

PRIVATE MEMBERS' BUSINESS :

Every member of the Legislative Assembly, who is not a Minister, is known as a Private Member. The last two hours of a sitting on Friday are allotted for transaction of Private Members' Business which may comprise of Bills, if any, or Resolutions. The procedure in the case of Private Members' Bills is akin to that of the Government Bills. A resolution is one of the procedural devices to raise discussion on any matter in the House of the Legislature. A resolution can be moved by a member or by a Minister. Resolution which is moved by a member is called Private Members' Resolution.

Form of resolution :

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

Notice :

A member, who wishes to move a resolution, has to give his intention to move the same. The notice should contain the text of the resolution which he intends to move. The period of notice is ten days.

Balloting of Resolutions :

The names of members from whom notices of resolutions are received are balloted and those securing the first five places in the ballot for any particular day allotted for Private Members' resolutions are put down in the list of Business in the order determined by ballot.

Condition of admissibility :

The resolution should satisfy the following conditions for admission:-

- (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 Court of Law having jurisdiction in any part of India.

Speaker to decide admissibility of Resolution:

The Speaker decides the admissibility of resolution. He may disallow a resolution or a part thereof, when in his opinion, it does not comply with the rules.

Bar on raising discussion on matters before Tribunals:

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. However, the Speaker may, in his discretion, allow such matters 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.

Moving of Resolutions :

A member in whose name a resolution stands on the list of Business should, except when

he wishes to withdraw it, when called on, move the resolution, in which case he shall commence his speech by a formal motion in the terms appearing in the list of Business. If a member other than a Minister when called on 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 to Resolutions

After a resolution is moved, any member may move an amendment to the resolution, if notice of such amendment has not been given the day previous to the date on which the resolution is moved, it should not be accepted unless the Speaker otherwise directs. A list of amendments is prepared and made available to members.

Scope of discussion:

Discussion on a resolution is strictly relevant to and within the scope of resolution.

Withdrawal :

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 should confine himself to a mere statement to that effect. A member who has moved a resolution or amendment to a resolution should not

withdraw the same except by leave of the House.

Splitting of Resolution :

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

When a resolution has been moved and disposed of, no resolution or amendment raising substantially the same matter should be moved within six months from the date of the disposal of the earlier resolution, when a resolution has been moved with the leave of the House, no resolution or amendment raising substantially the same question shall be moved during the same Session.

A copy of the resolution which has been passed by the House is forwarded to the Government.

