriation of sums granted by the House for the expenditure of the State, the annual finance accounts of the State and such other accounts laid before the House as the Committee may think fit.(2)In scrutinising the Appropriation Accounts of the State and the report of the Comptroller and Auditor-General thereon, it shall be the duty of the Committee to satisfy itself-(a)that the moneys shown in the accounts as having been disbursed were legally available for, and applicable to the service or purpose to which they have been applied or charged;(b)that the expenditure conforms to the authority which governs it; and(c)that every re-appropriation has been made in accordance with the provisions made in this behalf under rules framed by competent authority.(3)it shall also be the Committee-(a)to examine the statement of accounts showing the income and expenditure of State corporations, trading and manufacturing schemes, concerns and projects together with the balance sheets and statements of profit and loss accounts which the Governor may have required to be prepared or are prepared under the provisions of the statutory rules regulating the financing of a particular corporation, trading or manufacturing scheme or 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 bodies, the audit of which may be conducted by the Comptroller and Auditor-General of India either under the directions of the Governor or by a statute of Legislature; and(c)to consider the report of the Comptroller and Auditor-General in case where the Governor may have required him to conduct an audit of any receipt or to examine the accounts of stores and stocks.(4)[It shall also be open to the Committee to ask for information and examine

any case involving loss, nugatory expenditure or financial irregularities even though such a case does not appear in an Audit Report.] [Added by item 64, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981, page 295(1) 46.](5)[If any money has been spent on any service during a financial year in excess of the amount granted by the House for that purpose, the Committee shall examine with reference to the facts of each case the circumstances leading to such an excess and make such recommendations as it may deem fit:Provided that the Committee shall not exercise its functions in relation to public undertakings as are allotted to the Committee on Public Undertakings by these rules or by the Speaker.] [Renumbered by item 64, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981, page 295(1) 46.]

230. Constitution of Committee.

(1)The Committee shall consist of not more than fifteen 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 transferred vote:Provided that the Speaker may fill up casual vacancies not exceeding one-third of the total membership of the Committee by nomination. Such nominated members shall hold office till the vacancies to which they are nominated are filled by election by the House or for the remaining term of office whichever is earlier:Provided further that a Minister shall not be elected or nominated a members of the Committee and that if a member, after his election or nomination to the Committee, is appointed a Minister he shall cease to be a member of the Committee from the date of such appointment.(2)The terms of office of members of the Committee shall not exceed one year:Provided that the Speaker may at any time extend the term of office not exceeding six months.(f)Committees on Estimates

231. [Formation of Committees on Estimates. [Substituted by item 65, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981, page 295(1) 46.]

- There shall be two Committees on Estimates, namely Committee on Estimates 'A' and Committee on Estimates 'B' for the examination of estimates pertaining to different Departments as mentioned in the Fourth Schedule:Provided that the Speaker or the House may at any time vary the allocation of estimates pertaining to individual departments among different Committees inter se as also allocate estimates or subjects pertaining to Department or Departments not mentioned above to any of these Committees:Provided further that any Estimates Committee, may, with the previous permission in writing of the Speaker, undertake examination of any subject pertaining to any department, allocated to the other Committee, in which case such subject or department shall, so long as the examination persists, be deemed to have been allocated to the former:Provided further again that the Committees shall not exercise their functions in relating to Public Undertakings as are allocated to the Committee on Public Undertakings by those Rules or by the Speaker.] [Substituted by item 61, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette, Extraordinary Part IV-C(II), dated 1-9-1981 page 295(1) 46.]

231A. [Functions of Committees. [Inserted by item 65, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981, page 295(1) 46.]

(1)The functions of the Committees shall be:-(a)to report what economies, improvements in organisation, 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; and(c)to examine whether the money is well laid out within the limits of the policy implied in the estimates.(2)It shall also be the function of one of the Committees on Estimates named by the Speaker to suggest the form in which the estimates shall be presented to the Assembly.]

232. [Constitution of Committees. [Substituted by item 64, amending Rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981, page 295(1) 46.]

- Each of the two Committees shall consist of not more than fifteen 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 Speaker may fill up casual vacancies not exceeding one-third of the total membership of any of these Committees by nomination. Such nominated members shall hold office for the remaining term of office unless the vacancies to which they are nominated are earlier filled by election by the House:Provided further that a Minister shall not be elected or nominated a member of any of these Committees and that if a member, after his election or nomination to the Committee, is appointed a Minister, he shall cease to be a member of the Committee from the date of such appointment.(2)The term of office of members of each of these Committees shall not exceed one year:Provided that the Speaker may at any time extend the term of office not exceeding six months.]

233. [Examination of estimates by Committees. [Substituted by item 65, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981, page 295(1) 46.]

- Each of these Committees may continue the 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 of these Committees to examine the entire estimates of any one year. The demands for grants may be finally voted notwithstanding the fact that any of these Committees has made no report.](ff)Committee on Public Undertakings

233A. Functions of Committee on Public Undertakings.

- There shall be a Committee on Public Undertakings for the examination of the working of the Public Undertakings specified in the Fifth Schedule. The functions of the Committee shall be:-(a)to

examine the reports and accounts of the Public Undertaking specified in Fifth Schedule and such other Undertakings as may be decided by the House from time to time or the Speaker when the House is not in session;(b)to examine the reports, if any, of the Comptroller and Auditor-General on the Public Undertakings;(c)to examine, in the context of the autonomy and efficiency of the Public Undertakings, whether the affairs of the Public Undertakings are being managed in accordance with sound business principles and prudent commercial practises; and(d)to exercise such other functions vested in the Committee on Public Accounts and the Committees on Estimates in relation to the Public Undertakings specified in the Fifth Schedule 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 Public Undertakings;(ii)matters of day-to-day administration;(iii)matters for the consideration of which machinery is established by any special statute under which a particular Public Undertaking is established.

233B. Constitution of Committee.

(1)The Committee shall consist of not more than fifteen 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 votes:Provided that the Speaker may fill up casual vacancies not exceeding one-third of the total membership of the Committee by nomination. Such nominated members shall hold office till the vacancies to which they are nominated are filled by election by the House or for the remaining term of office whichever is earlier:Provided further that a Minister shall not be elected or nominated a member of the Committee and that if a member, after his election or nomination to the Committee, is appointed a Minister he shall cease to be a member of the Committee from the date of such appointment.(2)The term of office of members of the Committee shall not exceed one year:Provided that the Speaker may at any time extend the term of office not exceeding six months.(g)Committee of Privileges

234. Constitution of Committee of Privileges.

- At the commencement of the House or from time to time, as the case may be, the Speaker shall nominate a Committee of Privileges consisting of not more than fifteen members:[Provided that a Minister shall not be nominated 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.] [Added by item 66, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary, Part IV-C(II), dated 1-9-1981, page 295(1) 46.]

235. Examination of question by Committee.

(1)The Committee shall examine every question referred to it and determine with reference to the facts of each case whether a breach of privilege is involved and, if so, the nature of the breach, and the circumstances leading to it and make such recommendations as it may deem fit.(2)[Where the

House or the Speaker, as the case may be, has not fixed any time for the presentation of the report by the Committee, the report shall be presented within a period of six months in the case of a motion referred to the Committee by the Speaker under Rule 162, or where the question of privilege has been referred by the House, not later than the last day of the first week of the session commencing after the expiry of six months from the last day of session in which the question has been so referred: Provided that where the Committee has not been able to finish its work, the Speaker or the House, as the case may be, may, on a motion made by the Chairman, extend the time for the presentation of the report. (3) Where a question has been referred to the Committee on the complaint made by a member or any other person, it shall not be open to the complainant to withdraw the complaint at any stage of the examination of the same by the Committee. (4) The report may also state the procedure to be followed by the House in giving effect to the recommendations made by the Committee. (5) The report may also state the procedure to be followed by the House in giving effect to the recommendations made by the Committee.] [Substituted by item 67, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette, Extraordinary Part IV-C(II), dated 1-9-1981, page 295 (1) 46.]

236. Consideration of report.

(1) After the report has been presented the Chairman or any member of the Committee or any other member [shall move] [Substituted by item 68, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette, Extraordinary, Part IV-C(II), dated 1-9-1981, page 295 (1) 46.] that the report be taken into consideration, whereupon the Speaker may put the question to the House. (2) Before putting the question to the House, the Speaker may permit a debate on the motion, not exceeding half an hour in duration, and such debate shall not refer to the details of the report further than is necessary to make out a case for the consideration of the report by the House. (3) After the motion made under sub-rule (1) is agreed to, the Chairman or any member of the Committee or any other member, as the case may be, may move that the House agrees, or disagrees or agrees with amendments, with the recommendations contained in the report.

237. Priority for consideration of report of Committee.

- A motion that the report of the Committee be taken into consideration shall be accorded the priority assigned to a matter of privilege under sub-rule (1) of Rule 160, unless there has been undue delay in bringing it forward: Provided that when a date has already been fixed for the consideration of the report it shall be given priority as a matter of privilege on the day so appointed.

237A. [Treatment of a report in respect of which no motion that the report be taken into consideration has been made. [Inserted by item 69, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette, Extraordinary, Part IV-C(II), dated 1-9-1981, page 295 (1) 46.]

- The recommendations contained in a report of the Committee which has been presented to the House and in respect of which no motion has been made under sub-rule (1) of Rule 236 before the

expiry of the first week of the session succeeding the session in which the same has been presented, shall be deemed to have been agreed to by the Assembly at the expiry of the first week of the session, unless any member moves before such expiry that the House disagrees, or agrees with amendment, with the said recommendations, in which case the matter shall be decided by the House.](h)Committee on Subordinate Legislation

238. Functions of Committee on Subordinate Legislation.

- There shall be a Committee on Subordinate Legislation to scrutinise and report to the House whether the powers to make regulations, rules, sub-rules, bye-laws, etc. conferred by the Constitution or delegated by Legislature are being properly exercised within such delegation.

239. Constitution of Committee.

(1)The Committee shall consist of not more than fifteen members who shall be nominated by the Speaker:Provided that a Minister shall not be nominated 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.(2)The term of office of members of the Committee shall not exceed one year.

240. Numbering and publication of Orders.

- Each regulation, rule, sub-rule, bye-law etc. framed in pursuance of the provisions of the Constitution or the legislative functions delegated by Legislature to a subordinate authority [whether laid before the House or not,] [Substituted by item 70, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette, Extraordinary, Part IV-C(II), dated 1-9-1981, page 295 (1) 46.] hereinafter referred to as "Order" shall, subject to such rules as the Speaker may in consultation with the Leader of the House [prescribe,] [Substituted by item 70, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette, Extraordinary, Part IV-C(II), dated 1-9-1981, page 295 (1) 46.] be numbered centrally and published in the Gazette immediately after it is promulgated.

241. Duties of Committee.

- [After each such order referred to in Rule 240 is promulgated the Committee shall select for scrutiny such of them as it may consider appropriate and in respect of each of them,] [Substituted by item 71, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette , Extraordinary, Part IV-C(II), dated 1-9-1981, page 295 (1) 46.] in particular consider-(i)whether it is in accord with the general objects of the Constitution of the Act pursuant to which it is made;(ii)whether it contains matter which is 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 court;(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 State 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 its publication or in laying it before Legislature;(ix)whether for any reason its form or purport calls for any elucidation.

242. Report of Committee.

(1)If the Committee is of opinion that any order should be annulled wholly or in part, or should be amended in any respect, it shall report that opinion and the grounds thereof to the House.(2)If the Committee is of opinion that any other matter relating to any orders should be brought to the notice of the House it may report that opinion and matter to the House.

243. Power of Speaker to give directions.

- The Speaker may issue such directions as he may consider necessary for regulating the procedure in connection with all matters connected with the consideration of any question of subordinate legislation either in the Committee or in the House.(i)Committee on Government Assurances

244. Functions of Committee on Government Assurances.

- There shall be a Committee on Government Assurances to scrutinise 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.

245. Constitution of Committee.

(1)The Committee shall consist of not more than fifteen members who shall be nominated by the Speaker:Provided that a Minister shall not be nominated 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.(2)The term of office of members of the Committee shall not exceed one year.(j)Rules Committee

246. Functions of Rules 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 these rules that may be deemed necessary.

247. Constitution of Committee.

- The Committee on Rules shall be nominated by the Speaker and shall consist of fifteen members including the Chairman of the Committee. The Speaker shall be the ex-officio Chairman of the Committee:[Provided that a Minister shall not be nominated 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 member of the Committee from the date of such appointment.] [Added by item 66, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette, Extraordinary, Part IV-C(II), dated 1-9-1981, page 295 (1) 46.]

248. Laying of report on the table.

(1)The recommendations of the Committee shall be laid on the Table and within a period of seven days, beginning with the day on which they are so laid, any member may give notice of any amendment to such recommendations.(2)Any notice given by a member of any amendment to the recommendations of the Committee shall stand referred to the Committee who shall consider it and make such changes in their recommendations as the Committee may consider fit. The final report of the Committee after taking into consideration the amendments suggested by the members 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 promulgated by the Speaker in the Bulletin.(3)If notice of such amendment has not been given within seven days, the recommendations of the Committee shall be deemed to have been approved by the House and on the expiry of the said period the Speaker shall promulgate in the Bulletin the amendments to the rules as recommended by the Committee.(4)The amendments to the rules shall come into force on their publication in the Bulletin until otherwise specified.(k)House Committee

249. Constitution of House Committee.

(1)There shall be a House Committee consisting of not more than fifteen members including the Chairman.(2)The Committee shall be nominated by the Speaker and shall hold office for a term not exceeding one year. A member may be renominated by the Speaker to the new House Committee:[Provided that a Minister shall not be nominated 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 member of the Committee from date of such appointment.] [Added by item 66, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary, Part IV-C(II) dated 1-9-1981, page 295 (1) 46.]

250. [[Whole of Rule 250 deleted by item 72, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette, Extraordinary, Part IV-C(II), dated 1-9-1981, page 295 (1) 46.]

Deleted.]

251. Functions of Committee.

(1)The functions of the House Committee shall be-(i)to deal with all questions relating to residential accommodation for members of Assembly; and(ii)to exercise supervision over facilities for accommodation, food, medical aid and other amenities accorded to members in members residences and hostels in Jaipur, [in particular and over other amenities and facilities provided to members under rules.] [Inserted by item 73, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981, page 295 (1) 46.](2)The functions of the Committee shall be advisory.

252. Power to appoint sub-committee.

(1)The Committee may appoint one or more sub-committees, each having the powers of the undivided Committee, to examine any special points relating to residential accommodation, food, medical aid and other amenities in members residences 4[and hostels in Jaipur in particular and to other amenities and facilities that are or may be provided to members] and the reports of such subcommittees 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 point or points for [investigation.] [Inserted by item 74, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary, Part IV-C(II), dated 1-9-1981, page 295 (1) 46.] The report of the sub- committee shall be considered by the whole Committee.

253. [Appeal against decision of Committee. [Substituted by item 75, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary, Part IV-C (II), dated 1-9-1981, page 295 (1) 46.]

- An appeal against the decision of the House Committee shall lie to the Speaker whose decision shall be final.](1)Library Committee

253A. Constitution of Library Committee.

(1)There shall be a Library Committee consisting of not more than seven members including the Chairman.(2)The Committee shall be nominated by the Speaker and the term of office of its members shall not exceed one year:[Provided that a Minister shall not be nominated 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 member of the Committee from the date of such appointment.] [Added by item 66, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary, Part IV-C (II), dated 1-9-1981, page 295 (1) 46.]

253B. Functions of the Committee.

- The functions of the Library Committee shall be-(1)to consider and advise on such matters concerning the Rajasthan Legislative Assembly Library as may be referred to it by the Speaker from

time to time;(2)to consider suggestions for the improvement of the Rajasthan Legislative Assembly Library;(3)to assist members of Assembly in fully utilising the services provided by the Library.(m)Committee on Welfare of Scheduled Castes

253C. Constitution of the Committee.

(1)There shall be a Committee for the Welfare of Scheduled Castes.(2)The Committee shall consist of not more than fifteen members who shall be nominated by the Speaker:Provided that no Minister shall be nominated 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 term of office of members of the Committee shall not exceed one year.

253D. Functions of the Committee.

- The Committee shall examine the steps taken by the State Government in connection with the welfare and over-all development of the Scheduled Castes.(n)Committee on Welfare of Scheduled Tribes

253E. Constitution of the Committee.

(1)There shall be a Committee for the Welfare of Scheduled Tribes.(2)The Committee shall consist of not more than fifteen members who shall be nominated by the Speaker:Provided that no Minister shall be nominated 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 term of office of members of the Committee shall not exceed one year.

253F. Functions of the Committee.

- The Committee shall examine the steps taken by the State Government in connection with the welfare and over-all development of the Scheduled Castes.(o)[General Purpose Committee [Substituted by item 76, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette, Extraordinary, Part IV-C(II), dated 1-9-1981 page 295(1) 46.]

253G. Constitution of the Committee.

(1)There shall be a General Purpose Committee consisting of Speaker, Deputy Speaker, members of the Panel of Chairman of all standing Parliamentary Committees the Rajasthan Legislative Assembly (except the Parliamentary Consultative Committees), Leaders of recognised parties and groups in the Rajasthan Legislative Assembly and such other members as may be nominated by the Speaker who shall be the ex-officio Chairman of the Committee.

253H. Functions of the Committee.

- The functions of the Committee shall be to consider and advise on such matters concerning the affairs of the House as may be referred to it by the Speaker from time to time.](p)[Parliamentary Consultative Committees [Added by item 77, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette, Extraordinary, Part IV-C(II), dated 1-9-1981 page 295(1) 46.]

253I.

1. Composition. - (1) The Speaker may, in consultation with the Leader of the House, constitute as many Parliamentary Consultative Committees as he thinks fit, in respect of a Department or group of Departments of the State Government composed of members of the Assembly only.

(2)Before nominating a member to a Parliamentary Consultative Committee, the Speaker may, as far as possible, ascertain the option of the member in respect of serving on a particular Parliamentary Consultative Committee, but the decision of the Speaker shall be final.(3)Each Parliamentary Consultative Committee shall be presided over by a Minister to be nominated by the Speaker:Provided that one Minister may be the Chairman of more than one Parliamentary Consultative Committee:Provided further that in the absence of the Minister, the State Minister nominated by the Minister concerning the Department or Departments may preside over the meeting of the Committee.(4)The Secretary shall be the Secretary to all Parliamentary Consultative Committees.

2. Term. - The Parliamentary Consultative Committees shall be constituted once in every term of the Assembly, but it shall be open to the Speaker, in consultation with the Leader of the House, to nominate a fresh member or change the nomination of a member to a particular Parliamentary Consultative Committee as and when he may deem fit.

3. Functions and Powers. - (1) The functions of the Parliamentary Consultative Committees will be:-

(a)to act as a liaison between the members and the State Government;(b)to enable the members to obtain such information from the State Government, in relation to the policy, programmes, plans, performance, achievements, functioning and expenditure of the Department or Departments concerned, as the members may desire to have, and to provide a forum for discussion and exchange of views:Provided that it shall be within the competence of the Minister to claim privilege in respect of such information as he may deem fit.(c)to provide a forum of ventilation of grievances of public nature.(2)It shall not be open to the Committee to call for records, summon witnesses, require production of documents or to make on-the-spot studies.

4. Meetings and Working Procedure. - (1) The Parliamentary Consultative Committee shall meet only during the period when there is no session, but there shall be not less than two meetings of each Parliamentary Consultative Committee in a year.

(2)The meetings of the Parliamentary Consultative Committees shall be held in the precincts of the House when summoned in Jaipur, but they may also be convened outside Jaipur at the discretion of the Chairman, in which case the venue will be decided by the Chairman.(3)The Chairman may, for the purpose of assisting him in making available to members information desired by them, require the service of any official of the Department concerned and may ask him to make available any documents or information as he may think fit.(4)There shall be no voting, resolution or report of the Committees but the proceedings of the Committees may be drawn up and circulated to the members concerned.(5)The Chairman shall be free to announce the decisions, if any, taken as a result of the discussions of the Committee, to the press.(6)No decisions involving financial implications or bearing upon the working of an autonomous board or body shall be taken at the meeting of the Parliamentary Consultative Committees.(7)Nothing transacted in the course of discussion in the Committees shall be referred to in the House either by the members or by the Chairman.]

Chapter XXV

General Rules of Procedure

Notices

254. Notices by members.

(1)Every notice required by these rules shall be given in writing addressed to the Secretary and signed by the member giving notice, and shall be left at the Notice Office which shall be open for this purpose between the hours to be notified from time to time on every day except Sunday or a Public Holiday.(2)Notices left at the Notice Office after the hours notified under sub-rule (1) shall be treated as given on the next open day.

255. Circulation of notices and papers to members.

(1)The Secretary shall make every effort to circulate to each member a copy of every notice or other paper which is required by these rules to be made available for the use of members.(2)A notice or other paper shall be deemed to have been made available for the use of every member if a copy thereof is deposited in such manner and in such place as the Speaker may, from time to time, direct:Provided that a notice shall not be given publicity by any one until it has been admitted and circulated to members:Provided further that a notice of a question shall not be given publicity until the question is answered in the House.

256. Lapse of pending notices on prorogation of House.

- On the prorogation of the House, all pending notices, other than notices of intention to move for leave to introduce a Bill shall lapse and fresh notices shall be given for the next session: Provided that a fresh notice shall be necessary of intention to move for leave to introduce any Bill in respect of which sanction or recommendation has been granted under the Constitution if the sanction or recommendation, as the case may be, has ceased to be operative.

257. Motion, resolution or amendment moved not to lapse.

- A motion, resolution or an amendment, which has been moved and is pending in the House shall not lapse by reason only of the prorogation of the House.

258. Speaker to amend notices of questions and motions etc.

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

259. Repetition of motion.

- A motion raising a question substantially identical with one on which the House has given a decision in the same session shall in no case be repeated.

260. Withdrawal of motion.

(1) A member who has made a motion may withdraw the same by leave of the House. (2) The leave shall be signified not upon question but by the Speaker taking the pleasure of the House. The Speaker shall ask: "Is it your pleasure that the motion be withdrawn?". If no one dissents, the Speaker shall say: "The motion is by leave withdrawn". But if any dissentient voice be heard or a member rises to continue the debate, the Speaker shall forthwith put the motion: Provided that if an amendment has been proposed to a motion, the original motion shall not be withdrawn until the amendment has been disposed of.

261. Adjournment of debate on motion.

- At any time after a motion has been made, a member may move that the debate on the motion be adjourned.

262. Dilatory motion in abuse of the rules of House.

(1) If the Speaker is of opinion that a motion for the adjournment of a debate is an abuse of the rules of the House, he may either forthwith put the question thereon or decline to propose the

question.(2)If the Speaker is of opinion that a motion for re-circulation of a Bill to elicit further opinion thereon is in the nature of a dilatory motion in abuse of the rules of the House in as much as the original circulation was adequate or comprehensive or that no circumstance has arisen since the previous circulation to warrant the re-circulation of the Bill, he may forthwith put the question thereon or decline to [propose] [Substituted by item 79, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary Part IV-C(II), dated 1-9-1981, page 295 (I) 46.] the question.(3)If the Speaker is of opinion that a motion for re-committal of a Bill to a Select Committee of the House or circulation or re-circulation of the Bill after the Select Committee of the House has reported thereon is in the nature of a dilatory motion in abuse of the rules of the House in as much as the Select Committee of the House has dealt with the Bill in a proper manner or that no unforeseen or new circumstance has arisen since the Bill emerged from such Committee, he may forthwith put the question thereon or decline to propose the question.

263. Motion that policy or situation or statement or any other matter be taken into consideration.

- A motion that the policy or situation or statement or any other matter be taken into consideration shall not be put to the vote of the House but the House shall proceed to discuss such matter immediately after the mover has concluded his speech and no further question shall be put at the conclusion of the debate at the appointed hour unless a member moved a substantive motion in appropriate terms to be approved by the Speaker and the vote of the House shall be taken on such motion.Anticipating Discussion

264. Anticipating discussion.

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

265. Scope of amendments.

(1)An amendment shall be relevant to, and within the scope of, the motion to which it is proposed.(2)An amendment shall not be moved which has merely the effect of a negative vote.(3)An amendment on a question shall not be inconsistent with previous decision on the same question.(4)An amendment to an amendment may be moved with the permission of the Speaker and no prior notice is required in such a case.

266. Notice of amendments.

- Notice of an amendment to a motion shall be given one day before the day on which the motion is to be considered unless the Speaker allows the amendment to be moved without such notice.

267. Selection of amendments.

- The Speaker shall have powers to select the amendments to be proposed in respect of any motion, and may, if he thinks fit, call upon any member who has given notice of an amendment to give such explanation of the object of the amendment as may enable him to form a judgement upon it.

268. Putting of amendments.

- The Speaker may put amendments in such order as may think fit: Provided that the Speaker may refuse to put an amendment which in his opinion is frivolous. Rules to be observed by members

269. Rules to be observed by members while present in House.

- Whilst the House is sitting, a member-(i) shall not read any book, newspaper or letter except in connection 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 enter or move in the House when the Speaker is addressing the House;] [Substituted by item 81, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary, Part IV-C(II), dated 1-9-1981 page 295 (1) 46.] (vi) shall always address the Chair; (vii) shall keep to his usual seat while addressing the House; (viii) shall maintain silence when not speaking in House; (ix) shall not obstruct proceeding, [hiss] [Substituted by item 81, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary, Part IV-C(II), dated 1-9-1981 page 295 (1) 46.] or interrupt and shall avoid making running commentaries when speeches are being made in the House; (x) shall not applaud when a stranger enters any of the galleries or the Governor's Box; (xi) shall not while speaking make any reference to the strangers in any of the galleries; (xii) shall smoke or drink water or any other potable *[or eat anything] in the House. (xiii) shall not bring arms, stick or umbrella inside the House; (xiv) shall not sleep in the House.

270. Member to speak when called by Speaker.

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

271. Mode of addressing House.

(1) A member desiring to make any observations on any matter before the House shall speak from his place, shall rise when he speaks and shall address the Speaker: Provided that a member disabled by sickness or infirmity may be permitted to speak sitting.

272. Rules to be observed while speaking.

- A member while speaking shall not-(i)refer to any matter of fact on which a judicial decision is pending;(ii)make a personal charge against a member;(iii)use offensive expressions about the conduct of proceedings of the Assembly, Parliament or any State Legislature;(iv)reflect on any determination of the House except on a motion for rescinding it;(v)reflect upon the conduct of persons in high authority unless the discussion is based on a substantive motion drawn in proper terms:Explanation. - The words "persons in high authority" mean persons whose conduct can only be discussed on a substantive motion drawn in proper terms under the Constitution of such other persons whose conduct, in the opinion of the Speaker, should be discussed on a substantive motion drawn in terms to be approved by him;(vi)use the name of the President or the Governor for the purpose of influencing the debate;(vii)utter treasonable, seditious or defamatory words;(viii)use his right of speech for the purpose of obstructing the business of the House;(ix)read his speech, but may refresh his memory by reference to notes;(x)reflect upon the conduct of the Speaker except on a substantive motion for his removal;(xi)reflect upon the conduct of the President or the Governor of any State.

273. Procedure regarding allegation against a person.

- No allegation of a defamatory or incriminatory nature shall be made by a member against any person unless the member has given previous intimation to the Speaker and also to the Minister concerned so that the Minister may be able to make an investigation into the matter for the purpose of a reply:Provided that the Speaker may at any time prohibit any member from making any such allegation if he is of opinion that such allegation is derogatory to the dignity of the House or that no public interest is served by making such allegation.

274. Questions to be asked through the Speaker.

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

275. Irrelevance or repetition.

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

276. Personal explanation.

- A member may, with the permission of the Speaker, make a personal explanation although there is no question before the House, but in this case no debatable matter may be brought forward, and no debate shall arise.Order of speeches and right of reply

277. Order of speeches and right of reply.

(1)After the member who moves a motion has spoken other members may speak to the motion in such order as the Speaker may call upon them. If any member who is so called upon does not speak, he shall not be entitled, except with the permission of the Speaker, to speak to the motion at any later stage of the debate.(2)Except in the exercise of a right of reply or as otherwise provided by these rules, no member shall speak more than once to any motion except with the permission of the Speaker.(3)[A member who has moved a motion may speak again by way of reply:Provided that nothing in this sub-rule shall be deemed to give any right of reply to the mover of an amendment to a Bill or a resolution save with the permission of the Speaker.] [Substituted by item 82, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary, Part IV-C(II), dated 1-9-1981 page 295 (1) 46.]

278. Mover's reply concludes debate.

- [x x x] [Deleted by item 83, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary, Part IV-C(II), dated 1-9-1981 page 295 (1) 46.] The reply of the mover of the original motion shall in all cases conclude the debate.Address by Speaker

279. Address by Speaker.

- The Speaker may himself, or on a point being raised or on a request made by a member, address the House at any time on a matter under considerations, in the House with a view to aid members in their deliberations, and such expression of views shall not be taken to be in the nature of decision.Procedure when Speaker rises

280. Procedure when Speaker rises.

(1)Whenever the Speaker rises he shall be heard in silence and any member who is then speaking or offering to speak shall immediately sit down.(2)No member shall leave his seat while the Speaker is addressing the House.Closure

281. Closure.

(1)At any time after a motion has been made, any member may move: "That the question be now put", and, unless it appears to the Speaker that the motion is an abuse of these rules or an infringement of the right of reasonable debate, the Speaker shall then put the motion: "That the question be now put."(2)Where the motion "That the question be now put", has been carried, the question or questions consequent thereon shall be put forthwith without further debate:Provided that the Speaker may allow a member any right of reply which he may have under these rules.

282. Limitations of debate.

- [(1)] [Inserted by item 84, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary, Part IV-C(II), dated 1-9-1981 page 295 (1) 46.] Whenever the debate on any motion in connection with a Bill or on any other motion [becomes] [Substituted by item 84, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary, Part IV-C(II), dated 1-9-1981 page 295 (1) 46.] unduly protracted, the Speaker may, after taking the sense of House, fix a time limit for the conclusion of discussion on any stage or all stages of the Bill or the motion, as the case may be.(2)At the appointed hour, in accordance with the time limit fixed for the completion of a particular stage of a Bill or a motion the Speaker shall, unless the debate is sooner concluded, forthwith put every question necessary to dispose of all the outstanding matters in connection with that stage of the Bill or the motion.

282A. [Time limit for speeches. [Inserted by item 85, amending rules vide Notification S.O. 118, Published in Rajasthan Gazette Extraordinary, Part IV-C(II), dated 1-9-1981 page 295 (1) 46.]

- Unless otherwise prescribed in these rules, the Speaker may, if he thinks fit, prescribe different time limit for speeches on different motions and other items of business.]Question for Decision

283. Procedure for obtaining decision of House.

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

284. 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 propositions, those propositions may be proposed by the Speaker as separate questions.

285. No speech after voice collected.

- A member shall not speak on a question after the Speaker has collected the voices both of the Ayes and of the Noes on that question.Division

286. Division.

(1)On the conclusion of a debate, the Speaker shall put the question and invite those who are in favour of the motion to say "Aye" and those against the motion to say "No".(2)The Speaker shall then say: "I think the Ayes (or Noes, as the case may be) have it. If the opinion of the Speaker as to the decision of a question is not challenged, he shall say twice, "The Ayes (or the Noes, as the case may be) have it" and the question before the House shall be determined accordingly.(3)(a)If the

opinion of the Speaker as to the decision of a question is challenged, he shall order that the Lobbies be cleared.(b)After the lapse of two minutes he shall put the question a second time and declare whether in his opinion the "Ayes" or the "Noes" have it.(c)If the opinion so declared is again challenged, he shall direct that the votes be recorded by the members going into the Lobbies:Provided that, if in the opinion of the Speaker the Division is unnecessarily claimed, he may ask the members who are for "Aye" and those for "No" respectively to rise in their places and on [a count] [Substituted by item 86, amending rules vide Notification S.O. 118, published in Rajasthan Gazette, Extraordinary, Part IV-C(II), dated 1-9-1981, page 295(1) 46.] being taken, he may declare the determination of the House. In such a case the means of the voters shall not be recorded.(4)If the Speaker grants the request for a division, the division bell shall be rung for five minutes.(5)After the division bell stops ringing, the Speaker shall again read over the terms of the question.

287. Division by going into the Lobbies.

(1)Where the Speaker directs under clause (c) [of] [Inserted by item 87, amending rules vide Notification S.O. 118, published in Rajasthan Gazette, Extraordinary, Part IV-C(II), dated 1-9-1981, page 295(1) 46.] sub-rule (3) of Rule 286 that the votes shall be recorded by the members going into Lobbies, he shall direct the "Ayes" to go into the Right Lobby and the "Noes" into the Left Lobby. In the "Ayes" or "Noes" Lobby, as the case may be, each member shall state his Division Number and the Division Clerk, while marking off his number on the Division list, shall simultaneously call out the name of the member.(2)After voting in the Lobbies is completed, the Division Clerks shall bring the Division Lists to the Table when the votes shall be counted by the officers at the Table and the totals of "Ayes" and "Noes" presented to the Speaker:Provided that where a member remains [neutral] [Substituted by item 87, amending rules vide Notification S.O. 118, published in Rajasthan Gazette, Extraordinary, Part IV-C(II), dated 1-9-1981, page 295(1) 46.] and desires that the fact of his remaining neutral maybe recorded, such fact shall be recorded.(3)The Result of the Division shall be announced by the Speaker and it shall not be challenged.(4)A member who is unable to go to the Division Lobby owing to sickness or infirmity may, with the permission of the Speaker, have his vote recorded either at his seat or in the Lobby before the result of the Division is announced.(5)[xxx] [Deleted by item 87, amending rules vide Notification S.O. 118, published in Rajasthan Gazette, Extraordinary, Part IV-C(II), dated 1-9-1981, page 295(1) 46.](6)[xxx] [Deleted by item 87, amending rules vide Notification S.O. 118, published in Rajasthan Gazette, Extraordinary, Part IV-C(II), dated 1-9-1981, page 295(1) 46.]Papers quoted to be laid on the Table

288. Papers quoted to be laid on the Table.

- If a Minister quotes in the House a dispatch or other State paper which has not been presented to the House, he shall lay the relevant paper on the Table:Provided that this rule shall not apply to any documents which are stated by the Minister to be of such a nature that their production would be inconsistent with public interest:Provided further that where a Minister gives in his own words a summary or gist of such dispatch or State paper it shall not be necessary to lay the relevant papers on the Table.

289. Treatment of papers and other things laid on the table of House.

(1) A paper or document to be laid on the table shall be duly authenticated by the member presenting it. (2) All papers, documents and other things laid on the table shall be considered public and shall not be allowed to be withdrawn or returned except with the permission of the Speaker: Provided that the Speaker may dispose of things other than papers and documents in such manner as he may consider necessary or appropriate. Procedure when Minister discloses sources of advice or opinion given to him

289A. Procedure when Minister discloses source of advice or opinion given to him.

- If, in answer to a question or during debate, a Minister discloses the advice or opinion given to him by any officer of the Government or by any other person or authority, he shall ordinarily lay the relevant document or parts of document containing that opinion or advice, or a summary thereof on the Table. Objection to vote of a Member on grounds of personal, pecuniary or direct interest

289B. 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 the ground of his objection, and the member whose vote has been challenged to state his case, and shall decide whether the vote of the member should be disallowed or not and his decision shall be final: Provided that the vote of a member or members is challenged immediately after the division is over and before the result is announced by the Speaker. Explanation. - For the purpose of this rule the interest of the member should be direct, personal or pecuniary and separately belong to the person 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. Statement made by a Minister

290. Statement made by a Minister.

- A statement may be made by a Minister on a matter of public importance with the consent of the Speaker but no question shall be asked at the time the statement is made. Withdrawal and Suspension of Members

291. Withdrawal of member.

- The Speaker may direct any member, whose conduct is, in his opinion, grossly disorderly, to withdraw immediately from the House, and any member so ordered to withdraw shall do so forthwith and shall absent himself during the remainder of the days sitting.

292. Suspension of member.

(1)The Speaker may, if he deems it necessary, name a member who disregards the authority of the Chair or abuses the rules of the House by persistently and wilfully obstructing the business thereof.(2)If a member is so named by the Speaker, he shall forthwith put the question that the member (naming him) be suspended from the service of the House for a period not exceeding the remainder of the session:Provided that the House may, at any time, on a motion being made, resolve that such suspension be terminated.(3)A member suspended under this rule shall forthwith withdraw from the precincts of the House.Suspension of Sitting

293. Power of Speaker to adjourn House or suspend sitting.

- In the case of a grave disorder arising in the House, the Speaker may, if he thinks it necessary to do so, adjourn the House or suspend any sitting for a time to be named by him.Points of Order

294. 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 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 point of order during the interval between the termination of one item of business and the commencement of another if it relates to maintenance of order in, or arrangement of business before, the House.(3)Subject to conditions referred to in sub-rules (1) and (2), a member may formulate 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)when a question on any motion is being put to the House; or(d)which may be hypothetical; or(e)that Division bells did not ring or were not heard.

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

- A member who wishes to bring to the notice 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.Maintenance of Order

296. Speaker to preserve order and enforce decisions.

- The Speaker shall preserve order and shall have all powers necessary for the purpose of enforcing his decisions.Report of Proceedings

297. Report of proceedings of House.

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

298. Expunction of words from debates.

- If the Speaker is of opinion that words have been used in debate which are defamatory or indecent or unparliamentary or undignified, he may, in his discretion, order that such words be expunged from the proceedings of the House.

299. Indication in printed debates of expunged proceedings.

- The portion of the proceedings of the House so expunged shall be marked by asterisk and an explanatory foot-note shall be inserted in the proceedings as follows:-"Expunged as ordered by the Chair"Printing and Publication of Assembly Papers

300. Printing and publication of Assembly papers.

(1)The Speaker may authorise printing, publication, distribution or sale of any paper, document or report in connection with the business of the House or any paper, document or report laid on the Table or presented to the House or a Committee thereof.(2)A paper, document or report printed, published, distributed or sold in pursuance of sub-rule (1) shall be deemed to have been printed, published, distributed or sold under the authority of the House within the meaning of clause (2) of Article 194 of the Constitution.(3)If a question arises whether a paper, document or report is in connection with the business of the House or not, the question shall be referred to the Speaker whose decision shall be final.Custody of papers

301. Custody of papers.

- The Secretary shall have custody of all records, documents and papers belonging to the House or any of its Committees or Assembly Secretariat and he shall not permit any such records, documents or papers to be taken from the Assembly House without the permission of the Speaker.Chamber of the House

302. Restriction on use of the Chamber of House.

- The Chamber of the House shall not be used for any purpose other than the sittings of the House.Admission of Strangers

303. Admission of Strangers.

- The admission of strangers during the sittings of the House to those portions of the House which are not reserved for the exclusive use of members shall be regulated in accordance with orders made by the Speaker.

304. Withdrawal of strangers.

- The Speaker may, whenever he thinks fit, order any stranger to withdraw or any gallery to be cleared.

305. Removal and taking into custody of strangers.

- The Sergeant-at-Arms or an officer of the Assembly Secretariat authorised in this behalf by the Speaker shall remove from the precincts of the House or take into custody, any stranger whom he may see, or who may be reported to him to be, in any portion of the precincts of the House which is reserved for the exclusive use of members, and also any stranger who, having been admitted into any portion of the precincts of the House, misconducts himself or wilfully infringes the regulations made by the Speaker under Rule 304 or does not withdraw when the strangers are directed to withdraw under Rule 304 while House is sitting.

306. 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.

307. Residuary powers.

- All matters are 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.

308. Interpretation and removal of difficulties.

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

[First Schedule] [Substituted by item 88, amending rules vide Notification S.O. 118, published in Rajasthan Gazette, Extraordinary, Part IV-C(II), dated 1-9-1981, page 295(1) 46.]

Form of Petition[See Rule 97]

To, The Rajasthan Legislative Assembly

The humble petition of (Here insert name and designation or description of petitioner(s) in concise form e.g. "A.B. and others" or "the inhabitants of or "municipality of" etc.) sheweth (Here insert concise statement of case) and accordingly your petitioner (s) request (s) 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)

Name of Petitioner Address Signature or thumb impression

Countersignature of member presenting. Second Schedule Form of Report on Petition by the Secretary [See Rule 103] Sir, Under Rule..... of the Rules of Procedure and Conduct of Business in Rajasthan Legislative Assembly, I have to report that..... petitions as per statement laid on the Table have been received relating to..... (in case of Bills) the Bill to provide for which was introduced in the House on the..... 19..... by Shri..... Statement Petitions relating to (in case of Bills) the Bill to provide for..... which was introduced in the House on the 19 ...

Number of Signatories District or town

Secretary Third Schedule Form of communication regarding arrest, detention, conviction or release, as the case may be, of a member [See Rules 164 and 165] Place..... Date..... To, The Speaker, Rajasthan Legislative Assembly, Jaipur. Dear Mr. Speaker, I have the honour to inform you that I have found it my duty, in the exercise of my powers under section..... of the (Act), to direct that Shri..... Member of the Rajasthan Legislative Assembly, be arrested/detained for..... (reasons for arrest or detention, as the case may be). Shri..... M.L.A., was accordingly arrested/taken in custody at..... (time) on (date) and is at present lodged in the Jail,..... (place). I have the honour to inform you that Shri Member of the Rajasthan Legislative Assembly, was tried at the Court before me on a charge (or charges) of..... (reasons for the conviction), On (date) after a trial lasting for..... days I found him guilty of..... and sentenced him to imprisonment for (period). (His application for leave to appeal [.....] [Name of Court.] is pending consideration). I have the honour to inform you that Shri Member of the Rajasthan Legislative Assembly, 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). Fourth Schedule Division of Departments among Estimates Committee 'A' and Estimates Committee 'B' [See Rule 231] [Estimates Committee 'A' [Substituted by item 88, amending rules vide Notification S.O. 118, published in Rajasthan Gazette, Extraordinary, Part IV-C(II), dated 1-9-1981, page 295(1) 46.] Estimates pertaining to all departments under the control of the following Administrative Departments of the State Government:-

1. Industries and Mines Department.

2. Public Works Department.

3. Education Department.

- 4. Appointments Department.**
- 5. General Administration Department.**
- 6. Finance Department.**
- 7. Law and Judicial Department and Legal Remembrancer's Office.**
- 8. Department of Parliamentary Affairs.**
- 9. Planning Department.**
- 10. Cabinet Secretariat.**
- 11. Excise and Taxation Department.**
- 12. Co-operative Department.**
- 13. Local-Self Government Department.**
- 14. Panchayat and Development Department.**
- 15. Power Department.**
- 16. Bhasha Vibhag.**

Estimates Committee 'B' Estimates pertaining to all Departments under the control of the following Administrative Departments of the State Government:-

- 1. Revenue Department.**
- 2. Forest Department.**
- 3. Agriculture Department.**
- 4. Animal Husbandry and Social Welfare Department.**
- 5. Irrigation, Colonisation and Mandis Department.**

6. Rajasthan Canal Project Department.

7. Civil Supplies Department.

8. Food Department.

9. Election Department.

10. Statistics Department.

11. Medical and Public Health Department.

12. Labour and Employment Department.

13. Home Department.

14. Relief and Rehabilitation Department.

15. State Enterprises Department.]

Fifth ScheduleList of the Public Undertakings[See Rule 233 A]

1. Ganganagar Sugar Mills.

2. Palana Colliery.

3. Rajasthan State Road Transport Corporation.

4. Rajasthan State Electricity Board.

5. Rajasthan Small Scale Industries Corporation.

6. Rajasthan Hotel Corporation.

7. Rajasthan Financial Corporation.

8. Rajasthan State Warehousing Corporation.

- 9. Rajasthan State Agro-Industries Corporation.**
- 10. Rajasthan State Industrial Development and Investment Corporation.**
- 11. Woollen Mills, Bikaner.**
- 12. Sodium Sulphate Works, Didwana.**
- 13. Rajasthan Housing Board.**
- 14. Rajasthan Dairy Development Corporation.**
- 15. Rajasthan State Tanneries Ltd.**
- 16. Rajasthan State Text-Book Board.**
- 17. Rajasthan State Mines and Minerals Ltd.**