

**Rules
of
Procedure and Conduct of
Business
in
The Andhra Pradesh
Legislative Assembly**

[Modified up to 01-12-2012]

ANDHRA PRADESH LEGISLATURE (LEGN.)
SECRETARIAT
HYDERABAD - 500 004.

[i]

J-427-1

P R E F A C E

Article 208 (1) of the Indian Constitution empowers each House of the Legislature of a State to make Rules for regulating its Procedure and conduct of its Business. In pursuance of the said article, the Legislative Assembly of Andhra Pradesh, immediately after the formation of the State of Andhra Pradesh, has framed its own Rules of Procedure and Conduct of Business. Those Rules were broadly based on the Rules of Procedure and Conduct of Business that was in force, previously, in the Legislative Assembly of the Andhra State.

Rule 269 of the Rules of Procedure and Conduct of Business in Andhra Pradesh Legislative Assembly has provided for the Committee on Rules to consider matters of Procedure and Conduct of Business in the House and to recommend any amendments or additions to the Rules that may be deemed necessary. Accordingly, several amendments to the Rules had been made in pursuance of the recommendations of the Committee on Rules after approval of the House.

The re-constitution of the Legislative Council of Andhra Pradesh on 30-03-2007 has necessitated a comprehensive review of the Rules of Procedure and

Conduct of Business in Andhra Pradesh Legislative Assembly. Accordingly, the Committee on Rules has made an in-depth study and recommended for certain amendments. After approval of the House, necessary modifications and additions had been made in the Rules.

The Legislature of Andhra Pradesh has taken the historic decision to constitute Departmentally Related Standing Committees from the Financial Year 2013-2014 for an in-depth study of Demands for Grants. Necessary changes in the Rules have been made accordingly.

Hyderabad,
Date :11th March, 2013.

S. RAJA SADARAM,
SECRETARY TO LEGISLATURE.

**RULES OF PROCEDURE AND CONDUCT OF
BUSINESS IN THE
ANDHRA PRADESH LEGISLATIVE ASSEMBLY**

*(Under Clause (1) of article 208 of the
Constitution of India)*

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**RULES OF PROCEDURE AND CONDUCT OF
BUSINESS IN THE ANDHRA PRADESH LEGISLATIVE
ASSEMBLY**

*(Under Clause (1) of Article 208 of the
Constitution of India)*

CHAPTER - I

SHORT TITLE AND DEFINITIONS

1. These rules may be called “the Rules of Procedure and Conduct of Business in the Andhra Pradesh Legislative Assembly.” Short Title.

2. (I) In these rules, unless the context otherwise requires,- Definitions.

(a) “Assembly” means the Legislative Assembly of the State of Andhra Pradesh constituted under the Constitution;

(b) “Bulletin” means the Bulletin of the House containing information of any matter relating to or connected with the business of the House or of the Committees or other matter which in the opinion of the Speaker may be included therein;

(c) “Committee” means any Committee which is appointed or elected by the House or nominated by the Speaker or constituted under the rules and includes a Select or a Joint Select Committee and which functions under the direction of the Speaker and presents its report to the House or to the Speaker;

(d) “Constitution” means the Constitution of India;

(e) “Council” means the Andhra Pradesh Legislative Council;

(f) “Finance Minister” includes any Minister;

(g) “Gazette” means the *Andhra Pradesh Gazette*;

(h) "House" means the Andhra Pradesh Legislative Assembly;

(j) "Houses" means the Andhra Pradesh Legislative Council and the Andhra Pradesh Legislative Assembly;

(j) "Leader of the House" means the Chief Minister if he is a member of the House or a Minister who is a member of the House and is nominated by the Chief Minister to function as Leader of the House;

(k) "Legislature Secretariat" means and includes Legislature Secretariat at Hyderabad and any camp office set up outside Hyderabad for the time being under the authority of the Speaker;

(l) "Lobby" means the two rooms on the left and right of the main entrance (at the portico) and any other room or rooms which the Speaker may specify;

(m) "Member" means a member of the Assembly;

(n) "Member in charge of a Bill" means,

(i) in the case of a Government Bill, the Minister introducing the Bill or any other Minister on his behalf;

(ii) in any other case, the member who is introducing the Bill or any other member with the permission of the Speaker;

(iii) where the Bill is one which was introduced in the Council and received in the Assembly, the member or any other member on his behalf who has given notice of his intention to move that the Bill be taken into consideration;

(o) "Minister" means a member of the Council of Ministers, a Minister of State, a Deputy Minister or a Parliamentary Secretary;

(p) "Motion" means any subject-matter brought before the Assembly for consideration subject to these rules;

(q) "Precincts of the House" means the Assembly Hall situated in the Legislative Buildings, Lobbies, Galleries, the rooms in the occupation of the Legislative Assembly Secretariat, the Speaker's room, the Deputy Speaker's room, the Committee rooms, the Library Building, Legislature Party rooms, all the places where accommodation facility provided to the Members, all other accommodation in the Assembly Secretariat under the control of the Secretary, Legislature including the approaches leading thereto and the open spaces wtherein enclosed within the iron railing and fencing and such other places as the Speaker may from time to time specify;

(r) "Private Member" means a member other than a Minister;

(s) "Resolution" means motion for the purpose of discussing a matter of public interest and shall be in the form of a specific recommendation or a declaration of opinion by the Assembly;

(t) "Rules" means the Rules of Procedure and Conduct of Business in the Andhra Pradesh Legislative Assembly;

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

(v) "Session" means the period of time between the first meeting of the Assembly upon the summons of the Governor under Article 174 (1) of the Constitution and its prorogation or dissolution under clause (2) thereof;

(w) "Speaker" means the Speaker of the Andhra Pradesh Legislative Assembly;

(x) "Statutory motion" means a motion which is made in pursuance of any statute or enactment for the time being inforce;

(y) "Table" means the Table of the House;

(2) Words and expressions used in the Constitution and not defined in these rules, shall have the meanings assigned to them in the Constitution.

CHAPTER - II

SUMMONS TO MEMBERS, SEATING, OATH OR AFFIRMATION AND ROLL OF MEMBERS

Summons to members. 3. The Secretary shall issue a notice informing each member of the summoning of the House by the Governor specifying the time, date and place for the session of the House and shall also inform the Members by SMS and E-mail:

Provided that when a session is called at short notice or emergently, intimation shall be given to all members by announcement of the time, date and place of the session by publishing in the press as well as by SMS and E-mail.

Seating of Members. 4. The members shall sit in such order as the Speaker may determine.

Oath or Affirmation. 5. No member is entitled to vote unless he has made and subscribed the oath or affirmation in pursuance of article 188 of the Constitution.

Oath regarding observance of Rules. ¹[5-A. Every member shall also take an oath before taking his seat, to the effect that he would abide by the Rules, observe the etiquette and respect the conventions of the House (Schedule-III).]

Roll of Members. 6. There shall be a Roll of Members of the Assembly which shall be signed by every member, immediately after taking oath.

¹ Inserted by LA Bulletin No. 72, dt. 31-12-1998.

CHAPTER - III

ELECTION OF SPEAKER AND DEPUTY SPEAKER

7. (1) The election of the Speaker shall be held on such date as the Governor may fix and the Secretary shall send to every member notice of the date. Election of Speaker.

(2) At any time between 10-30 a.m. and 5-00 p.m. on the day preceding the date so fixed, any member may file a nomination paper nominating another member for election. The nomination paper shall contain the name of the member nominated; shall be signed by the proposer and it shall contain a declaration by the nominee that he is willing to serve as Speaker, if elected. The nomination paper with the declaration shall be delivered to the Secretary in person either by the proposer or the candidate nominated:

Provided that a Member shall not propose his own name or propose more than one name.

(3) Where there are more than one nomination paper in favour of the same candidate one such declaration will be sufficient.

(4) The election shall take place at a meeting of the Assembly.

(5) On the date fixed for election, the person presiding at the meeting shall read out to the Assembly the names of members who have been duly nominated together with those of their proposers, and if only one member has been so nominated, shall declare that member elected. If more than one member has been so nominated, the Assembly shall proceed to elect the Speaker by ballot. Any member so nominated may withdraw his candidature at any time before the ballot commences under sub-rule (7).

(6) For the purpose of sub-rule (5), a member shall not be deemed to have been duly nominated if he or his proposer has not before the reading out of the names by the person presiding made and subscribed the oath or affirmation as a member of the Assembly.

(7) Where more than two candidates have been nominated and at the first ballot no candidate obtains more votes than the aggregate votes obtained by the other candidates, the candidate who has obtained the smallest number of votes shall be eliminated from the election and a balloting shall proceed, the candidate obtaining the smallest number of votes at each ballot being eliminated from the election until one candidate obtained more votes than the remaining candidates, or than the aggregate votes of the remaining candidates as the case may be.

(8) Where at any ballot any two candidates obtain an equal number of votes and one of them has to be eliminated from the election under sub-rule (7), the question shall be decided by drawing of lots.

(9) Where at any ballot any three or more candidates obtain an equal number of votes and one of them has to be eliminated from the election under sub-rule (7), the determination as among the candidates whose votes are equal, of the candidate who is to be eliminated shall be by drawing of lots.

Election of
Deputy
Speaker.

8. The election of Deputy Speaker shall be held on such date as the Governor, when there is no Speaker, or the Speaker, when there is a Speaker, may fix and the Secretary shall send to every member notice of this date. The provisions of Rule 7 shall, so far as may be, apply to such election.

9. (1) At the commencement of every session the Speaker shall nominate from amongst the members a panel of not more than six Chairmen, any one of whom may preside over the Assembly in the absence of the Speaker and the Deputy Speaker, when so requested by the Speaker or in his absence by the Deputy Speaker :

Panel of
Chairmen.

Provided that when both the Speaker and the Deputy Speaker are absent and no request as above has been made, any Member in the panel as shown in list in the order in which they have been mentioned by the speaker shall preside over the Assembly.

(2) The members of the panel of Chairmen nominated under sub-rule (1) shall hold, Office until a new Panel of Chairmen has been nominated.

(3) If the Speaker and the Deputy Speaker are both absent and if no member of the Panel of Chairmen is present, the Assembly may, if there is a quorum, by motion elect one of its members present to preside and act as a Chairman and the Secretary shall conduct such election.

10. The Deputy Speaker or other member competent to preside over a sitting of the Assembly under the Constitution, or these rules, shall when so presiding, have the same powers as the Speaker when so presiding and all references to the Speaker in these rules shall, in these circumstances, be deemed to be references to any such person so presiding.

Powers of
Deputy
Speaker or
Other
member
Presiding
over sitting of
the Assembly.

CHAPTER - IV

SITTINGS OF THE ASSEMBLY

- Duly constituted sitting. 11. A sitting of the Assembly is duly constituted when it is presided over by the Speaker or any other member competent to preside over a sitting of the Assembly under the Constitution or these rules.
- Sittings of the Assembly. 12. The Assembly shall sit on such days as the Speaker, having regard to the state of business of the Assembly, may from time to time, direct.
- Sittings of the House. 13. Sitting of the House shall ordinarily commence at 9-00 a.m. and conclude at 2-00 p.m. unless the Speaker otherwise, directs.
- Quorum. 14. The quorum to constitute a sitting of the Assembly shall be one-tenth of the total number of the members.
- Adjournment for want of quorum. 15. If at any time, it is brought to the notice of the Chair that there is no quorum, the quorum bells shall be rung and if there is still no quorum, the person presiding shall adjourn the House to a later hour on the same day or to the next day on which the Assembly ordinarily sits.
- Adjournment of the Assembly. 16. The Speaker shall have the power to adjourn the House whenever he deems necessary but he shall not exercise his power to adjourn the House *sine die* without the consent of the House:
- Provided that, when he adjourns the House for a particular time it shall not exceed a period of one week:
- Provided further, 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* ordinarily after giving three days notice to the members.

CHAPTER - V
GOVERNOR'S ADDRESS AND MESSAGES
TO THE ASSEMBLY

17. (1) Under article 176 (1) of the Constitution at the commencement of the first session after each general election to the Assembly and at the commencement of the first session of each year the Governor shall address both the Houses of the Legislature and inform the causes of its summons:

Special
Address by
the Governor.

Provided that the making and subscribing the prescribed oath or affirmation by the members and in the case of first session held after a dissolution, the election of the Speaker shall precede the Governor's address.

(2) A copy of the Governor's Address shall be laid on the Table of the House.

¹{17-A When the House Assembles under Article 175 or 176 of the Constitution, every Member shall maintain the dignity and solemnity of the occasion before, during or after the Governor's Address and shall not obstruct or interrupt the Address in any manner.}

Maintenance
of dignity and
solemnity at
Governor's
Address.

18. The Speaker shall in consultation with the Business Advisory Committee allot time for the discussion of the matters referred to in the Governor's address to the House under Article 176 (1) of the Constitution.

Allotment of
time for
discussion on
the address.

19. During the time allotted, the House shall be at liberty to discuss the matters referred to in such Address, on a motion of thanks moved by a member and seconded by another member.

Scope
of discussion.

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

Amendments.

¹ Inserted by L.A.Bn. No.12, dated 17-2-1999.

Copy to Governor.	21. A copy of the Address as adopted by the House shall be communicated to the Governor by the Speaker.
Message by Governor.	22. The Speaker shall report to the Assembly the Governor's reply to the Address, if any.
Other business that may be taken up.	<p>23. (1) Notwithstanding that a day has been allotted for discussion on the Governor's address.</p> <p>(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</p> <p>(b) Other business of a formal character may be transacted on such day before the Assembly resumes or continues the discussion on the Address.</p> <p>(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 an hour on the same day or to a subsequent day to be appointed by the Speaker. The Speaker shall forthwith put the question, no amendment or debate being allowed.</p> <p>(3) The discussion on the Address shall not be interrupted in the course of a sitting except as aforesaid or by an adjournment motion admitted under rule 63.</p>
Government's right of reply.	24. 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 right explaining the position of the Government at the end of the discussion.
Allotment of time for Governor's address under Article 175 (1).	25. (1) The Governor may Address under article 175 (1) of the Constitution.

(2) The Speaker may allot time for the discussion of the matters referred to in the Governor's Address under article 175 (1) of the Constitution.

26. Where a message from the Governor for the Assembly under article 175 (2) of the Constitution is received by the Speaker he shall read the message to the Assembly and give necessary directions in regard to the procedure that shall be followed for the consideration of matters referred to in the message. In giving these directions, the Speaker shall be empowered to suspend or vary the rules to such an extent as he deems fit.

Message
from
Governor.

CHAPTER - VI

ARRANGEMENT OF BUSINESS

Allotment of time for Private members' Business.

27. The last two hours of a sitting on Fridays shall be allotted for the transaction of private members' business:

Provided that the Speaker may allot different Fridays for the disposal of different classes of such business and on Fridays so allotted for any particular class of business, business of that class shall have precedence unless the Speaker otherwise directs:

Provided further that the Speaker may, in consultation with the Leader of the House, allot any day other than a Friday for the transaction of private members' business:

Provided further that if there is no sitting of the House on a Friday, the Speaker may direct that two hours on any other day in the week may be allotted for private members' business.

Precedence of private members' business.

28. (1) On a day allotted for the disposal of private member 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 message under article 200 of the Constitution;

(c) Bills which have been passed by the House and returned by the Council with amendments;

(d) Bills which have been passed by the Council and transmitted to the House;

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

(f) Bill in respect of which the report of a Joint Select Committee or Select Committee has been presented;

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

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

(i) Others 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 motion 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 the Bills set out in sub-rule (1) as he may consider necessary or convenient.

(4) No member can ballot for more than one Bill and one resolution. The Bill or the resolution to be entered against the name of a member shall be in accordance with the preference indicated by him and in the absence of such indication, in accordance with the order of priority of the receipt of notice.

29. The relative precedence of resolutions, notices of which have been given by Private members, shall be determined by ballot to be held in accordance with the orders made by the Speaker, on such days as the Speaker may direct. Precedence of private members' Resolutions.

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

Provided that notwithstanding anything contained in Rules 28 and 29 any such business which is under discussion at the end of the day shall be set down for the next day allotted to business of that class, and shall have precedence of all other business set down for that day.

Resumption of adjourned debate on Private members' Bill or Resolution.

31. (1) When on a motion being carried, the debate on a private members' Bill or resolution is adjourned to the next day allotted for private members' business in the same or next session, it shall not be set down for further discussion unless it has gained priority at the ballot.

(2) When the debate on a private members' Bill or resolution is adjourned sine die the member incharge of the Bill or the mover of the 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.

Government Business.

32. (1) On days other than those allotted for private members business, no business other than the Government business shall be transacted except with the consent of the Speaker.

(2) The Government may arrange the Government business in any order with the consent of the Speaker.

List of Business.

33. (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 during the sitting without the permission of the Speaker.

(3) Save as otherwise provided in the rules, no business requiring notice shall be set down till the period of notice required for that class of business expires.

(4) When any paper is placed on the Table of the House, or laid before the House, copies thereof shall be made available to members, unless the Speaker otherwise directs.

(5) Unless the Speaker otherwise directs, not more than five resolutions in addition to any resolution which is outstanding under the proviso to rule 30 shall be set down in the list of business for any day allotted for the disposal of private members' Resolutions.

34. Resolution of congratulation or condolence may, with the permission of the Speaker and subject to the provisions regulating the discussion of resolutions, be moved at any time. Resolutions of congratulation or condolence.

35. The Speaker may in his discretion dispense with the provisions of this chapter regarding notice and periods of notice. Power of Speaker to waive notice.

36. (1) Every notice required by the rules shall be given in writing addressed to the Secretary and shall be delivered either in person or by post or left in the notice box at the office of the Assembly during office hours on any working day. Notice to Assembly.

(2) Such notice may be left at the office even when the Assembly is not in session or by a member even before he is sworn-in.

37. Unless otherwise requested by a member in writing, every notice or other communication issued to him by the Assembly office shall-- Notice to Members.

(a) be sent two days before the commencement of meeting and on meeting days, be sent to his address at the place of meeting of the Assembly; and

(b) on other days be sent to his/her permanent address, as registered in the Assembly office and by E-mail or by SMS:

Provided that on meeting days such notice or other communication may be placed on the seats allotted to the members or distributed to the members in the House.

CHAPTER - VII

QUESTIONS

Time for Questions.	38. Unless the Speaker otherwise directs, the first hour of every sitting shall be available for the asking and answering of questions.
Notice of Questions.	39. Every notice of a question shall be given in writing addressed to the Secretary, and shall be delivered either in person or sent by post or left in the notice box at the office of the Assembly during office hours on any working day. Where a question is admitted, it shall be forwarded to the Government within five days of the receipt of the notice such question in the Assembly office and the Government shall send the answers to the Legislature Secretariat within 10 days thereafter, unless the Speaker grants extension of time on a request made by the Government.
Questions for oral answers to be distinguished by asterisks.	40. A member who desires an oral answer to his question shall distinguish it by an asterisk, or a star and if he does not distinguish it by an asterisk or a star the question shall be printed on the list of questions for written answer.
List of Questions.	41. Questions which have been admitted shall be entered in the list of questions for a day and not more than two questions given by the same member shall ordinarily be put on list of business unless the Speaker otherwise directs: Provided that questions for which answers have been received and are not entered in the list of questions till the last day of the meeting, shall placed on the Table of the House on that day. A copy of the answer to the question shall be sent to the member who has given notice of that question.
Calling of Starred Questions.	42. Starred questions entered in the list of questions for a day shall be called, if the time made available for questions permits, in the order in which they stand in the list. If any question placed on the

list of questions for oral answers 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 one copy of the written reply to the question on the Table of the House and another copy in the Library and no oral reply shall be required to such question and no supplementary questions shall be asked in respect thereof:

Provided that when a question is shown in the names of more than one member, the Speaker shall call the first name or in his absence the next name in the order in which they stand in the list:

Provided further 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.

43. (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 cognizance of the Minister to whom it is addressed. Conditions of admissibility of Questions.

(2) No question shall be allowed unless it fulfils the following conditions:-

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

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

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

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

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

(vi) it shall not ordinarily exceed 150 words;

(vii) it shall not relate to a matter which is not primarily the concern of the State Government;

(viii) it shall not ask about proceedings in a committee, which have not placed before the Assembly by a report from that committee;

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

(x) it shall not make or imply a charge of a personal character;

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

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

(xiii) it shall not ask for information on trivial or frivolous matters;

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

(xv) it shall not require information set forth in accessible documents or in ordinary works of reference;

(xvi) it shall not raise matters under the control of bodies or persons not primarily responsible to the State Government;

(xvii) 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;

(xviii) it shall not relate to a matter with which a Minister is not officially connected;

(xix) it shall not refer discourteously to a friendly foreign country;

(xx) it shall not seek 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;

(xxi) it shall not ordinarily seek information on matters which are under consideration before a Committee; and

(xxii) 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 or enquiry, if it is not likely to prejudice the consideration of the matter by the Tribunal or Commission or Court of enquiry or before a Court of a competent authority.

44. In matters which are or have been the subject of correspondence between the State Government and the Government of India or the Government of a State, no question shall be asked except as to matters of fact, and the answer shall be confined to a statement of fact.

Questions on matters of correspondence between the State Government and the Government of India or the Govt. of a State.

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

Speaker to decide admissibility of Questions.

Speaker to direct whether a question is to be treated as starred or unstarred.	<p>46. 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.</p>
Withdrawal or postponement of questions.	<p>47. A member may, by notice given at any time before the meeting for which his question has been placed on the list, withdraw his question with the consent of the Speaker, or postpone it to a later day to be specified in the notice and on such later day the question shall be placed on the list after all questions which have not been so postponed;</p> <p>Provided that a postponed question shall not be placed on the list until two clear days have expired from the time when the notice of postponement has been received by the Secretary;</p> <p>Provided further that the member shall not seek postponement of his question on any of the lists of the last three days of the meeting.</p>
Mode of asking Questions.	<p>48. (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.</p> <p>(2) The member 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, he shall ask the question by reference to its number on the list of questions.</p>
Questions of absent Members.	<p>49. If on a question being called, it is not put as the member in whose name it stands is absent, the Speaker, at the request of any member, may at any time before the House enters upon the other business direct that the answer to it be given.</p>

50. (1) No discussion shall be permitted during the time for questions under Rule 38 in respect of any question or of any answer given to a question.

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

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

51. (1) A question relating to a matter of public importance may be asked with shorter notice and if the Speaker is of the opinion that the question is of an urgent character, he may direct the Minister concerned to answer the question on a date to be fixed by the Speaker which shall be within 5 days from the date of receipt of the question.

(2) Such question shall be answered on a day to be indicated by the Speaker and it shall be called immediately after the questions which have appeared on the list of questions for oral answer, have been disposed of.

(3) If the Speaker is of opinion that it is not possible for the Minister to answer the question at shorter notice it may be dealt with as an ordinary question for oral answer or unstarred question as the Speaker may decide.

(4) Where two or more members give short notice questions on the same subject and one of the questions is admitted for answer at short notice, the names of the other members shall be bracketed with the name of the member whose question has been admitted for answer:

Provided that the Speaker may direct 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 the members and the Minister shall then give his reply to the consolidated question:

Prohibition of discussion in question hour and supplementary Questions.

Short Notice Questions.

Provided further that in the case of a consolidated question the names of all the members concerned may be bracketed and shown against the question in the order of priority of their notices.

(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 first name or in his absence the next name in the order in which they stand in the list.

(7) In other respects, the procedure for short notice questions shall be the same as for questions for oral answer, with such modifications as the Speaker may consider necessary or convenient.

Publication of questions and answers in advance.

52. (1) A question shall not be published before it has been answered in the Assembly or if it has been disallowed by the Speaker.

Explanation:- For the purposes of these Rules unstarred questions shall be deemed to have been answered, when copies of lists containing such questions along with answers have been placed on the Table of the House.

(2) Answers to questions which Minister proposes to give in the Assembly shall not be published or released for publication, until the answers have actually been given on the floor of the Assembly or laid on the Table of the House.

CHAPTER - VIII

MOTIONS

53. (1) 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.

Discussion on a matter of public interest by motion.

(2) Notice of such a motion shall be given in writing addressed to the Secretary.

54. In order that a motion may be admissible, it shall satisfy the following conditions namely that:-

Conditions of admissibility of a motion.

(i) it shall rise 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 on a matter which has been discussed in the same session;

(vii) it shall not anticipate discussion on 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.

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

Speaker to decide admissibility of a motion.

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

56. 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 Tribunal or Commission or Court of Enquiry.

Allotment of time and discussion of motions.

57. The Speaker may after considering the state of business in the House and in consultation with the Business Advisory Committee allot a day or days or part of a day for discussion of any such motion.

Speaker to put question at the appointed time.

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

Statutory motion.

59. A member who wishes to move a statutory motion shall give ten clear days notice unless it is otherwise expressly provided by the statute or enactment under which the motion is made or unless the Speaker after ascertaining the views of the Minister in-charge of the Department concerned otherwise directs and shall together with the notice submit a copy of the proposed motion.

CHAPTER - IX

SHORT DISCUSSION ON MATTERS OF URGENT PUBLIC IMPORTANCE

60. 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:

Notice for raising discussion.

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 atleast two other members.

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

Speaker to decide admissibility.

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

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

No formal motion.

CHAPTER - X

MOTION FOR ADJOURNMENT ON A DEFINITE MATTER OF PUBLIC IMPORTANCE

Speaker's consent to make motion.	63. Subject to the provisions of these rules a motion for an adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance may be made with the consent of the Speaker.
Method of giving notice.	64. Notice of an adjournment motion in triplicate addressed to the Speaker, the Minister concerned and to the Secretary shall be given to the Secretary one hour before the commencement of the sitting on the day on which the motion is proposed to be made.
Restrictions on right to make motion.	<p>65. The right to move the adjournment of the Assembly, for the purpose of discussing a definite matter of urgent public importance shall be subject to the following restrictions namely:-</p> <ul style="list-style-type: none">(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 raise a question of privilege;(v) the motion shall not revive discussion on a matter which has been discussed in the same session;(vi) the motion shall not anticipate a matter which has been previously posted for consideration, in determining whether a discussion is out of order on the ground of anticipation regard shall be had by

the Speaker to the probability of the matter anticipated being brought before the Assembly within a reasonable time;

(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 the rules can only be raised on a distinct motion by a notice given in writing to the Secretary; and

(ix) the motion must not deal with a matter on which a resolution could not be moved.

66. 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 or a competent authority appointed to enquire into or investigate any matter shall ordinarily be permitted to be moved:

Motion for discussion on matters before Tribunals, Commissions etc.

Provided that the Speaker may in his discretion allow such matter being raised in the Assembly 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 Tribunal or Commission or Court of Enquiry or a competent authority.

67. (1) The Speaker if he gives consent under rule 63 and holds that the motion proposed to be discussed is in order shall after the questions and before the list of business is entered upon, call the member concerned who shall rise in his place and ask for leave to move the adjournment of the Assembly:

Mode of asking for leave to move an adjournment motion.

Provided that the Speaker may, if necessary, hear the member concerned before refusing his

consent under Rule 63 or holding the motion as not being in order:

Provided further that where the Speaker has refused his consent under Rule 63 or is of opinion that the motion proposed to be discussed is not in order he may, if he thinks it necessary, read the notice of motion and state the reasons for refusing consent or holding the motion as not being in order.

(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 total membership of the Assembly rise accordingly the Speaker shall intimate that leave is granted. If less than one-tenth of total membership of the Assembly rise, the Speaker shall inform the member that he has not the leave of the House.

Time for taking up motions.

68. If leave of the House has been given for making the motion, the Speaker shall inform the House that the motion will be taken up the same day or at the request of the Leader of the House or any Minister in his absence on the next day at the hour appointed by the Speaker.

Form of question to be put.

69. (1) On a motion for the purpose of discussion of a definite matter of urgent public importance, the only question that may be put, shall be "that the Assembly do now adjourn.":

Provided that if the debate is not concluded within two hours from the time at which it was commenced, it shall automatically terminate and thereafter no question shall be put.

(2) The Assembly may proceed to transact other business for the day after the debate on the motion has concluded.

CHAPTER - XI

HALF - AN - HOUR DISCUSSION

70. (1) The Speaker may allot half-an-hour on three sittings in a week namely Monday, Wednesday and Friday 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. Provided that during Budget meeting half-an-hour discussion shall be raised and posted only on Friday.

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

(2) A member wishing to raise a matter shall give notice in writing to the Secretary three days in advance to the day on which the matter is desired to be raised and shall shortly 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 if a notice is signed by more than one member, it shall be deemed to have been given by the first signatory only:

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 short statement and the Minister concerned shall reply shortly. Any member who has previously intimated to the Speaker may be permitted to ask a question for the purpose of further elucidating any matter of fact:

Provided that not more than four members who have previously intimated to the Secretary may be permitted to ask a question each for the purpose of further elucidating any matter of fact.

Explanation:- A member wishing to ask a question shall make such request in writing before the commencement of the sitting at which the discussion is to take place. If such requests are received from more than four members a ballot shall be held to determine the names of first four members who may be permitted to ask a question each.

CHAPTER - XII

RESOLUTION FOR REMOVAL OF SPEAKER OR DEPUTY SPEAKER FROM OFFICE

71. (1) A member intending 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.

Notice of resolution for removal of Speaker or Deputy Speaker.

(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 days from the date of the receipt of notice of resolution.

72. (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 this rule is taken up for consideration.

Leave of the Assembly to move Resolution.

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

(3) The Speaker or the Deputy Speaker or the person presiding, as the case may be, shall thereupon place the motion before the Assembly and shall request those members who are in favour of leave being granted to rise in their places and if not less than fifty members rise accordingly the Speaker or the Deputy Speaker or the person presiding as the case may be, shall say that leave has been granted and that the resolution will be

taken up on such day not being more than ten days from the date on which leave is asked for as he may appoint. If less than fifty members rise the Speaker or the Deputy Speaker or the person presiding as the case may be, shall inform the member that he has not the leave of the Assembly.

Inclusion of Resolution in the List of business.

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

CHAPTER - XIII
CALLING ATTENTION TO MATTERS OF
URGENT PUBLIC IMPORTANCE

74. (1) A member may with the previous permission of the Speaker call the attention of the Minister to any matter of urgent public importance and the Minister may make a brief Statement thereon:

Calling attention to matters of urgent public importance.

Provided that no member shall be allowed to make a speech while calling the attention of the Minister to any matter of urgent public importance.

(2) There shall be no debate on such statement at the time it is made but each member in whose name the item stands in the list of business may with the permission of the Speaker ask a question:

Provided that names of not more than five members shall be shown in the list of business.

(3) Not more than two such matters shall be raised at the same sitting unless the Speaker otherwise directs.

CHAPTER - XIV

MOTION OF NO-CONFIDENCE IN THE COUNCIL OF MINISTERS AND STATEMENT BY A MEMBER WHO HAS RESIGNED HIS OFFICE OF MINISTER

Motion of No-Confidence in the Council of Ministers.

75. (1) A motion expressing no-confidence in the Council of Ministers may be made subject to the following restrictions namely:-

(a) leave to make the motion shall be asked by the member when called by the Speaker.

(b) the member asking for leave must before the commencement of the sitting for that day give to the Secretary a written notice of the motion which he proposes to move.

(2) If the Speaker is of opinion that the motion is in order shall read the motion to the Assembly and shall request those members who are in favour of leave being granted to rise in their places and if the number of members who rise accordingly is not less than one tenth of the total membership of the Assembly, the Speaker shall announce that leave is granted and that the motion will be taken on such day not being more than ten days from the date on which the leave is asked and before the House is adjourned *sine die* as he may appoint. If the number of members who rise is less than one-tenth of the total membership of the Assembly the Speaker shall announce 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 Assembly allot time in consultation with the Business Advisory Committee for the discussion of the motion.

(4) The Speaker shall, at the conclusion of the debate, put the motion for the decision of the House.

76. (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.

Statement by a member who has resigned to the Office of Minister.

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

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

(3) Such statement shall be made as set out in the list of business for the day.

(4) There shall be no debate on such statement, but after it has been made, any Minister may make a statement pertinent thereto with the consent of the Speaker.

CHAPTER - XV

RESOLUTIONS

Notice of Resolution.

77. Any member or a Minister who wishes to move a resolution shall give ten days notice of his intention and shall together with the notice submit the text of the resolution which he intends to move:

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

Form of Resolution.

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

Conditions of admissibility of Resolution.

79. 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 relating to a matter of general public interest;

(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; and

(v) it shall not relate to any matter which is under adjudication by a Court of Law having jurisdiction in any part of India.

80. (1) A resolution, notice of which has been given in pursuance of a provision in the Constitution or in an Act, shall not be balloted under Rule 29.

Statutory Resolutions.

(2) If the Speaker admits notice of such a resolution it shall be immediately issued in a notice paper under the heading "Statutory Resolutions" and a copy thereof sent to the Government.

(3) 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 a part of a day for discussion of any such resolution.

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

Speaker to decide admissibility of Resolution.

82. No resolution 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 or a Competent authority appointed to enquire into or investigate any matter shall ordinarily be permitted to be moved:

Bar on raising discussion on matter before Tribunals, Commissions, etc.

Provided that the Speaker may, in his discretion allow such matter being raised in the Assembly 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 Tribunal or Commission or Court of Enquiry.

83. (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, in which case he shall commence his speech by a formal motion in the terms appearing in the list of business.

Moving of Resolutions.

(2) If a member other than a Minister when called upon, is absent, any other member authorised by him in writing on his behalf may with the permission of the Speaker, move the resolution standing in his name.

Amendments. 84. (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 the day previous to the date on which the resolution is moved, it shall not be accepted unless the speaker otherwise directs.

(3) The Secretary shall make available to members a list of amendments, notices of which have been given within the prescribed time and if time permits in respect of those amendments not received in time.

Scope of discussion. 85. Discussion of a resolution shall be strictly relevant to and within the scope of the resolution.

Withdrawal of Resolution and amendment. 86. (1) A member in whose name a resolution stands on the list of business may, when called upon to move, withdraw the resolution, of which he has given notice in which case, he 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 Assembly.

Splitting of Resolution. 87. 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.

Repetition of Resolution. 88. (1) When a resolution has been moved and disposed of, no resolution or amendment raising substantially the same question shall be moved within six months from the date of the disposal 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.

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

Communication of Resolution passed to Government.

CHAPTER - XVI

LEGISLATION

(a) Introduction and Publication of Bills:

Notice to
introduce Bill.

90. (1) Any member or member in-charge of the Bill desiring to move for leave to introduce a Bill shall give notice of his intention, and shall, together with the notice, submit a copy of the Bill and an explanatory Statement of Objects and Reasons 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 annexe 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) If any question arises whether a Bill or an amendment is such a one that it cannot be introduced or moved, save with the previous sanction of the President or recommendation of the Governor, the question shall be referred to the authority which would have power to grant the previous sanction or recommendation, if it were necessary and decision of that authority on the question shall be final.

(4) The period of notice of a motion for leave to introduce a Bill under this rule shall be seven days expiring on the day previous to the day on which the motion is made unless the Speaker allows the motion to be made at shorter notice.

(5) 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.

91. A bill which is dependent wholly or partly upon another Bill pending before the Assembly, may be introduced in the Assembly in anticipation of the passing of the Bill on which it is dependent:

Introduction of Bill dependent on another Bill pending before the Assembly.

Provided that the second Bill shall not be taken into consideration by the Assembly until the first Bill has become an Act.

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

Communication of sanction of the President or recommendation of Governor in respect of Bills.

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

Financial Memorandum to Bills.

94. A Bill involving proposals of the delegation of legislative power 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.

Explanatory Memorandum to Bills delegating legislative powers.

95. A Bill shall be accompanied by a memorandum showing whether a Bill is required to be assented to by the Governor or to be reserved by the Governor for the consideration and assent of the President and the reasons therefor.

Memorandum regarding Bill reserved by the Governor for the consideration and assent of the President.

Motion for leave to introduce a Bill.

96. (1) Any member incharge of a Bill desiring to introduce a Bill shall obtain the leave of the House to introduce a Bill.

(2) If a motion for leave to introduce a Bill is opposed by a Member who has given prior notice the Speaker after permitting, if he thinks fit, a brief explanatory statement from the member who moves and from the member who opposes the motion may without further debate put the question:

Provided that the members who wish to oppose, shall write in advance before the commencement of the sitting to the Secretary and those members shall be called by the Speaker:

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

Publication.

97. As soon as may be after leave to introduce a Bill has been granted, the Bill with the Statement of Objects and Reasons shall be published in the *Gazette*:

Provided that the Speaker may order the publication of any Bill with the Statement of Objects and Reasons in the *Gazette* although no motion has been made for leave to introduce the Bill and in such a case it shall not be necessary to move for leave to introduce the Bill and, if the Bill is afterwards introduced, it shall not be necessary to publish it again.

Translation of Bills.

98. After a Bill has been introduced or in the case of a Bill published under the proviso to Rule 97, after such Bill has been published, the Bill and the Statement of objects and Reasons shall be translated into Telugu and if the Speaker deems it necessary into Urdu or Hindi and such translation shall be published in the *Gazette*. The Telugu copies thereof shall be supplied to all the members and urdu or Hindi copies shall also be supplied to the members who want them, atleast two days before

the day on which the motion after introduction of Bills under Rule 99 is made in the Assembly unless the Speaker otherwise directs.

(b) Motions after introduction of Bills.

99. 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:-

Motions after introduction of Bills.

(i) that it be taken into Consideration; or

(ii) that it be referred to a Select Committee of the House; or

(iii) that it be referred to a Joint Select Committee of the House with the concurrence of the Council; or

(iv) that it be circulated for the purpose of eliciting opinion thereon:

Provided that no such motion as is referred to in clause (iii) shall be made with reference to a Bill making provisions for any of the matters specified in sub-clauses (a) to (f) of clause (1) of article 199 of the Constitution:

Provided further 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.

100. (1) On the day on which any motion referred to in rule 99 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, and not the details of the provisions of the Bill.

Discussion of principle of Bill.

(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 a Joint Select Committee of the Houses with the concurrence of the council, 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, or a Joint Select Committee of the Houses with the concurrence of the Council, any member may move as an amendment that the Bill be referred to a Joint Select Committee of the Houses with the concurrence of the Council or a Select Committee, as the case may be, or that the Bill be circulated for the purpose of eliciting opinion thereon by a date to be specified in the motion.

(3) Where a motion that a Bill be circulated for the purpose of eliciting opinion thereon is carried, and the Bill is circulated in accordance with that direction and opinions are received thereon, the member-in-charge, if he wishes to proceed with the Bill thereafter, shall move that the Bill be referred to a Select Committee of the House or a Joint Select Committee of the Houses with the concurrence of the Council 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 or a Joint Select Committee has been moved under this rule, any member may move that the House give instructions to the Select Committee or to Joint Select Committee to which the Bill is proposed to be referred to make some particulars 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.

Provided further that no amendment or a motion for appointment of a Joint Select Committee under this rule shall be moved with reference to a Bill making provision for any of the matters specified in sub-clauses (a) to (f) of clause (1) of article 199 of the Constitution.

101. 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 a Joint Select Committee of the Houses with the concurrence of the Council, 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:

Persons by whom motions in respect of Bills may be made.

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 state after introduction, he may authorise another member to move that particular motion with the approval of the Speaker.

Explanation:- Notwithstanding the provision contained in the proviso the member who introduced the Bill shall continue to be the member-in-charge.

(For rules relating to Select Committees, see Chapter-XXV of these rules.)

(c) PROCEDURE AFTER PRESENTATION OF REPORT OF A SELECT COMMITTEE OR A JOINT SELECT COMMITTEE;

102. (1) After the presentation of the final report of a Select Committee of the House or a Joint Select Committee of the Houses as the case may be, on a Bill, the member-in-charge may move:

Motions that may be moved after presentation of report of Select Committee or Joint Select Committee.

(a) that the Bill as reported by the Select Committee of the House or the Joint Select Committee of the Houses, as the case may be, be taken into consideration.

(b) that the Bill as reported by the Select Committee of the House or the Joint Select Committee of the Houses as the case may be re-committed to the same Select Committee or to a new Select Committee or to the same Joint Select Committee or to a new Joint Select Committee with the concurrence of the Council, 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 or the Joint Select Committee of the Houses, be circulated or recirculated, as the case may be for the purpose of eliciting opinion or further opinion thereon:

Provided that a copy of the report shall be made available atleast two days before the motion is moved unless the Speaker otherwise directs.

(2) If the member-in-charge moves that the Bill as reported by the Select Committee of the House or the Joint Select Committee of the Houses, as the case may be, be taken into consideration, any member may move an amendment that the Bill re-committed or be circulated or re-circulated for the purpose of eliciting opinion or further opinion thereon.

Scope of debate on report of Select Committee or Joint Select Committee.

103. The debate on a motion that the Bill as reported by the Select Committee of the House or the Joint Select Committee of the Houses, as the case may be, 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.

Notice of amendments.

104. (1) Notice of an amendment to a clause or schedule of the Bill shall be given to the Secretary one day before the day on which the Bill is to be considered unless the Speaker otherwise directs:

Provided that any member may object to the moving of an amendment given notice of by any member in the House beyond the prescribed time, and such objection shall prevail unless the Speaker allows the amendment to be moved.

(2) The Secretary shall make available to members from time to time list of amendments of which notices have been received in time and in other cases if time permits.

105. The following conditions shall govern the admissibility of amendments to clauses or schedules of a Bill:

Conditions of admissibility of amendments.

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

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

(iii) An amendment shall not be such as to make the clause which it proposes to amend unintelligible.

(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 order at which an amendment shall be moved;

(vi) The Speaker may refuse to admit an amendment which, in his opinion, is frivolous or meaningless;

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

106. If any member desires to move an amendment which under the Constitution cannot be moved without the previous sanction of the President or recommendation of the Governor, he shall annex to the notice required by these rules such sanction or recommendation conveyed through a Minister-in-charge and the notice shall not be valid, until this requirement is complied with:

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

Provided that no previous sanction of the President or 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 an amendment, or

(b) increase such tax upto the limits of an existing tax.

Communica-
tion of the
order of the
President or
Governor in
respect of
amendments
to Bills.

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

Selection of
new clauses
or amend-
ments.

108. 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.

Arrangement
of amend-
ments.

109. 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.

Order of
amendments.

110. (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 do 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.

111. 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:

Mode of moving amendments.

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.

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

Withdrawal of amendments.

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

Submission of Bill clause by clause.

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

Postponement of clause.

115. 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) do stand part of the Bill":

Consideration of Schedule.

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.

Voting on Group of Clauses and Schedules.

116. The Speaker may, if he thinks fit, put as one question clauses and/or schedules 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.

Clause one, enacting formula, pre-ambule and title of a Bill.

117. 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 the 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.

Passing of Bills.

118. (1) When a motion that a Bill be taken into consideration has been carried and no amendment to 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 to an amendment made after the Bill was taken into consideration.

Scope of debate.

119. The discussion on a motion that the Bill or the Bill as amended as the case may 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 his 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.

120. Where a Bill is passed by the Assembly, the Speaker shall have power to correct patent errors and make such other changes in the Bill as are consequential upon the amendment accepted by the Assembly. Correction of patent errors.
121. After a Bill has been passed by the Assembly, the Speaker shall sign a certificate at the foot of the Bill in the following form:- Authentication of Bill.
 “This Bill was passed by the Andhra Pradesh Legislative Assembly on the day of 20
 Speaker”.
122. After a Money Bill has been passed by the Assembly, the Speaker shall sign a certificate at the foot of the Bill in the following form:- Procedure in case of Money Bills.
 “The Bill was passed by the Andhra Pradesh Legislative Assembly on the day of 20
 I certify that this is a Money Bill.
 Speaker”
123. When a Bill is passed by the Assembly a copy thereof shall be signed by the Speaker and transmitted to the Council for its concurrence: Transmission of Bills.
 Provided that, in case of Money Bills it shall be transmitted to the Council for its recommendations endorsed with a certificate from the Speaker that the Bill is a Money Bill.
124. When a Bill which has been introduced in the Assembly has been passed or is deemed to have been passed by both Houses of the Legislature it shall be signed by the Speaker and the Chairman and shall be submitted to the Governor for his assent. Submission of Bills for assent.
125. (1) Where a Bill which has been passed by both the Houses of the Legislature of the State is returned to the Assembly under articles 200 and 201 of the Constitution with a message requesting that the Assembly will reconsider the Bill or any specific provisions thereof or will consider the desirability of introducing such amendments as may Bills returned for re-consideration.

be recommended in the message the Speaker shall endorse the message on the Bill and shall communicate the same to the Assembly.

(2) After the Speaker has communicated the message to the Assembly any member may move that the Bill be taken into consideration. Thereafter the ordinary procedure of the Assembly in regard to Bills shall so far as may be and in so far as such procedure is not inconsistent with provisions of this rule apply.

(3) Where such message relates to any specified provisions of a Bill or the desirability of introducing particular amendments in the Bill the point or points recommended for reconsideration or the amendments recommended shall be put before the Assembly by the Speaker and shall be discussed and voted upon in the same manner as amendments to a Bill or in such other way as the Speaker may consider most convenient for their consideration by the Assembly.

(4) No dilatory motion shall be made in connection with any of the matters before the Assembly under this rule.

Explanation:- For the purposes of this rule a dilatory motion means a motion that the Bill be referred to a Select Committee or to a Joint Select Committee or that it be circulated for the purpose of eliciting opinion thereon or any other motion the effect of the carrying of which will be to delay the consideration of the Bill provisions or amendments included in the message.

Withdrawal of a Bill.

126. The member-in-charge may at any stage of a Bill withdraw the Bill with the leave of the Assembly.

Lapsing of a Bill.

127. (1) Before a Bill has been passed if no motion in regard to it is made during the period of one year the Bill shall lapse:

Provided that the Assembly on a motion by the member-in-charge in the next following session may make a special order for the continuance of the Bill. Seven clear days notice shall be necessary for such motion.

(2) A Bill in regard to which the Assembly has made a special order under sub-rule (1) shall be continued from the stage at which it was when it lapsed.

(3) 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 ceases to be a member of the House;

(b) the member-in-charge is appointed as Minister.

128. When a Bill is rejected by the Assembly, a Bill relating to the same subject-matter shall not be introduced or moved within a period of six months from the date of its rejection. Re-introduction of rejected Bills.

II. BILLS ORIGINATING IN THE ASSEMBLY AND NOT AGREED TO BY THE COUNCIL.

129. (1) As soon as possible after a Bill which has once been passed by the Assembly is received from the Council with a message that it has rejected the Bill the Assembly may pass the Bill again and transmit it as so passed to the Council with or without any amendments. Return of Bill not agreed to by the Council.

(2) This rule shall not apply to Money Bills.

130. If such a Bill is received back from the Council with amendments made in that House or in the case of Money Bills with its recommendation copies of the Bill with such amendments or recommendations shall be laid on the Table. Return of amendment Bill to Assembly.

131. After such a Bill with such amendments or recommendations has been laid on the Table any Minister in the case of a Government Bill or in any other case any member after giving two days notice may move that the amendments or recommendations be taken into consideration. Appointment of time for consideration of amendments or recommendations.

132. If a motion that the amendments or recommendations be taken into consideration is carried the Speaker shall put the amendments or recommendations to the Assembly in such manner as he thinks most convenient for its consideration. Procedure for consideration of amendments or recommendations.

Further amendments. 133. Further amendments relevant to the subject-matter of the amendments or recommendations made by the Council may be moved but no further amendment shall be moved to the Bill unless it is consequential upon or an alternative to an amendment or recommendation made by the Council or is made secondary by the delay in the passage of the Bill.

Procedure consequent on consideration of amendments. 134. (1) If the Assembly agrees to the amendments made by the Council a message intimating its agreement shall be sent to that House.

(2) If the Assembly disagrees to the amendments made by the Council or any of them, the Bill with a message intimating its disagreement shall be sent to that House.

(3) If the Assembly agrees to the amendments or any of them with further amendments or proposes further amendments in place of amendments made by the Council, the Bill, as further amended with a message to that effect, shall be sent to that House.

Withdrawal of a Bill. 135. The member-in-charge of a Bill, may, at any stage of the Bill move for leave to withdraw the Bill, and if such leave is granted, no further motion shall be made with reference to the Bill.

III. BILLS ORIGINATING IN AND PASSED BY THE COUNCIL AND RECEIVED THEREFROM IN THE ASSEMBLY.

Bills which have been passed by the Council. 136. As soon as possible, after a Bill which has been passed by the Council is received in the Assembly, copies of the Bill shall be laid on the Table.

Notice for consideration of Bill. 137. At any time after copies have been laid on the Table in the case of a Government Bill, any Minister, and in any other case any member may

give notice of his intention to move that the Bill be taken into consideration.

138. Unless the Speaker otherwise directs, no such motion shall be set down in the list of business for any day which is less than two days from the date of receipt of the notice. Motion for consideration.

139. On the day for which such motion is set down in the list of business, the member-in-charge of the Bill may move that the Bill be taken into consideration. On that date or on any subsequent day to which the discussion of the motion is postponed, the principle of the Bill and its general provisions may be discussed, but the details of the Bill must not be discussed further than is necessary to explain its principle. Discussion.

140. Any member may (if the Bill has not already been referred to a Select Committee of the Council or to a Joint Select Committee of both Houses but not otherwise) move as an amendment that the Bill be referred to a Select Committee and if such motion is carried the Bill shall be referred to a Select Committee and the rule regarding Select Committees on Bills originating in the Assembly shall then apply. reference to select Committee.

141. If the motion that the Bill be taken into consideration is carried, the Bill shall be taken into consideration and the provisions of the rules of the Assembly regarding consideration of amendments to Bills and the subsequent procedure in regard to the passing of Bills shall apply. Consideration and passing.

142. If the Bill is passed without amendment a copy of the Bill with a message to the effect that the Assembly has agreed to the Bill without any amendment shall be transmitted to the Council. Bills passed without amendment.

Bills passed with amendments.	143. If the Bill is passed with amendments the Bill shall be returned, with a message asking the concurrence of the Council to the amendments.
Procedure consequent on consideration of amendment.	144. If the Council disagrees with the amendments made by the Assembly or any of them or agrees to any of the amendments made by the Assembly or with further amendments or proposes further amendments in place of amendments made by the Assembly the Bill as further amended shall on receipt by the Assembly be laid on the Table.
Appointment of time for consideration of amendments.	145. After the amended Bill has been laid on the Table any Minister in the case of a Government Bill or in any other case any member after giving two days notice may move that the amendments, be taken into consideration.
Procedure on consideration of amendments.	146. (1) If a motion that the amendments be taken into consideration is carried the Speaker shall put the amendments to the Assembly in such manner as he thinks most convenient for its consideration. (2) Further amendments relevant to the subject-matter of the amendments made by the Council may be moved, but no further amendments shall be moved to the Bill unless it is consequential to or an alternative to an amendment made by the Council.
Disposal of Amendments.	147. The Assembly may either agree to the Bill as originally passed in the Council or as further amended by the Council as the case may be or may return the Bill with a message that it insists on an amendment or amendments to which the Council has disagreed.
Rejection of a Bill.	148. When any of the following motions moved in the House with reference to a Bill originating in the Council and transmitted to the Assembly is

negatived by the Assembly the Bill shall be deemed to have been rejected by the Assembly.

(i) that the Bill be taken into consideration.

(ii) that the Bill be referred to a Select Committee.

(iii) that the Bill as reported by Select Committee be taken into consideration; and

(iv) that the Bill (or, that the Bill as amended as the case may be) be passed.

CHAPTER - XVII

ORDINANCES

Laying of
Ordinance.

149. As soon as possible after the Governor has promulgated an ordinance under clause (1) of Article 213 of the Constitution printed copies of such Ordinance shall be made available to the members of the Assembly.

(2) Within six weeks from the re-assembly of the Assembly, any member may, after giving three clear days' notice to the Secretary to the Assembly, move a resolution, disapproving such ordinance.

CHAPTER - XVIII
PROCEDURE IN FINANCIAL MATTERS

THE BUDGET

150. The annual financial statement or the statement of the estimated receipts and expenditure of the State in respect of every financial year (hereinafter referred to as "the Budget") shall be presented to the Assembly on such day as the Governor may appoint. Presentation of Budget.

(2) There shall be no discussion of the Budget in the Assembly on the day on which it is presented.

151. (1) The Budget shall be dealt with by the Assembly in two stages, namely: Discussion of Budget.

(i) a general discussion, and

(ii) the voting of demands for grants.

(2) There shall be an interval of forty-eight hours between the presentation of the Budget and the general discussion.

(3) Six days shall be allotted for the general discussion of the Budget and eight days for the voting of demands for grants.

152. (1) During the days appointed under rule 151 for general discussion of the Budget, the Assembly shall be at liberty to discuss the Budget as a whole or any question of policy involved therein but no motion shall be moved at this stage nor shall the Budget be submitted to the vote of the Assembly. Allotment of time for discussion.

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

153. (1) A separate demand shall ordinarily be made in respect of the grant proposed for each department of the Government: Demands for grants.

Provided that the Government may include in one demand, grants proposed for two or more departments or make one demand in respect of expenditure which cannot readily be classified under any particular demand.

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

(3) Subject to the provisions of sub-rules (1) and (2) of this Rule, the Budget shall be presented in such form as the Finance Minister may consider best suited for its consideration by the Assembly.

Voting of Demands.

154. (1) The Speaker shall in consultation with the Leader of the House and the Business Advisory Committee fix the time to be allotted for discussion of each demand and also determine the order in which the demands are to be taken up.

(2) On the days allotted under sub-rule (3) of rule 151 for voting of demands for grants no other business shall be taken up except with the consent of the Speaker:

Provided that nothing in this rule shall be deemed to prohibit the asking and answering of questions during the time allowed under rule 38 and other matters of urgent public importance under the rules.

(3) At the expiry of the time allotted under sub-rule (1) for the discussion of any demand, the Speaker shall put every question necessary for the disposal of that demand and as at the time fixed by the Speaker on the last day of the days allotted for the voting of demands for grants the Speaker shall forthwith put every question necessary to dispose of all the outstanding matters in connection with the demands for grants including the motion of reduction of a grant if any, under discussion.

Budget notes and cut-motions.

155. (1) The Minister shall furnish to the House an explanatory note regarding the working of the

department during the year atleast one day before the day on which he moves the demand for that grant and he may make a statement explaining the policy underlying the demand while moving the demand for a grant.

(2) Any member may then make a motion to reduce the demand, by a specified sum. No motion shall however be made which will have the effect of increasing or altering the destination of the demand.

(3) 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" as 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 in 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 the member 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 lumpsum reduction in the demand or omission or reduction of an item in the demand. The motion shall be known as "Economy Cut". The notice shall indicate, briefly and precisely the particular matter 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 a specific grievance which is within the sphere of the responsibility of the State Government such motion shall be known as "Token Cut" and the discussion thereon shall be confined to the particular grievance specified in the motion.

(4) Notice of motions under sub-rule (2) should reach the Secretary of the Assembly not later than 5.00 p.m. on the fourth day of the general discussion of the Budget, But in exceptional cases such notice may be received even-after the said period with the permission of the Speaker.

(5) When several motions have been given notice of proposing reductions in the same demand they shall be arranged and discussed in such order as the Speaker may determine.

Conditions of
admissibility
of cut
motions.

156. 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 Government of Andhra Pradesh;

(vii) it shall not relate to expenditure charged on the Consolidated Fund;

(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 matters pending before any statutory tribunal or statutory authority, performing any judicial or quasi-judicial functions or any Commission or court of Enquiry or a competent authority 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 the subject matter by the Tribunal or Commission or Court of Enquiry or a competent authority; and

(xiii) it shall not relate to a trifling matter.

157. On a day fixed by the Speaker before the last of the days allotted by him for moving of demands for grants further demands for grants may be moved;

Further Demands for grants.

Provided that:

(i) they are required for purposes which in the opinion of Governor are of an emergent nature.

(ii) they are for new matters which have not been included in the original estimates of the year.

Such demands shall be classified according to the original demands for grants the details being shown by sub-heads or appropriation and detailed account heads under each grant.

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

Appropriation Bill.

(2) No dilatory motion shall be admissible in the case of an Appropriation Bill.

(3) After the completion of the voting of demands, the Appropriation Bill shall notwithstanding anything contained in sub-rule (4) of rule 90 be introduced on the next day and disposed of on the same day.

(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 repetition of the matters discussed on demand for grant or as may not be of sufficient public importance.

(6) If an Appropriation Bill is in pursuance of a supplementary grant in respect of an existing service, the discussions shall be confined to the item constituting the same and no discussion 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.

Supplementary or additional demands.

159. (1) The Governor may at any time during a financial year appoint a day for the presentation of a statement of supplementary or additional expenditure under Article 205 of the Constitution.

(2) The Speaker shall allot one or more days not earlier than twenty-four hours after the day allotted for such presentation for the discussion of and the voting on the demands for supplementary or additional expenditure.

(3) At the time fixed by the Speaker on the days or last of the days as the case may be allotted under sub-rule (2) all discussion shall terminate and the Speaker shall forthwith put every question necessary to dispose of all the outstanding matters in connection with the demands for supplementary grants.

160. The demands for supplementary or additional grants shall be dealt with as if they were demands for grants:

Procedure for dealing with supplementary or additional demands.

Provided that the discussion on demand for a supplementary or additional grant shall be confined to the details of which it is comprised:

Provided further that notice of motions for the reduction of a demand for a supplementary or additional grant shall be given not later than 5 p.m. on the day on which the supplementary or additional statement of expenditure has been presented.

161. The rules of procedure relating to demand for supplementary or additional grants shall apply to demands for excess grants under Article 205 of the Constitution with such adaptations as the Speaker may deem necessary.

Excess grants.

162. 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 Assembly and if the Assembly assents to the demand, funds may be made so available.

Token grants.

163. (1) On any day subsequent to the presentation of the Budget a motion may be made for any grant in advance in respect of the estimated expenditure for a part of any financial year.

Vote on Account.

(2) Such motion shall state the total sum required, and the various amounts needed for each department or item of expenditure which composed

that sum shall be stated in a schedule appended to the motion.

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

(4) Discussion of a general character shall be allowed on the Motion or any amendment moved thereto.

(5) In other respects, Motion for vote on account shall be dealt with in the same way as it were a demand for grants.

Vote of credit
or exceptional
grant.

163-A. (1) At any time during the financial year a motion may be made for a grant for meeting an unexpected demand upon the resources of the State or for an exceptional grant as contemplated in sub-clauses (b) and (c) of clause (1) of article 206 of the Constitution.

(2) 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 modification, addition, or omission as the Speaker may deem to be necessary or expedient.

CHAPTER - XIX
PETITIONS

164. Petitions to the Assembly:

Form and contents of petitions.

- (a) must be addressed to the Assembly;
- (b) must be in respectful and temperate language;
- (c) must not contain any offensive or defamatory expressions;
- (d) must be signed by the petitioner;
- (e) must relate to a matter of definite public importance; and
- (f) must not relate to matters of routine administrative nature.

165. Every petition to the Assembly shall be presented by a member who shall be responsible for its contents and its genuineness.

To be presented by a member.

166. A member desiring to present a petition shall show it to the Speaker and obtain his consent to its presentation. After he has obtained the consent of the Speaker, he may present it on any day after questions and before the other business for the day is entered upon.

Procedure.

167. (1) A member presenting a petition shall confine himself to a statement in the following form;

Members presenting may make a brief statement.

“I present a Petition signed.....
Petitioner’s, regarding..... ”

(2) No debate shall be permitted on such statement.

CHAPTER - XX

PRIVILEGES

(a) Question of Privilege.

Question of privilege.	168. 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.
Notice of question of privilege	169. 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 of privilege is proposed to be raised. If the question of privilege raised is based on a document, the notice shall be accompanied by the document.
Conditions of admissibility of question of privilege.	170. The right to raise a question of privilege shall be governed by the following conditions, namely:- (i) not more than one question shall be raised at the same sitting; (ii) the question shall be restricted to a specific matter of recent occurrence; and (iii) the matter requires the intervention of the House.
Mode of raising a question of privilege.	171. (1) The Speaker, if he gives consent under rule 168 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 168 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 a 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 twenty-five members rise accordingly, the Speaker shall declare that leave is granted. If less than twenty-five members rise, the Speaker shall inform the member that he has not the leave of the House.

172. If leave under rule 171 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.

Question of privilege to be considered by the House or Committee.

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

Reference of questions of privilege to committee by Speaker.

174. 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.

Power of Speaker to give directions.

(For rules relating to Committee of Privileges, see Chapter XXV of these rules.)

(b) Intimation to Speaker of Arrest, Detention, Etc. and Release of a Member.

175. 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

Intimation to Speaker by Magistrate of

arrest, detention etc., of a member. 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 Schedule-I.

Intimation to Speaker on release of a member. 176. 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 Schedule-I.

Treatment of communications received from Magistrate. 177. As soon as may be the Speaker shall, after he has received a communication referred to in rule 175 or rule 176 read out in the House if in session, or if the House is not in session, that it may be published in the Bulletin.

(c) Procedure Regarding Service of a Legal Process and Arrest within the precincts of the House:

Arrest within the precincts of the House. 178. No arrest shall be made within the precincts of the House without obtaining the permission of the Speaker.

Service of legal process within the precincts of the House. 179. A legal process, civil or criminal shall not be served within the precincts of the House without obtaining the permission of the Speaker.

CHAPTER - XXI
SUBORDINATE LEGISLATION

180. (1) Where a regulation, rule, sub-rule, bye-law, etc., framed in pursuance of the Constitution or of the legislative functions delegated by the legislature to a subordinate authority is laid before the Assembly, the Minister shall make a mention of it on the floor of the Assembly and the period specified in the Constitution or the relevant Act for which it is required to be laid shall be completed before the Assembly is adjourned *sine die* and later prorogued unless otherwise provided in the Constitution or the relevant Act.

Statutory Regulations, Rules, etc., laid before the Assembly.

(2) Where the specified period is not so completed, the regulation, rule, sub-rule, bye-law, etc., shall be relaid in the succeeding session or sessions until the said period is completed in one session.

181. 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:

Allotment of time for discussion of amendment.

Provided that notice of the amendment shall be in such form as the Speaker may consider appropriate and shall comply with these rules.

Transmission of amendment to Council.

182. After an amendment is passed by the House, it shall be transmitted to the Council for its concurrence and on receipt of message from the Council agreeing to the amendment, be forwarded by the Secretary to the Minister concerned.

Amendment returned to Council.

183. If the Council disagrees with the amendment passed by the House or agrees subject to a further amendment thereof or proposes an amendment in substitution thereof, the House may either drop the amendment or agree with the Council in the proposed amendment or insist on the original amendment passed by the House. A message in either case shall be sent to the council. In case the House agrees to the amendment as further amended by the Council, the amended amendment shall be forwarded by the Secretary to the Minister concerned.

Disagreement between Houses.

184. If the Council agrees to the original amendment passed by the House, it shall be sent by the Secretary to the Minister concerned, but if the Council disagrees or insists on an amendment to which the House has not agreed, the Houses shall be deemed to have finally disagreed, and all further proceedings thereon shall be dropped.

185. If a regulation, rule, sub-rule, bye-law, etc., is modified in accordance with the amendment passed by the Houses, the amended regulation, rule, sub-rule, bye-law, etc., shall be laid on the Table.

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

(For rules relating to the Committee on Subordinate Legislation, see Chapter XXV of these rules.)

CHAPTER - XXII

RESIGNATION AND VACATION OF SEATS IN THE ASSEMBLY

Resignation of seats in the House.

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

“To

The Speaker,
Legislative Assembly,
Hyderabad.

Sir,

I hereby tender my resignation of my seat in the House with effect from

Yours faithfully,

Place..... Date..... Member of the House.”

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

(2) If a member hands over the letter of resignation to the Speaker personally and inform 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 that the resignation is voluntary and

genuine. If the Speaker, after making a summary enquiry either himself or through the agency of Legislature 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 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 *Andhra Pradesh Gazette* and forward a copy of the notification to the Election Commission 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 not be published in the *Gazette* earlier than the date from which it is to take effect.

187. (1) Leave of absence from the sittings of the Assembly may be granted by the Assembly to a member on a motion made by him or any other member in his behalf, stating the period of absence, and such motion shall be voted upon without amendment or debate.

Leave of
Absence.

(2) If without such leave a member is absent from all meetings of the Assembly for sixty days computed in accordance with clause (4) of Article 190 of Constitution, the Leader of the House or such other member to whom he may delegate his functions in this behalf may move that his seat be declared vacant, and such motion shall be voted upon without amendment or debate.

CHAPTER - XXIII
COMMUNICATIONS BETWEEN
THE GOVERNOR AND THE ASSEMBLY

Communi- 188. Communications from the Governor to the
cations from Assembly are made:-
the Governor to
the Assembly.

(1) by a speech, or

(2) by a written message addressed to the
Speaker.

Communi- 189. Communications from the Assembly to the
cations from Governor shall be made by formal address, after
the Assembly motion made and carried in the Assembly and
to the forwarded to the Governor by the Speaker.
Governor.

CHAPTER - XXIV

SECRET SITTING OF THE ASSEMBLY

190. (1) On a request made by the Leader of the House or on a motion passed by the Assembly, the Speaker shall fix a day or part thereof for sitting of the Assembly in secret. Secret Sitting of the Assembly.

(2) When the Assembly sits in secret no stranger shall be permitted to be present in the Chamber, Lobby or Galleries:

Provided that the persons authorised by the Speaker may be present in the Chamber, Lobby or Galleries.

191. The Speaker may cause a report of the proceedings of a secret sitting to be issued in such manner as he thinks fit, but no other person present shall keep a note or record of any proceedings or decisions of a secret sitting whether in part or full or issue any report of or purport to describe such proceedings. Report of the proceedings.

192. The procedure in all other respects in connection with a secret sitting shall be in accordance with such directions as the Speaker may give. Procedure in other respects.

193. (1) When it is considered that the necessity for maintaining secrecy in regard to the proceedings of a secret sitting has ceased to exist and subject to the consent of the Speaker, a motion may be moved by the Leader of the House or any member authorised by him that the proceedings in the House during a secret sitting be no longer treated as secret. Lifting ban of secrecy.

(2) On adoption by the House of the motion under sub-rule (1), the Secretary shall cause to be prepared a report of the proceedings of the secret sitting and shall, as soon as practicable publish it in such form and manner as the Speaker may direct.

Disclosure of proceedings or decisions.

194. Subject to the provisions of rule 193 disclosure of proceedings or decisions of a secret sitting by any person in any manner shall be treated as a gross breach of privilege of the House.

CHAPTER - XXV

COMMITTEES

(a) General

195. In this Chapter unless the context otherwise requires "Committee" means and includes "Committee" as defined in sub-rule (1) (c) of rule 2. Committee.

196. (1) The members of a Committee shall be appointed or elected by the House on a motion made, or nominated by the Speaker, as the case may be. Appointment of Committee.

(2) No member shall be appointed to a Committee if he is not willing to serve on it. The proposer shall ascertain whether the members 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 for the unexpired portion of the term for which the members in whose place he is appointed, elected or nominated would have normally held office.

197. Where an objection is taken to the inclusion of a member in a Committee on the ground that the member has a personal, pecuniary or direct interest of such an intimate character that it may prejudicially affect the consideration of any matters to be considered by the Committee, the procedure shall be as follows:- Objections to membership of Committee.

(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 members 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 cases;

(d) after the Speaker has considered the evidence so tendered before him he shall give his decision which shall be final;

(e) until the Speaker has given his decision the member against whose appointment on the Committee objection has been taken shall continue to be 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 as a personal, pecuniary or direct interest in the matter before the Committee, he shall cease to be a member thereof forthwith:

Provided that the proceedings of the sitting of the Committee at which such member was present shall not in any way be affected by the decision of the Speaker.

Explanation:- For the purposes of this rule the interest of the member should be direct, personal or pecuniary and separately belong to the person whose inclusion in the committee is objected to and not in common with the public in general or with any class or section thereof or on a matter of State policy.

¹[197-A. Where a Member of a Committee has personal, pecuniary or direct interest in a matter which is to be considered by the Committee, he/she shall state his/her interest therein to the Speaker through the Chairman of the Committee, by means of an affidavit.] Declaration of interest.

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

199. A member may resign his seat from a Committee by addressing a letter to the Speaker. Resignation from Committee.

200. (1) The Chairman of a Committee shall be appointed by the Speaker or the Chairman, Legislative Council from amongst the respective members of the Committee: Chairman of Committee.

Provided that if the Deputy Speaker is a member of the Committee, he shall be appointed as Chairman of the Committee.

(2) if the Chairman is for any reason unable to act, the Speaker or Chairman, Legislative Council as the case may be, 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.

201. (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. Quorum.

(2) if at any time fixed for any sitting of the Committee or if any time during any such sitting

¹ Inserted by L.A.Bn.No.72, Dt. 31-12-98.

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) When the Committee has been adjourned in pursuance of sub-rule (2) on two successive dates fixed for sittings of the Committee the Chairman shall report the fact to the House:

Provided that where the Committee has been nominated by the Speaker, the Chairman shall report the fact of such adjournment to the Speaker.

Discharge of members absent from sittings of Committee.

202. If a member is absent from two or more consecutive meetings of a Committee without the permission of the Chairman of the Committee, a motion may be moved by the Chairman in the House for discharging of such member from the Committee in case he is elected or appointed by the House:

Provided that if a member is nominated by the Speaker such member may be discharged by the Speaker on a report by the Chairman of the Committee.

Voting in Committee.

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

Casting vote of Chairman.

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

Power to appoint sub-Committees.

205. (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 report of such sub-committee shall be deemed to be the report 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.

206. The sittings of a Committee shall be held on such days and at such hour as the Chairman of the Committee may fix:

Sittings of Committee.

Provided that if the Chairman of the Committee is not readily available, the Secretary may fix the date and time of a sitting.

207. A Committee may sit while 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 may in his opinion enable the members to vote in a division.

Committee may sit while House is sitting.

208. The sitting of a Committee shall be held in private.

Sitting of a Committee to be private.

209. The sittings of a Committee shall ordinarily be held within the precincts of the House and with the permission of the Speaker at any other place.

Venue of sittings.

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

All strangers to withdraw when Committee deliberates.

211. (1) The Committee on Estimates or Public Accounts or Public Undertakings may call officials to give evidence in connection with the examination of the estimates and accounts respectively relating to a particular Ministry or Undertaking. But a Minister shall not be called before the Committee either to give evidence or for consultation in connection with the examination of estimates or accounts by the Committee.

Minister shall not be called before a Committee on Estimates/ Public Accounts/ Public Undertakings.

(2) The Chairman of the Committee may however when considered necessary have an informal talk or communicate with a Minister the estimates or accounts of whose Ministry were under consideration by the Committee in order to apprise him of--

(a) any matter of policy laid down by a Ministry with which the Committee do not fully agree; and

(b) any matter of secret and confidential nature which the Committee would not like to bring on record in their report.

Power to take evidence or call for documents.

212. (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 given 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.

Power to send for persons, papers and records.

213. 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.

214. 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.

Counsel for a witness.

215. (1) A Committee may administer oath or affirmation to a witness examined before it.

Evidence on oath.

(2) The form of the oath or affirmation shall be as follows:

Swear in the name of God
"I, A,B, that the
Solemnly affirm

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."

216. The examination of witnesses before a Committee shall be conducted as follows:

Procedure for examining witnesses.

(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 given before the Committee may be made available to all members of the Committee.

Record of decisions of Committee.

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

Evidence, report and proceedings treated as confidential.

218. (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 any 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.

Special reports.

219. 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.

Report of a Committee.

220. (1) Where the House has not fixed any time for the presentation of a report by a Committee, the report shall be presented within three months

of the date on which reference to the Committee was made:

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

Provided further that if the House is not in session or is not likely to re-assemble till after the expiry of the date fixed for presentation of the report, the Chairman of the Committee may move the Speaker for extension of time and the Speaker may grant the extension of time and inform the House as soon as it re-assembles.

(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.

221. 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 House.

Availability of report to Government before presentation of report.

222. (1) The report of a Committee shall be presented to the House by the Chairman or in his absence by any member of the Committee.

Presentation of Report.

(2) In presenting the report by 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 the statement at this stage.

Implementation Reports on Assurances. ¹[222-A Implementation Reports on the assurances, promises made by Ministers shall be furnished to the Legislature Secretariat within sixty days from the date of communication of assurances for placing on the Table of the House.]

Printing, publication or circulation of report prior to its presentation to House. 223. 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 a Committee although it has not been presented to the House. In that case report shall be presented to the House during its next session at the first convenient opportunity.

Power to make suggestions on procedure. 224. A Committee shall have power to pass resolutions on matters of procedure relating to that Committee for the consideration of the Speaker who may make such variations in procedure as he may consider necessary.

Power of Committee to make detailed rules. 225. 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.

Power of Speaker to give directions. 226. (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.

Business before Committee not to lapse on prorogation of House. 227. Any business pending before a Committee shall not lapse by reasons only of the prorogation of the House and the Committee shall continue to function notwithstanding such prorogation.

¹ Inserted by L.A.Bn.No. 12, dt. 17-2-99.

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

Unfinished work of Committee.

229. 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, so far as any provision is inconsistent with the general rules, the former rules shall prevail.

Applicability of general rules to Committee.

230. The Secretary shall act as Secretary to every Committee or Select Committee under these rules and shall arrange for the conduct of all correspondence connected with its business.

Secretary to be ex-officio Secretary to all Committees.

(b) Business Advisory Committee :

231. At the Commencement of the Assembly 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 eleven members including the Leader of the House and the Speaker who shall be the Chairman of the Committee.

Constitution of the Business Advisory Committee.

232. (1) It shall be the function of the Committee to recommend the time that should be allocated for the discussion of the stage or stages of such Government Bills and other business as the Speaker in consultation with the Leader of the House may direct for being referred to the Committee.

Functions of the Committee.

(2) The Committee shall have the power to indicate in the proposed time table the different hours

at which the various stages of the Bill and 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.

Report of Committee.

233. The time table in regard to Bill or group of Bills as settled by the Committee shall be placed on the Table of the House by the Leader of the House or in his absence, by any member authorised.

Disposal of outstanding matters at the appointed hour.

234. 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.

Variation in the allocation of time order.

235. No variation in the allocation of time order shall be made except on the request of the Leader of the House who shall notify orally to the House that there was general agreement for such variation which shall be enforced by the Speaker after taking the sense of the House.

(c) Select Committees on Bills

Constitution of Select Committee.

236. 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.

Composition of Select Committee.

237. No Select Committee on a Bill shall ordinarily consist of more than fifteen members and the Minister-in-charge of the Bill shall be a member thereof.

Other Members may be present at a sitting.

238. Members who are not members of a Select Committee, may be present during the deliberations of the Committee, with the permission of the

Chairman, 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.

239. (1) If a 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.

Notice of amendments and procedure generally in Select Committee.

(2) In other respects, the procedure in a Select Committee shall as far as practicable, be the same as is followed in the Assembly during the consideration stage of Bill, with such adaptations, whether by way of modification, addition or omission, as the Speaker, may consider necessary or convenient.

240. 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.

Notice of amendments by members other than members of Select Committee.

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

Expert evidence.

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

Report by Select Committee.

Provided that where the Assembly has not fixed any time for the presentation of the report, the report

shall be presented before the expiry of three months from the date on which the Assembly adopted the motion for the reference of the Bill to the Select Committee:

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

(2) 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 been already circulated, for re-circulation.

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

(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.

Presentation
of Report.

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

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

Printing and publication of Reports.

(d) JOINT SELECT COMMITTEE.

245. (1) The Assembly may by motion desire to obtain the concurrence of the Council in setting up a Joint Select Committee of the two Houses to consider a Bill, and such a motion shall state the total number of members of both the Houses to be appointed to the Committee and the names of members of the Assembly who in accordance with the proportion mentioned in sub-rule (3) are to serve thereon. The members-in-charge of the Bill, and the Minister-in-charge of the department to which the Bill relates, shall be nominated as members of the Joint Select Committee.

Constitution of Joint Select Committee.

(2) On the adoption of such a motion, a message shall be sent to the Council informing it accordingly and desiring its concurrence to the appointment of a Joint Select Committee and its proposed total strength and requesting it to nominate the members required under sub-rule (3).

(3) The total number of members of a Joint Select Committee shall not exceed thirty-two. On every Joint Select Committee the number of members to be nominated by the Assembly and the Council be in proportion of 3 : 1.

(4) The time and place of the first meeting of the Committee shall be fixed by the Presiding Officer of the House in which the Bill originated.

(5) The Joint Select Committee shall elect its own Chairman. The Chairman shall have no casting vote. If the votes on a question before a

Joint Select Committee be equal, the question shall be deemed to have been decided in the negative.

(6) Except as aforesaid, a Joint Select Committee shall follow the same procedure as a Select Committee of the Assembly.

Joint Select Committee for Bills originating in the Council.

246. In the case of a Bill originating in the Council any member may, after receipt of a message from the Council asking for the concurrence of the Assembly to set up a Joint Select Committee to consider the Bill move that the House concurs with the Council in setting up a Joint Select Committee and name the members of the Assembly to serve on such Committee.

(e) COMMITTEE ON PETITIONS.

Constitution of Committee on Petitions.

247. 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 less than seven members including the Deputy Speaker who shall be the 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 a member of the Committee from the date of such appointment.

Functions of the Committee.

248. (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 *exteso* 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.

(f) COMMITTEE ON PUBLIC ACCOUNTS.

249. (1) There shall be a Committee on Public Accounts for the examination of accounts showing the appropriation to sums granted by the House for the expenditure of the State Government, the annual finance accounts of the State Government and such other accounts laid before the House as the committee may think fit.

Functions
of the
Committee.

(2) In scrutinising the Appropriation Accounts of the State Government and the report of the Comptroller and the 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) The Chairman shall bring to the notice of the Assembly;

(i) in every case in which it is not so satisfied; and

(ii) all expenditure which the Finance Department has requested should be brought to the notice of the Assembly.

(4) It shall also be the duty of 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 and semi-autonomous bodies, the audit of which may be conducted by the Comptroller and Auditor-General of India either under directions of the Governor or by a Statute of State Legislature;

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

(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 recommendation as it may deem fit;

Provided that the Committee shall not exercise its functions in relation to such public undertaking as are allotted to the Committee on Public Undertakings by these rules or by the Speaker.

Constitution
of the
Committee.

250. The Committee on public Accounts shall consist of twenty members of whom fifteen members elected from amongst the members of the Assembly every year and five members elected from amongst the members of the Legislative council. The fifteen members of the Assembly shall be elected by

Assembly from amongst its members according to the principle of proportional representation by means of the single transferable vote and in accordance with the regulations framed in this behalf by the Speaker. There shall be a fresh election before the end of the financial year for constitution of the Committee for the ensuing financial year, and if under any circumstances such an election is not held the existing members of the Committee will continue to hold office until new members are elected.

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

(g) COMMITTEE ON ESTIMATES.

251. There shall be a Committee on Estimates for the examination of such of the estimates as may seem fit to the Committee or are specifically referred to it by the House. The functions, of the Committee shall be—

Functions of the Committee.

(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;

(c) to examine whether the money is well laid out within the limits of the policy implied in the estimates; and

(d) to suggest the form in which the estimates shall be presented to the Assembly;

Provided that the Committee shall not exercise its functions in relation to such Public undertakings as are allotted to the Committee on public Undertakings by these rules or by the Speaker.

Constitution of the Committee.

252. The Committee on Estimates shall consist of twenty members of whom fifteen members elected from amongst the members of the Assembly every year and five members elected from amongst the members of the Legislative Council. The fifteen members of the Assembly shall be elected by the Assembly from amongst its members according to the principle of proportional representation by means of the single transferable vote and in accordance with the regulations framed in this behalf by the Speaker. There shall be fresh election before the end of the Financial year for constituting the Committee for the ensuing financial year and if under any circumstances such an election is not held the existing members of the Committee will continue to hold office until new members are elected;

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

Examination of estimates.

253. The Committee may continue its examination of the estimates through out the financial year and report to the House from time to time as its examination proceeds. It shall not be incumbent on the Committee to examine the entire estimates of any one year. The demands for grants may be voted upon notwithstanding the fact that the Committee has made no report.

(h) COMMITTEE ON PUBLIC UNDERTAKINGS.

Functions of the Committee.

254. There shall be a Committee on Public Undertakings for the examination of the working of the Public undertakings specified in the Second Schedule and such other Public Undertakings, as

may be specified by the Speaker from time to time. The functions of the Committee shall be,—

(a) to examine the reports and accounts of the public undertakings specified in the Second Schedule;

(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 practice; and

(d) to exercise such other functions vested in the Committee on public Accounts and the Committee on Estimates in relation to the public undertakings specified in the Second Schedule as are not covered by Clauses (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 not relating to past acts; and

(iii) matters for the consideration of which machinery is established by any special statute under which a particular public undertaking is established.

255. The Committee on public Undertakings shall consist of twenty members of whom fifteen members elected from amongst the members of the Assembly every year and five members elected from amongst the members of the Legislative

Constitution of
the
Committee.

Council. The fifteen members of the Assembly shall be elected by the Assembly from amongst its members according to the principle of the proportional representation by means of the single transferable vote and in accordance with the regulations framed in this behalf by the Speaker. There shall be a fresh election before the end of the financial year for constituting the Committee for the ensuing financial year and if, under any circumstances such an election is not held, the existing members of the Committee will continue to hold office until new members are elected;

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

(i) COMMITTEE OF PRIVILEGES

Constitution
of the
Committee.

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

Examination
of question by
Committee.

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

(2) The report may also state the procedure to be followed by the House in giving effect to the recommendations made by the Committee.

258. (1) After the report has been presented, the Chairman or any member of the Committee or any other member may move that the report be taken into consideration where upon the Speaker may put the question to the House.

Consideration of report.

(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.

259. 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 171 unless there has been undue delay in brining it forward;

Priority for Consideration of report of Committee.

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.

(j) COMMITTEE ON SUBORDINATE LEGISLATION.

260. There shall be a Committee on Subordinate Legislation to scrutinize 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.

Functions of the Committee.

261. The Committee shall consist of sixteen members of whom twelve members shall be nominated by the Speaker from amongst its members of the Assembly and four members shall

Constitution of the Committee.

be nominated by the Chairman, Legislative Council from amongst the members of the Legislative Council;

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

Scrutiny of papers laid before the Assembly.

262. After each 'regulation' 'rule' bye-law' etc. framed in pursuance of the Legislative functions delegated by the Assembly to a subordinate authority is laid before the House, the Committee shall, in particular consider.

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

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

(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 Act does not expressly give any such power;

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

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

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

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

263. (1) If the Committee is of opinion that any order should be annulled wholly or in part, or should be amended in any respect, it shall report that opinion and the grounds thereof to the Assembly.

Report of the Committee.

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

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

Procedure to be followed.

(k) COMMITTEE ON AMENITIES

265. There shall be an Amenities Committee consisting of twelve members of whom eight members shall be nominated by the Speaker and four members shall be nominated by the Chairman Legislative Council.

Constitution of the Committee.

266. (1) The functions of the Amenities Committee shall be—

Functions of the Committee.

(i) to deal with all questions relating to residential accommodation for members of the State Legislature; and

(ii) to exercise supervision over facilities for accommodation, food, medical aid and other amenities accorded to members.

(2) The functions of the Committee shall be Advisory.

(l) COMMITTEE ON GOVERNMENT ASSURANCES:

267. There shall be a Committee on Government Assurances to scrutinize the assurances, promises, undertakings, etc., given by Ministers from time to time, on the floor of the House and to report on:-

Functions of the Committee.

(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.

Constitution of the Committee.

268. The Committee shall consist of not more than twelve 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 as a Minister, he shall cease to be a member of the Committee from the date of such appointment.

(m) RULES COMMITTEE

Constitution of the Committee.

269. 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.

Functions of the Committee.

270. 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.

Laying report on the Table.

271. (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 of 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 published 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 publish 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 unless otherwise specified.

(n) COMMITTEE ON WELFARE OF SCHEDULED CASTES

272. There shall be a Committee on the Welfare of the Scheduled Castes to examine matters concerning the Welfare of Scheduled Castes which fall within the purview of the State Government. The functions of the Committee shall be:-

Functions of the Committee.

(a) to examine the measures taken by the State Government to secure due representation of the Scheduled Castes in services and posts under its control having regard to the provisions of Articles 16 and 335 of the Constitution; and

(b) to review the progress and implementation of welfare programmes and other ameliorative measures as also constitutional safeguards for the Scheduled Castes.

273. The Committee on the Welfare of Scheduled Castes shall consist of twelve members of whom nine members shall be nominated by the Speaker

Constitution of the Committee.

from amongst the members of the Assembly and three members shall be nominated by the Chairman, Legislative Council from amongst the members of the Legislative Council :

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

(o) COMMITTEE ON WELFARE OF SCHEDULED TRIBES.

Functions of the Committee.

274. There shall be a Committee on the Welfare of the Scheduled Tribes to examine matters concerning the Welfare of the Scheduled Tribes which fall within the purview of the State Government. The functions of the Committee shall be:

(a) to examine the measures taken by the State Government to secure due representation of the scheduled Tribes in services and posts under its control having regard to the provisions of Articles 16 and 335 of the Constitution; and

(b) to review the progress and implementation of welfare programmes and other ameliorative measures as also constitutional safeguards for the Scheduled Tribes.

Constitution of the Committee.

275. The Committee on the Welfare of Scheduled Tribes shall consist of twelve members of whom nine members shall be nominated by the Speaker from amongst the members of the Assembly and three members shall be nominated by the Chairman, Legislative Council from amongst the members of the Legislative Council;

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

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

(p) COMMITTEE ON WELFARE OF BACKWARD CLASSES.

276. There shall be a Committee on the Welfare of Backward Classes to examine matters concerning the welfare of Backward Classes which fall within the purview of the State Government. The functions of the Committee shall be:-

Functions of the Committee.

(a) to examine the measures taken by the State Government, to secure due representation of the Backward Classes in services and posts under its control having regard to the provisions of Article 16 of the Constitution and guarantees given by the State Government to the Backward Communities; and

(b) to review the progress and implementation of welfare programmes and other ameliorative measures and also constitutional safeguards for the Backward Classes.

277. The Committee on the Welfare of Backward Classes shall consist of twelve members of whom nine members shall be nominated by the Speaker from amongst the members of the Assembly and three members shall be nominated by the Chairman, Legislative Council from amongst the members of the Legislative Council;

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

(q) COMMITTEE ON GENERAL PURPOSES.

278. There shall be a General Purposes Committee consisting of the Speaker, the Deputy Speaker, members of the panel of Chairmen,

Functions of the Committee.

Chairmen of all Standing Committees of Assembly, Leaders of recognised parties and groups in Assembly and such other members as may be nominated by the Speaker. The Speaker shall be the ex-Officio Chairman of the Committee.

Functions of the Committee.

279. 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.

Provisions applicable in other respects.

280. In other respects, the rules applicable to other Committees given in Chapter XXV shall apply with such adaptations whether by way of modification, addition or omission as the Speaker may consider necessary or convenient.

(r) COMMITTEE ON LIBRARY.

Constitution of the Committee.

281.(1) There shall be a Library Committee consisting of Ten members of whom seven members shall be nominated by the Speaker, from amongst the members of the Legislative Assembly and three members shall be nominated by the Chairman, Legislative Council from amongst the members of the Legislative Council.

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

(3) Casual vacancies in the Committee shall be filled by nomination by the Speaker in respect of members from the Legislative Assembly and by the Chairman of Legislative Council in respect of members from the Legislative Council.

Functions of the Committee.

282. The functions of the Committee shall be:-

(a) to consider and advise on such matters concerning the Library as may be referred to it by the Speaker from time to time;

(b) to consider suggestions for the improvement of the Library; and

(c) to assist members of Legislature in fully utilising the services provided by the Library.

¹(s) COMMITTEE ON WELFARE OF WOMEN, CHILDREN, DISABLED AND THE OLD AGED

283 There shall be a Committee on Welfare of Women and Children and Disabled Welfare to examine matters concerning the Welfare of Women and Children and Disabled Welfare which fall within the purview of State Government. The functions of the Committee shall be:-

Functions of the Committee.

(a) to examine the measures taken by the State Government to secure due representation to Women in services and posts under its control;

(b) to review the progress and implementation of welfare programmes and other ameliorative measures of Women, Children, Disabled and the old aged.

284. The Committee on Welfare of Women and Children, Disabled and the Old Aged shall consist of twelve members of whom nine members shall be nominated by the Speaker from amongst the members of the Assembly and three members shall be nominated by the Chairman, Legislative Council from amongst members of the Legislative Council.

Constitution 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 as a Minister, he shall cease to be a member of the committee from the date of such appointment.

(t) COMMITTEE ON WELFARE OF MINORITIES

285. There shall be a Committee on welfare of Minorities to examine the matters concerning the

Functions of the Committee.

¹ Inserted by L.A. Bulletin No. 62, dated 12-12-2008.

Welfare of Minorities which fall within the purview of State Government. The functions of the Committee shall be to examine the measures taken by the State Government and to review the progress and Welfare programmes and other ameliorative measures taken up for the Welfare of the Minorities.

Constitution
of the
Committee.

286. The Committee on the Welfare of Minorities shall consist of twelve members of whom nine members shall be nominated by the Speaker from amongst the members of the Assembly and three members shall be nominated by the Chairman, Legislative Council from amongst members of the Legislative Council.

Provided that the Minister shall not be nominated a Member of the Committee and that if a Member after his nomination to the Committee is appointed as a Minister, he shall cease to be a Member of the Committee from the date of such appointment.

(u) COMMITTEE ON ETHICS

Constitution
of the
Committee.

287. At the commencement of the House or from time to time as the case may be, the Speaker shall nominate a Committee on Ethics consisting of not more than seven members including Chairman:

Provided that a Minister within the meaning of Rule 2(m) or Speaker or Deputy Speaker or Government Chief Whip or Government Whip shall not be nominated a Member of the Committee and that if a member after his nomination to the Committee is appointed as a Minister, Government Chief Whip or Government Whip or elected as Speaker or Deputy Speaker, he shall cease to be a member of the Committee from the date of such appointment or election.

288. The Committee shall examine every complaint concerning the unethical conduct of a Member both within and outside the House referred to it by the Speaker or the House or taken up by it ***suo-moto***.

Functions of the Committee.

289. (1) A complaint relating to the unethical conduct of a Member, including a Minister, other than the Speaker, outside the House may be made by any person to the Speaker in writing in the form of a petition, who may refer it to the Committee for enquiry and report.

Reference of Complaints.

(2) The House may also refer complaint of unethical conduct of a Member, on a motion, to the committee for enquiry and report.

(3) The Committee may also suo-moto take up for enquiry, matters relating to unethical conduct of Member whenever felt necessary.

(4) Every complaint--

(a) shall contain a concise statement of the material facts on which the complainant relies; and

(b) shall be accompanied by copies of the documentary evidence, if any, on which the complainant relies.

(5) Every complaint shall be signed by the Complainant and verified in the manner laid down in the code of Civil Procedure 1908 (5 of 1908) for the verification of pleadings.

(6) Every annexure to the petition shall also be signed by the complainant and verified in the same manner.

(7) On receipt of a complaint under sub-rule (1), the Speaker shall consider whether the complaint complies with the requirements of this rule and if

the petition complies with the said requirements, he shall refer it to the Committee for enquiry.

Procedure in respect of enquiry.

290. (1) Where the Committee, after making preliminary verification, proposes to conduct enquiry, it...

(a) shall forward a copy of the complaint together with its enclosures, if any, or in case of any enquiry which the Committee proposes to conduct on its own motion, a statement setting out the grounds therefor to the Member concerned.

(b) shall afford to the Member concerned an opportunity to send his reply on such complaint or statement.

(2) (a) every preliminary verification and subsequent enquiry referred to in sub-rule (1) shall be conducted incamera and in particular, the identity of the complainant and of the member shall not be disclosed.

(b) every such enquiry shall be completed within a period of 3 months unless there is sufficient cause for not completing the enquiry within that period.

(3) Save as aforesaid, the procedure for conducting any enquiry shall be so far, as may be, the same as the procedure for enquiry and determination of any question as to the breach of privilege of the House.

(4) The Committee may, in its discretion, refuse to enquire or discontinue the enquiry into any complaint, if in its opinion,--

(a) it is frivolous or vexatious or is not made in good faith; or

(b) there are no sufficient grounds for enquiry or as the case may be for continuing enquiry.

(5) In any case where the Committee decides not to entertain a complaint or to discontinue any

investigation in respect of a complaint it shall record the reasons therefor and communicate the same to the Member and the Complainant.

291. Those who file false, frivolous or vexatious complaints are liable for punishment by the House. Punishment for false complaints.

292. The contents of the complaint shall not be made public by anybody in any manner or in any form before the presentation of the Report of the Committee to the House, and whoever intentionally makes the contents of the complaint published before the report of the Committee is presented to the House is liable for punishment by the House. Prohibition against publication of contents of the complaints.

293. The Committee is at liberty to requisition the services of any agency for the purpose of investigation of complaints. Requisitioning of services of investigating agency.

294. (1) The Committee shall examine every complaint where prima facie case is established with reference to the facts and submit its report to the House with such recommendations as it may deem fit. Report of the Committee.

(2) The Report may also suggest the procedure to be followed by the House for giving effect to the recommendations made by the Committee.

295. After the Report has been presented, the Chairman may move that the Report be taken into consideration whereupon the Speaker put the question to the House. Consideration of Report.

(v) COMMITTEE ON WILD LIFE AND ENVIRONMENT PROTECTION.

296. The Committee on Wild Life and Environment Protection shall consist of sixteen members of whom twelve members shall be nominated by the Speaker from amongst the members of the Assembly and four members shall Constitution of the Committee.

be nominated by the Chairman, Legislative Council from amongst members of the Legislative Council.

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

Functions of the Committee.

297. The functions of the Committee shall be to examine the measures taken by the State Government in protection of Wild Life and Environment and to review the progress from time to time and to give suggestions wherever necessary.

(w) DEPARTMENTALLY RELATED STANDING COMMITTEES.

Standing Committees.

297A. (1) There shall be Departmentally Related Standing Committees of both the Houses (to be called the Standing Committees).

(2) The Departments under the jurisdiction of each of the Standing Committees shall be covered as specified in the Seventh Schedule:

Provided that the Chairman, Legislative Council and the Speaker, Legislative Assembly may alter the said Schedule from time to time in consultation with each other.

Constitution of the Committee.

297B. (1) Each of the Standing committees constituted under Rule 297A shall consist of such number of members, from both the Houses as decided by the Chairman, Legislative Council and the Speaker, Legislative Assembly in consultation.

(2) A Minister shall not be nominated as a member of the Committee, and if a member after his/her nomination to the Committee is appointed a Minister, he/she shall cease to be a member of the Committee from the date of such appointment.

(3) The Chairman of Committees as specified in Seventh Schedule shall be appointed from amongst the members of the Committees by the Chairman, Legislative Council and Speaker, Legislative Assembly. The number of Committees for which the Chairman have to be appointed from each House shall be decided by the Presiding Officers in consultation.

(4) The term of the Committee is till the constitution of new Committee.

297C. (1) The functions of each of the Standing Committees shall be :- Functions.

(a) to consider the Demands for Grants of the concerned Departments during the recess of the House and to make a report on the same to both the Houses. The Committee shall not entertain any Cut-Motions;

(b) to examine the allocations made under each sub-head and make reports;

(2) The Standing Committee shall not consider the matters of day to-day administration of the concerned Departments.

297D. The following procedure shall be followed by each of the Standing Committees in their consideration of the Demands for Grants and making a report thereon to the Houses:- Procedure relating to Demands for Grants.

(a) after the general discussion on the Budget in the Houses is over, the Houses shall be adjourned for a brief period;

(b) the Committees shall consider the Demands for Grants of the concerned Departments during the aforesaid period; Functions.

(c) the Committees shall make their report within the period, and the House shall make use of these Reports for the purpose of discussions on demands;

(d) there shall be a separate report on the Demands for Grants of each Department; and

(e) no extension of time shall be given to the Committees for the consideration of Demands for Grants.

Report of the Committee.

297E. (1) The Reports of the Committees shall be based on broad consensus.

(2) The Committee shall present its Report on each demand to the House on the first working day after the brief recess of the House.

Applicability of General Rules.

297F. Except for matters for which special provision is made in the rule relating to the Standing Committees, the general rule applicable to other Committees in Legislative Council shall apply mutatis mutandis to the Standing Committees specified in the Seventh Schedule and the general rules applicable to other Committees in Legislative Assembly shall apply to the Standing Committees as specified in the Seventh Schedule.

Venue of Sittings.

297G. The Standing Committees shall not work in any other place except the precincts of Legislature, unless otherwise specifically permitted by the Chairman, Legislative Council or the Speaker as the case may be.

Power to have expert opinion.

297H. The Committees may avail of the expert opinion.

CHAPTER - XXVI
GENERAL RULES OF PROCEDURE

NOTICES

- Notices by members. 298. Every notice required by these rules shall be given in writing addressed to the Secretary and signed by the member giving notice.
- Contingent notice. 299. (1) A member may give notice of a motion or resolution or Bill which he may desire to be taken upon on the conclusion of other business on which that motion is contingent and if such a notice is admitted by the Speaker it may be included in the list of business under the heading contingent notice of motion or resolution or Bill as the case may be.
- (2) A contingent notice shall be in such form as the Speaker may prescribe and shall be taken up in the House only after the business on which the notice is contingent and disposed of.
- Circulation of notices and papers to members. 300. (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.
- Publication of notices in advance. 301. A notice shall not be given publicity by any member or other person until it has been admitted by the Speaker and circulated to members:
- Provided that a notice of a question shall not be given any publicity until the question is answered in the House.

302. (1) A session of the Assembly is terminated by prorogation. Lapse of pending Notices.

(2) On the prorogation of the House, all pending notices shall lapse except those in respect of statutory motions, motions for amendment of rules, motions, the consideration of which have been adjourned to the next session, questions for which notices have been communicated to the Departments and bills which have been introduced, such bills shall be carried over to the list of business for the next session from the stage reached by them in the expiring session.

(3) Prorogation shall not affect the work of any committee under these Rules.

(4) Notwithstanding anything contained in these rules, if fresh notice is given in respect of a motion or Bill which has lapsed, it shall not be necessary to send a copy of such motion or Bill along with such notice.

303. 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. Power of Speaker to amend notices.

MOTIONS

304. A motion shall not raise a question substantially identical with one on which the House has given a decision in the same session. Repetition of motion.

305. (1) A member who has made a motion may withdraw the same by leave of the House. Withdrawal of motion.

(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 dissenting 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.

Adjournment
of debate on
motion.

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

Dilatory
motion in
abuse of the
rules of the
House.

307. (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 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 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 as much as the Select Committee of the House has dealt with the Bill in a proper manner or that no unforeseen or new circumstances have arisen since the bill emerged from such Committee he may forthwith put the

question thereon or decline to propose the question.

308. 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 Assembly but the Assembly shall proceed to discuss such matters 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 moves a substantive motion in appropriate terms to be approved by the Speaker and the vote of the Assembly shall be taken on such motion.

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

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

Anticipating discussion.

TIME LIMIT FOR SPEECHES

310. The Speaker may, if he thinks fit, prescribe a time limit for speeches on any discussion that may take place in the Assembly.

Time limit for Speeches.

AMENDMENTS

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

Scope of amendments.

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

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

Notice of Amendments. 312. 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.

Selection of amendments. 313. The Speaker shall have power 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.

Putting of amendments. 314. The Speaker may put amendments in such order as he may think fit:

Provided that the speaker may refuse to put an amendment which in his opinion is frivolous.

Terms of the Communication for conveying previous sanction of the President or recommendation of the Governor.

Terms of communication of sanction or recommendation. 315. Every sanction by the President or recommendation by Governor shall be communicated to the Secretary by a Minister in the following terms:-

“The President having been informed of the subject matter of the proposed Bill accords his previous sanction to the introduction of the Bill or the Governor recommends the introduction of the Bill or the moving of the motion or demand for grant or amendment in the House or recommends to the House the consideration of the Bill”.

It shall be printed in the proceedings of the House in such form as the Speaker may direct.

RULES TO BE OBSERVED BY MEMBERS

Rules to be observed by members while present in House. 316. Whilst the House is sitting, a member:-

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

(ii) shall not interrupt any member while speaking by dis-orderly expression or noises or in any other dis-orderly 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 the House when the speaker is addressing the House:

(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 the House;

(ix) shall not obstruct proceedings, hiss or interrupt and shall avoid making running commentaries when speeches are being made in House;

(x) shall not applaud when a stranger enters any of the galleries;

¹[(xi) xx xx xx]

²[(xii) shall not shout slogans in the House)

(xii) shall not sit or stand with his back towards the chair;

(xiii) shall not wear or display badges of any kind in the House;

¹ Deleted by L.A.Bn.No. 12, Dt. 17-2-99.

² Inserted by L.A.Bn.No. 12, Dt. 17-2-99.

(xiv) shall not bring or display arms in the House;

(xv) shall not display flags, emblems or any exhibits in the House without the permission of the Speaker;

(xvi) shall not normally leave the House immediately after delivering his speech;

(xvii) (a) a non-Member by himself shall not hold Press Conference within the precincts of the House nor any pamphlets or literature shall be distributed within the precincts of the House by him;

(b) a Member may hold Press conference along with a non-Member only in their Legislature Party Office;

(c) a Member shall not distribute within the precincts of the Assembly any literature, questionnaire, pamphlets, press notes, leaflets etc., not connected with the business of the House;

(xviii) shall not carry walking stick into the House unless permitted by the Speaker on health grounds;

(xix) shall not tear of documents in the House in protest;

(xx) shall not bring cellular phones, pagers or play cassette or tape recorder either in the House or in the Galleries, If they are brought they will be seized; and

(xxi) shall not sit on Satyagraha or Dharna inside the House.

(xxii) Members may use lap tops in the House in relation to the business of the House.]

Members to
Speak when
called by
Speaker.

317. 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.

318. A member desiring to make any observation on any matter before the House shall speak from his place, shall rise when he speaks and shall address the Speaker: Mode of addressing House.

Provided that a member disabled by sickness or infirmity may be permitted to speak sitting.

319. A member while speaking shall not:-

Rules to be observed while speaking.

(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 expression about the conduct of proceedings of the Parliament or any State legislature;

(iv) reflect on any determination of the House except on a motion for rescinding it;

¹[(iv-1) question or comment on the ruling of the speaker except on a substantive motion.]

(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" means persons whose conduct can only be discussed on a substantive motion drawn in proper terms under the Constitution or such other persons whose conduct in the opinion of the Speaker should be discussed on a substantive motion drawn up in terms to be approved by him.

(vi) use the Governor's or President's name 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; and

¹ Inserted by L.A.Bn.No. 72, Dt. 31-12-98.

	<p>1[(ix) Shall not while speaking make any reference to the strangers in any of the galleries.]</p>
Procedure regarding allegation against a person.	<p>320. No allegation of a defamatory or incriminatory nature shall be made by a member against any person unless the member has given intimation to the Speaker and also to the Minister concerned:</p> <p>Provided that the Speaker may at any time prohibit any member from making such allegation if he is of the opinion that such allegation is derogatory to the dignity of the House or that no public interest is served by making such allegation.</p>
Reservation on quoting speeches made in Council.	<p>321. No speech made in the Council shall be quoted in the House unless it is a definite statement of policy by a Minister:</p> <p>Provided that the Speaker may on a request being made to him in advance give permission to a member to quote a speech or make reference to the proceedings in the Council if the Speaker thinks that such a course is necessary in order to enable the member to develop a point of privilege or procedure.</p>
Questions to be asked through the Speaker.	<p>322. When, for the purposes of explanation during discussion or for any other sufficient reason, any member has occasion to ask a question of another member on any matter then under the consideration of the House, he shall ask the question through the Speaker.</p>
Irrelevance or repetition.	<p>323. 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 own arguments or of the arguments used by other members in debate may direct him to discontinue his speech.</p>
Personal Explanation.	<p>324. 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.</p>

¹ Inserted by L.A.Bn.No. 72, Dt. 31-12-98.

Order of Speeches and Right of Reply

325. (1) After the member who moves a motion has spoken, other members may speak on 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 permission of Speaker to speak on the motion at any later stage of the debate.

Order of speeches and right of reply.

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

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

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

326. Subject to the provision of sub-rule (3) of rule 325 the reply of the mover of the original motion shall in all cases conclude the debate.

Mover's reply concludes debate.

Address by Speaker

327. 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 consideration 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 a decision.

Address by Speaker.

Procedure when the Speaker rises.

328. (1) Whenever the Speaker rises he shall be heard in silence and any member who is then speaking or offering to speak shall immediately resume his seat.

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

CLOSURE

Closure.

329. (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.

Time-limit of debate.

330. (1) Whenever the debate on any motion in connection with a Bill or any other motion becomes unduly protracted, the Speaker may, after taking the sense of the 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.

Question for Decisions

331. 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 member.

Procedure of obtaining decision of House.

332. 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.

Proposal and putting of Question.

333. No member shall speak on a question after the speaker has collected the voices both of the Ayes, the Noes on that question.

No speech after voice vote.

334. (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'.

Division

(2) The Speaker shall then say; "I think the Ayes (or the 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 Lobby 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 may ask the members who are for 'Aye' and those for 'No' respectively to rise in their places

and on account being taken he may declare the determination of the House.

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

(5) Before the Speaker has announced the result of a division, he may if satisfied that any mistake has been committed in the recording of the votes allow the same to be corrected.

(6) No member is entitled to vote upon any question in which he has a direct pecuniary interest and the vote of any member so entered will be disallowed.

PAPERS QUOTED TO BE LAID ON THE TABLE

Paper quoted to be laid on the Table.

335. If a Minister quotes in the House a despatch 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 despatch or State paper it shall not be necessary to lay the relevant papers on the Table.

Treatment of papers laid on the Table.

336.(1) A paper or document laid on the Table shall be duly authenticated by the member presenting it.

(2) A paper or document laid on the Table shall be considered public.

Procedure when a Minister Discloses Source of advice or opinion given to him

Procedure when a Minister discloses source of advice or

337. 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. opinion, given to him.

Statement made by a Minister

338. 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. Statement made by a Minister.

Withdrawal and suspension of Members

339. 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 day's sitting. Withdrawal of member.

340. (1) The Speaker, 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. Suspension of member.

(2) If a member is so named by the Speaker, the Speaker shall on a motion being made, 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 forth-with withdraw from the precincts of the House.

Suspension of Sitting

341. 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. Power of speaker to adjourn House or suspend sitting.

Points of order and decisions thereon.

Points of Order

342. (1) A point of order shall relate to the interpretation or enforcement of these rules or such articles of the Constitution as to regulate the business of the House and shall raise a question which is within the cognizance of the Speaker.

(2) A point of order may be raised in relation to the business before the House at the moment:

Provided that the Speaker may permit a member to raise a point of order during the interval between the termination of one item of business and the commencement of another if it relates to 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.

<p>343. 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.</p>	<p>Raising a matter which is not a point of order.</p>
<p>344. (1) No matter, however important and urgent maybe, shall be raised by any Member, without having given atleast half an hour's notice to the Speaker before the commencement of the sitting for the day and obtained his permission.</p> <p>Provided that not more than six members from a Legislature Party shall give such a notice.</p>	<p>No matter to be raised without Previous Permission.</p>
<p>(2) Not more than two such matters shall be raised at the same sitting.</p>	
<p>345. The Speaker shall preserve order and shall have all powers necessary for the purpose of enforcing his decisions.</p>	<p>Speaker to preserve order and enforce decisions.</p>
<p>346. The business of the Assembly shall be transacted in Telugu or English or Urdu or in any other language with the permission of the Chair.</p>	<p>Language of the Assembly.</p>
<p>347. The Secretary shall cause to be prepared a full Report of the proceedings of the Assembly 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.</p>	<p>Report of proceedings of the Assembly.</p>
<p>348. If the Speaker is of opinion that a word or words has or have been used in debate which is or are defamatory or indecent or unparliamentary or undignified, he may in his discretion order that such word or words be expunged from the official report of the proceedings of the Assembly, and all consequential alterations made in such report and make an announcement in the Assembly of the fact of his having made such order.</p>	<p>Expunging of words.</p>

Indication in printed debates of expunged Proceedings.

349. The portion of the proceedings of the Assembly so expunged shall be marked by asterisks and an explanatory footnote shall be inserted in the proceedings as follows:

“Expunged as Ordered by the Chair”

Printing and publication of other documents, etc.

350. (1) The Speaker may authorise the printing, publication, distribution or sale of any paper, document or report in connection with the business of the Assembly or any paper, document or report laid on the Table of the House or presented to the Assembly 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 Assembly 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

Custody of papers.

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

Use of the Chamber of the Assembly restricted to its sittings.

352. The Chamber of the Assembly shall not be used for any purpose other than the sittings of the Assembly.

Admission of Officers of the Council

Officer of Council entitled to admission to sitting of House.

353. Any Officer of the Secretariat staff of the Council shall be entitled to admission to the House during any sitting of the House.

Admission of Strangers

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

355. The Speaker may whenever he thinks fit, order the withdrawal of strangers from any part of the House. Withdrawal of strangers.

356. An Officer of the Secretariat authorised in this behalf by the Speaker shall remove from the precincts of the House or taken 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 354 or does not withdraw when the strangers are directed to withdraw under rule 355 while the House is sitting. Removal and taking into custody of strangers.

Delegation of Powers of Speaker

357. The Speaker may, by order in writing, delegate to the Deputy Speaker all or any of his powers under the rules. Delegation of powers of Speaker.

Suspension of Rules

358. 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. Suspension of Rules.

Speaker to regulate conduct of business not otherwise provided for.

359. The Speaker shall have power to regulate the conduct of business in the Assembly in all matters not specifically provided for in the Constitution, or the rules.

Residuary Powers

Residuary powers.

360. All matters not specifically provided for in these rules and all questions relating to the detailed working of these rules shall be regulated in such manner as the Speaker may, from time to time direct.

Power to remove difficulties.

361. If any difficulty arises in giving effect to the provisions of these rules, the Speaker may, by order make such provision not inconsistent with the spirit of the rules as appear to him necessary.

CHAPTER - XXVII

MISCELLANEOUS

362. The Secretary shall cause necessary arrangements to be made at each sitting of the Assembly for electronic recording of the attendance of Members other than the Speaker, Deputy Speaker, Ministers, Leader of Opposition Parliamentary Secretaries, Chief Whip and Whips present.

Attendance Register.

Provided that a member who has failed to mark his presence may be marked as present on an application made by the member to the Speaker or Secretary.

363. (1) When communications relating to amendments of the Constitution of India which have to be ratified by the Assemblies under the proviso to Article 368 of the Constitution, are received from either House of Parliament such communication shall be laid on the Table.

Ratification of amendments to the Constitution.

(2) As soon as the communication is laid on the Table the Leader of the House shall move a resolution for ratification of the amendments by the Assembly.

(3) As soon as the resolution is passed by the Assembly an authenticated copy of the resolution shall be forwarded to the House of Parliament from which the amendments were received for ratification.

364. Every Member should declare his/her assets and liabilities to the Speaker within 30 days from taking of Oath and thereafter shall declare only whenever there is a change in his/her assets and liabilities before 31st of the next July while in office and such declaration shall be treated as a Public document.

Declaration of Assets and Liabilities.

¹. Added vide L.A.Bn.No. 72, Dt. 31.12.98

Damages to the Property.

¹[365. When a Member deliberately causes damage to the property of the House, the value thereof as determined by the Speaker or an Officer authorised by him shall be recovered from the Member.]

Action on grave Offences.

²[366. In the event of a grave offence committed on the floor of the House, by any Member, resulting in grievous injury to anybody, the Speaker shall in consultation with the Committee on Ethics/House initiate appropriate action.]

Enquiry into protocol violation.

³[367. Any violation of the instructions of the State Government or any direction of the Speaker issued from time to time on observance of protocol and courtesies in dealing with the Members of the House shall be taken up by the Committee of Privileges for examination and report.]

Etiquette for Members outside the House.

⁴[368. Supplementary norms of etiquette, Rules of Conduct for members outside the House including their conduct in study tours are set out in Schedules IV, V and VI respectively for observance by the Members.]

¹. Added vide L.A.Bn.No. 72, Dt. 31.12.98

². Added Ibid.

³. Added vide L.A.Bn.No. 12, Dt. 17.2.99.

⁴. Added vide L.A.Bn.No. 72, Dt. 31.12.98.

SCHEDULE - I

‘A’

(Vide rules 175 and 176)

**FORM OF COMMUNICATION REGARDING ARREST AND
DETENTION, AS THE CASE MAY BE, OF A MEMBER**

Place :

Date :

To
The Speaker,
Andhra Pradesh Legislative Assembly,
Public Gardens, Hyderabad.

Sir,

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 Sri..... Member of the Andhra Pradesh Legislative Assembly, be arrested/detained for (reasons for the arrest or detention, as the case may be)

Sri M.L.A. was accordingly arrested/taken into custody at (time) on (date) and is at present lodged in the Jail (Place).

Yours faithfully,

(Magistrate or Executive Authority)

‘B’

FORM OF COMMUNICATION REGARDING
CONVICTION OF A MEMBER

Place :

Date :

To
The Speaker,
Andhra Pradesh Legislative Assembly,
Public Gardens, Hyderabad.

Sir,

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

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

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

Yours faithfully,

(Judge or Magistrate)

* *Name of the Court.*

‘C’

FORM OF COMMUNICATION REGARDING
RELEASE OF A MEMBER

Place :

Date :

To
The Speaker,
Andhra Pradesh Legislative Assembly,
Public Gardens, Hyderabad.

Sir,

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

Yours faithfully,

(Judge, Magistrate or Executive Authority)

* *Strike out whichever is not applicable.*

SCHEDULE - II

(Vide rule 254)

LIST OF PUBLIC UNDERTAKINGS

1. A.P. State Agro Industries Dev. Corpn.
2. A.P. State Non-Resident Indian Investment Corpn. Ltd.
3. A.P. TRANSCO Ltd., A.P. GENCO Ltd.
4. A.P. State Road Transport Corpn.,
5. A.P. Beverages Corpn. Ltd.
6. A.P. State Civil Supplies Corpn. Ltd.
7. A.P. Electronic Dev. Corpn. Ltd.
8. A.P. State Film Television & Theatre Dev. Corpn. Ltd.
9. A.P. Fisheries Corporation Ltd.
10. A.P. Forest Dev. Corporation Ltd.
11. A.P. Handicrafts Dev. Corpn. Ltd.
12. A.P. State Housing Corporation Ltd.
13. A.P. Industrial Dev. Corpn. Ltd.
14. A.P. Indsl. Infrastructure Corpn. Ltd.
15. A.P. State Irrigation Dev. Corpn. Ltd.
16. Leather Industries Dev. Corpn. of A.P. Ltd.
17. A.P. State Meat & Poultry Dev. Corpn. Ltd.
18. A.P. Mineral Dev. Corpn. Ltd.
19. A.P. State Minorities Finance Corpn. Ltd.
20. Non-Conventional Energy Dev. Corpn. of A.P. Ltd.
21. Nizam Sugars Limited.
22. A.P. State Police Housing Corpn. Ltd.
23. A.P. State Seeds Dev. Corpn. Ltd.
24. Singareni Collieries Company Ltd.
25. A.P. Small Scale Industries Dev. Corpn. Ltd.
26. A.P. State Finance Corporation Ltd.
27. A.P. State Trading Corpn. Ltd.
28. A.P. Technology Service Ltd.
29. A.P. State Textile Dev. Corpn. Ltd.
30. A.P. State Travel & Tourism Dev. Corpn. Ltd.
31. A.P. Urban Devpn. & Housing Corporation Ltd.
32. A.P. State Ware Housing Corporation Ltd.

SCHEDULE - III

[Vide rule 5-A]

I, A. B. Member of
Andhra Pradesh Legislative Assembly

swear in the name of god that I shall abide by
solemnly affirm

and follow the Rules, observe the etiquette and respect the
conventions of the House.

SCHEDULE - IV

[Vide Rule 368]

Supplementary Norms of Etiquette

(1) During a meeting, a member may, if necessary, go out quietly by a back-door close to his seat without causing any disturbance to the House.

(2) Members should not talk amongst themselves when the House is at work, but, if indispensably necessary, they may do so only in very low voice so as not to disturb the proceedings.

(3) Every Member should resume his seat as soon as the Speaker rises to speak, or calls out 'Order' and also when any other Member is in possession of the Floor (i.e., speaking with the permission of the Chair) or has interposed in the course of the debate to raise a point of order, or to offer a personal explanation.

(4) Members, when in the Lobby, should avoid talking or laughing loud enough to be heard in the House.

(5) Members wishing to address the House or ask a question should raise their hands until they succeed in catching the eye of the Speaker. No member should speak unless he or she has caught, the eye of the Speaker, and has been called upon by him by name or by a sign to address the Chair or to put the question.

(6) Words containing insinuations, and offensive and unparliamentary expressions should be carefully avoided by all when addressing the Chair.

(7) When the Speaker holds that a particular word or expression is unparliamentary, it should be immediately withdrawn by the Member who has used it, without trying to raise any debate over it.

(8) No member is to argue with another Member or oppose him directly when the latter is speaking. He may, however, put through the Chair questions with a view to obtain information from the Member who is speaking. But a Member who is addressing the House with the permission of the Chair should not, as a general rule, be interrupted by another Member. It is open to the former not to give

way by resuming his seat, but to go on with his speech if the interruption is not due to the raising of a point of order.

(9) Document cited by a Member in the course of his speech, which is not available to other Members, should be placed by him on the Table of the House, if he is so directed.

(10) A statement made by a Minister from the records in his possession should be accepted as correct, unless a point is deliberately raised to challenge it.

(11) If any statement is imputed to another Member and the latter says that he did not make the statement, the contradiction should be accepted without demur; and

(12) When any Member offers a criticism of the speech of another Member, the latter is entitled to expect that the critic should be present in the House to hear the reply of the Member criticised. To be absent when the latter is replying is a breach of Parliamentary etiquette.

SCHEDULE - V

[Vide Rule 368]

Guidelines for Ethical Behaviour of Members-Outside the House

(1) Information given to Members in confidence or by virtue of their being Members of Committees of Legislature should not be divulged to any one nor used by them directly or indirectly in the profession in which they are engaged, such as in their capacity as Editors or Correspondents of News-papers or Proprietors of Business Firms and so on.

(2) A Member should not try to secure business from Government for a firm, company or organisation with which he is directly or indirectly connected.

(3) Every Member should take decisions solely in terms of public interest, but not in order to gain financial or other material benefits for himself/herself, their family members or friends.

(4) A Member should avoid giving certificates which are not based on facts.

(5) A Member should not make profit out of a Government residence allotted to him by sub-letting the premises.

(6) A Member should not unduly influence the Government officials or the Ministers in a case in which he is interested financially either directly or indirectly.

(7) A Member should not receive hospitality of any kind for any work that he desires or proposes to do from a person or organisation on whose behalf or for whose benefit the work to be done by him.

(8) A Member should not in his capacity as a Lawyer or a Legal Advisor or a Counsel or a Solicitor appear before a Minister or an Officer exercising quasi judicial powers.

(9) A Member should not endorse incorrect certificates on bills claiming amounts due to him.

(10) A Member of the House is entitled to approach an Officer at his Office to obtain information and make representation on public matters and the Officer shall furnish the required information as expeditiously as possible.

SCHEDULE - VI

[Vide Rule 368]

STUDY TOURS

During the study tour of Legislature Committees, Members may observe the following Code of Conduct.

- (1) Intermediate journeys should be avoided during the tours.
- (2) When transport is provided by Government/Undertakings during the tours of the Committee, such transport should be used for Committee work and not by individual members for distant private visits.
- (3) During tours, Members should take particular care to maintain proper dignity, decorum so that no criticism is made of the Committee in any manner.
- (4) No Member should give press statements regarding Committee proceedings. Whenever any briefing of the Press is required to be done, the same should be done by the Chairman of the Committee.
- (5) The Members should not accept any costly gifts during the tour. Inexpensive mementos connected with the organisation visited could however be accepted.
- (6) The Committee or Sub-Committee or Study group, while on tour, should not accept any invitation for lunch or dinner or other hospitality that might be extended by any private party connected with subject of study tour.
- (7) No Member should take any other person during the official tours. An attendant or member's spouse may accompany a member on medical grounds with the prior permission of the Speaker. In such cases, the Member may bear all expenses including hotel charges in respect of his/her spouse or attendant.
- (8) The spouse or attendant of a Member should in no case, accompany Committee Members during official study visit to any installation, undertaking, office or establishment and during informal discussions with officials of the concerned establishment, undertaking etc.

Code of Conduct during visits of Delegations to Foreign Countries:

(9) Members of a delegation during their official tours/visits should not give any Press interview or issue statement. Only the Leaders of the delegations are authorised to make Press statements or give interviews.

SEVENTH SCHEDULE

(see rule 297A)

Departments under the jurisdiction of the Standing Committees:

1. Standing Committee on Welfare:

- XXI - Social Welfare
- XXII - Tribal Welfare
- XXIII - Backward Classes Welfare
- XXIV - Minority Welfare

2. Standing Committee on Infrastructure Development - I

- VIII - Transport Administration
- XI - Roads, Buildings and Ports

3. Standing Committee on Infrastructure Development - II

- XXXV - Energy
- XXXVI - Industries and Commerce
- XL - Public Enterprises

4. Standing Committee on Human Resources:

- XII - School Education
- XIII - Higher Education
- XIV - Technical Education
- XV - Sports and Youth Services

5. Standing Committee on Urban Development:

- XVII - Municipal Administration & Urban Development
- XVIII - Housing

6. Standing Committee on Rural Development:

- XXXI - Panchayat Raj
- XXXII - Rural Development

7. Standing Committee on Revenue:

- V - Revenue, Registration and Relief
- VI - Excise Administration
- VII - Commercial Taxes Administration

8. Standing Committee on Employment Generation:

- XX - Labour and Employment
- XXXIX - Information Technology and Communications.
- XXXVII - Tourism, Art and Culture

9. Standing Committee on Agriculture:

- XXVII - Agriculture
- XXVIII - Animal Husbandary and Fisheries
- XXX - Co-operation
- XXXVIII - Civil supplies Administration

10. Standing Committee on Health:

- XVI - Medical and Health
- XXV - Women, Child and Disabled Welfare

11. Standing Committee on Forest and Environment:

- XXX - Forest, Science, Technology and Environment
- X - Home Administration

12. Standing Committee on Irrigation:

- XXXIII - Major Irrigation
- XXXIV - Minor Irrigation.

APPENDIX
THE MEMBERS OF ANDHRA PRADESH
LEGISLATIVE ASSEMBLY
(DISQUALIFICATION ON GROUND OF
DEFECTION) RULES, 1986

In exercise of the powers conferred by paragraph 8 of the Tenth Schedule to the Constitution of India, the Speaker, Andhra Pradesh Legislative Assembly hereby makes the following Rules namely:-

1. These Rules may be called the Members of Andhra Pradesh Legislative Assembly (Disqualification on Ground of Defection) Rules, 1986. Short title.

2. In these Rules, unless the context otherwise requires,-- Definitions.

(a) "Bulletin" means the Bulletin of the House containing information of any matter relating to or connected with the business of the House or of the Committees or other matter which in the opinion of the Speaker may be included therein;

(b) "Committee" means the Committee of Privileges of the House;

(c) "Form" means a form appended to these Rules;

(d) "Date of commencement" in relation to these Rules, means the date on which these Rules take effect under sub-paragraph (2) of paragraph 8 of the Tenth Schedule;

(e) "House" means the Andhra Pradesh Legislative Assembly;

(f) "Leader" in relation to a Legislature Party, means a member of the party chosen by it as its Leader, and includes any other member of the party authorised by the party to act in the absence of the Leader, or discharge the functions of the leader of the party for the purpose of these Rules;

(g) "Member" means a member of the Legislative Assembly;

(h) "Tenth Schedule" means the Tenth Schedule to the Constitution of India;

(i) "Secretary" means Secretary to the Assembly and includes any person for the time being performing the duties of the Secretary.

Information to be furnished by leader of a Legislature party.

3. (1) The Leader of each Legislature Party (other than a Legislature Party consisting of only one member) shall, within thirty days after the first sitting of the House, or, where such Legislature Party is formed after the first sitting, within thirty days after its formation, or, in either case within such further period as the Speaker may for sufficient cause allow, furnish the following to the Speaker, namely--

(a) A statement (in writing) containing the names of the members of such Legislature party together with other particulars regarding such members as in Form-I and the names and designations of the members of such party who have been authorised by it for communicating with the Speaker for purposes of these rules;

(b) a copy of the rules and regulations (whether known as such or as constitution or by any other name) of the political party concerned; and

(c) where such Legislature party has any separate set of rules and regulations (whether

known as such or as constitution or by any other name) also a copy of such rules and regulations.

(2) Where a Legislature party consists of only one member, such member shall furnish a copy of the Rules and Regulations mentioned in clause (b) of sub-rule (1) to the Speaker, within thirty days after the first sitting of the House or, where he has become a member of the House after the first sitting, within thirty days after he has taken his seat in the House, or in either case within such further period as the Speaker may for sufficient cause allow.

(3) In the event of any increase in the strength of a Legislature Party consisting of only one member, the provisions of sub-rule (1) shall apply in relation to such Legislature Party as if such Legislature Party has been formed on the first date on which its strength increased.

(4) Whenever any change takes place in the information furnished by the Leader of a Legislature Party under sub-rule (1) or by a member under sub-rule (2), he shall within thirty days thereafter, or, within such further period as the Speaker may for sufficient cause allow, furnish in writing information to the Speaker with respect to such change.

(5) In the case of the House in existence on the date of commencement of these rules, the reference in sub-rules (1) and (2) to the date of the first sitting of the House shall be construed as a reference to the date of commencement of these Rules.

(6) Where a member belonging to any political party votes or abstains from voting in the House contrary to any direction issued by such political party or by any person or authority authorised by it in this behalf, without obtaining, in either case, the

prior permission of such political party, person or authority, the Leader of the Legislature Party concerned or where such member is the Leader, or as the case may be, the sole member of such Legislature Party, such members, shall, as soon as may be after the expiry of fifteen days from the date of such voting or abstention, and in any case within thirty days from the date of such voting or abstention, inform the Speaker as in Form II whether such voting or abstention has or has not been condoned by such political party, person or authority.

Explanation:- A Member may be regarded as having abstained from voting only when he being entitled to vote voluntarily refrained from voting.

Information
etc., to be
furnished by
members.

4. (1) Every member who has taken his seat in the House before the date of commencement of these Rules shall furnish to the Secretary, within thirty days from such date or within such further period as the Speaker may for sufficient cause allow, a statement of particulars and declaration as in Form III.

(2) Every member who takes his seat in the House after the commencement of these Rules, shall, before making and subscribing an oath or affirmation under Article 188 of the Constitution and taking his seat in the House, deposit with the Secretary, his election certificate or, as the case may be a certified copy of the Notification nominating him as a member and also furnish to the Secretary a statement of particulars and declaration as in Form III.

Explanation:- For the purposes of this sub-rule "Election Certificate" means the certificate of election issued under the Representation of the Peoples Act, 1951 (43 of 1951) and the Rules made thereunder.

(3) A summary of information furnished by the members under this rule shall be published in the Bulletin and if any discrepancy therein is pointed out to the satisfaction of the Speaker, necessary corrigendum shall be published in the Bulletin.

5. (1) The Secretary shall maintain, as in Form IV a register based on the information furnished under rules 3 and 4 in relation to the members.

Register of information as to Members.

(2) The information in relation to each member shall be recorded on a separate page in the Register.

6. (1) No reference of any question as to whether a member has become subject to disqualification under the Tenth Schedule shall be made except by a petition in relation to such member made in accordance with the provisions of this Rule.

References to be by petitions.

(2) A Petition in relation to a member may be made in writing to the Speaker by any other member;

Provided that a Petition in relation to the Speaker shall be addressed to the Secretary.

(3) The Secretary shall,--

(a) as soon as may be after the receipt of a petition under the proviso to sub-rule (2) make a report in respect thereof to the House; and

(b) as soon as may be after the House has elected a Member in pursuance of the proviso to sub-paragraph (1) of paragraph 6 of the Tenth Schedule place the petition before such member.

(4) Before making any Petition in relation to any member, the petitioner shall satisfy himself that there are reasonable grounds for believing that a question has arisen as to whether such member

has become subject to disqualification under the Tenth Schedule.

(5) Every Petition,--

(a) shall contain a concise statement of the material facts on which the Petitioner relies; and

(b) shall be accompanied by copies of the documentary evidence, if any, on which the petitioner relies and where the petitioner relies on any information furnished to him by any person, a statement containing the names and addresses of such persons and the gist of such information as furnished by each such person.

(6) Every petition shall be signed by the petitioner and verified in the manner laid down in the Code of Civil Procedure, 1908 (5 of 1908) for the verification of Pleadings.

(7) Every annexure to the Petition shall also be signed by the Petitioner and verified in the same manner as the petition.

Procedure

7. (1) On receipt of petition under rule 6, the Speaker shall consider whether the petition complies with the requirements of that rule.

(2) If the Petition does not comply with the requirements of rule 6, the Speaker shall dismiss the Petition and intimate the petitioner accordingly.

(3) If the Petition complies with the requirements of rule 6 the Speaker shall cause copies of the Petition and of the annexures there-to to be forwarded:

(a) to the member in relation to whom the petition has been made; and

(b) where such member belongs to any Legislature party and such petition has not been made by the Leader thereof, also to such Leader and such member or Leader shall within seven days of the receipt of such copies, or within such further period as the Speaker may for sufficient cause

allow, forward his comments in writing thereon to the Speaker.

(4) After considering the comments, if any, in relation to the Petition, received under sub-rule (3) within the period allowed (whether originally or on extension under that sub-rule), the Speaker may either proceed to determine the question or, if he is satisfied, having regard to the nature and circumstances of the case that it is necessary or expedient so to do, refer the petition to the Committee for making a preliminary inquiry and submitting a report to him.

(5) The Speaker shall, as soon as may be after referring a petition to the Committee under sub-rule (4), intimate the petitioner accordingly and make an announcement with respect to such reference in the House or, if the House is not then in session, cause the information as to the reference, to be published in the Bulletin.

(6) Where the Speaker makes a reference under sub-rule (4) to the Committee, he shall proceed to determine the question as soon as may be after receipt of the report from the Committee.

(7) The procedure which shall be followed by the Speaker for determining any question and the procedure which shall be followed by the Committee for the purpose of making a preliminary inquiry under sub-rule (4) shall be, so far as may be, the same as the procedure for inquiry and determination by the Committee of any question as to breach of privilege of the House by a member and neither the Speaker nor the Committee shall come to any finding that a member has become subject to disqualification under the Tenth Schedule without affording a reasonable opportunity to such member to represent his case and to be heard in person.

(8) The provisions of sub-rules (1) to (7) shall apply with respect to a petition in relation to the Speaker as they apply with respect to a Petition in relation to any other member and for this purpose, reference to the Speaker in these sub-rules shall be construed as including references to the member elected by the House under the proviso to sub-paragraph (1) of paragraph 6 of the Tenth Schedule.

Decision on
Petitions.

8. (1) At the conclusion of the consideration of the petition, the Speaker or as the case may be, the member elected under the proviso to sub-paragraph (1) of paragraph 6 of the Tenth Schedule shall by order in writing:

(a) dismiss the petition, or

(b) declare that the member in relation to whom the petition has been made has become subject to disqualification under the Tenth Schedule, and cause copies of the order to be delivered or forwarded to the Petitioner, the member in relation to whom the petition has been made and to the Leader of the Legislature party, if any, concerned.

(2) Every decision declaring a member to have become subject to disqualification under the Tenth Schedule shall be reported to the House forthwith if the House is in session, and if the House is not in session, immediately after the House reassembles.

(3) Every decision referred to in sub-rule (1) shall be published in the Bulletin and notified in the official Gazette and copies of such decision forwarded by the Secretary to the Election Commission of India and the Government.

Directions as
to detailed
working of
these Rules.

9. The Speaker may, from time to time, issue such directions as he may consider necessary in regard to the detailed working of these Rules.

FORM - I

[See Rule 3 (1) (a)]

Name of the Legislature Party :

Name of the Corresponding Political Party :

Sl. No.	Name of the member (in block letters).	Father's/ Husband's name	Permanent address.	Name of the constituency from which elected.
(1)	(2)	(3)	(4)	(5)

Dated: Signature of the Leader of the Legislature Party.

FORM - II

[See Rule 3 (6)]

To

The Speaker,
Andhra Pradesh Legislative Assembly,
Public Gardens, Hyderabad.

Sir,

At the sitting of the House held on..... (date)
during voting on..... (Subject matter)

*Shri	M.L.A.	*I.....
(Division No.)		(name of the member)
member of		M.L.A. (Division No.)
(name of Political party) and		member of
member of		(name of the political party) and
(name of Legislature Party) had		Leader of/sole member
voted/abstained from voting.		of..... (name of Legislature
		party) voted/abstained from
		voting.

contrary to the direction issued by.....
*(Person/authority/Party) without obtaining the prior permission of
the said * person/authority/party.

2. On..... *(date) the aforesaid matter was
considered by..... *(person/authority/party) and the said
voting/abstention was ** condoned/was not condoned by him/it.

Yours faithfully

(Signature)

Date :

** Strike out inappropriate words/portions.

* (here mention the name of the Person/Authority/Party, as the case may
be, who had issued the direction.)

FORM - III

[See Rule 4]

- 1. Name of the Member (in block letters) :
- 2. Father's/ Husband's Name ;
- 3. Permanent Address ;
- 4. Hyderabad Address :
- 5. Date of Election / Nomination :
- 6. Party affiliation as on
 - (i) Date of Election/ Nomination :
 - (ii) Date of Signing this form :

DECLARATION

I, hereby declare that the information given above is true and correct.

In the event of any change in the Information given above, I undertake to intimate the Speaker immediately.

Date :

Signature/thumb-impression of the Member.

FORM - IV

[See Rule 5 (1)]

Name of the member (in Block letters)	Father's/ Husband's Name	Permanent address	Hyderabad address	Name of the constituency from which elected	Date of election/ nomination	Name of political party to which he belongs	Name of Legislature party to which he belongs	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)