

PARLIAMENTARY ETIQUETTE

The Rules which the members are required to observe in the House are technically known as Parliamentary Etiquette. These are based on the Rules of Procedure and Conduct of Business in the Assembly, conventions and also on the Rulings, given by the Speaker from time to time. The following is the list of some of the important rules of Parliamentary Etiquette which members have generally to observe in the House.

- (1) Members should be present in the House few minutes before
 - (i) the scheduled time of commencement of sitting;
 - (ii) the time fixed by the Chair for reassembly after adjournments in a day: When the Speaker comes to take the Chair in the House, his arrival is announced. As soon as the Speaker enters, the members should rise in their places. Members who enter the House at that time stand silently till the Speaker takes the Chair and thereafter they should go to their seats;
- (2) Members should bow to the Chair while entering or leaving the House and also when taking and leaving their seats;
- (3) Members should not read any book, newspaper or letter except in connection with the Business of the House;
- (4) Members should not interrupt any member while speaking by dis-orderly

expression or noises or in any other dis-orderly manner;

- (5) Members should not leave the House when the Speaker is addressing the House;
- (6) A member should keep to his usual seat while addressing the House;
- (7) Members should maintain silence when not speaking in the House;
- (8) A member should not obstruct proceedings, hiss or interrupt and should avoid making running commentaries when another member is speaking;
- (9) Members should not applaud when a stranger enters any of the Galleries;
- (10) Members should not shout slogans in the House;
- (11) A member should not sit or stand with his back towards the Chair;
- (12) Members should not wear or display badges of any kind in the House;
- (13) Members should not bring or display arms in the House;
- (14) Members should not display flags, emblems or any exhibits in the House;
- (15) A member should not leave the House immediately after delivering his speech; COURTESY to the House requires that after finishing their speeches members resume their seats and leave the House only afterwards, if necessary;
- (16) Members should not distribute within the precincts of House any Literature, questionnaire, pamphlets, press

notes, leaflets etc., not connected with the Business of the House;

- (17) A member should not carry walking stick into the House unless permitted by the Speaker on health grounds;
- (18) A member should not tear off documents in the House in protest;
- (19) A member should not bring Cellular Phones, Pagers or play cassette or tape recorders in the House;
- (20) Member should avoid talking or laughing in lobby loud enough to be heard in the House;
- (21) Member shall not sit Satyagraha or Dharna inside the House;
- (22) Members should not stand in the passage of Chamber. They should either sit down or go out;
- (23) A member should not "cross the floor" when the House is sitting that is , he should not pass between the Chair and the Member who is speaking.
- (24) During the sitting, a member should, if necessary, go out quietly by a back door close to his seat without causing any disturbance to the House;
- (25) Members should not talk among themselves when the House is at work, but if indispensibly necessary they may do so only in very low voice so as not to disturb the proceedings;
- (26) While the House is sitting, every member should enter and leave the chamber with decorum and in such a manner as not to disturb the proceedings in the House;

- (27) 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 until he or she has caught the eye of the Speaker and has been called upon by him, by name or by sign to address the Chair or to put the question;

- (28) A member while speaking should not
 - (i) refer to any matter of fact on which a judicial decision is pending;
 - (ii) make personal charge against another member;
 - (iii) use offensive expressions about the conduct or proceedings of Parliament or any State Legislature;
 - (iv) reflect on any determination of the House except on a motion for rescinding it;
 - (v) reflect upon the conduct of persons in high authority unless the discussion is based on a substantive motion drawn in proper terms;

Explanation : The word persons in high authority mean 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 reasonable, seditious or defamatory words;

- (vii) use his right of speech for the purpose of obstructing the business of the House;
 - (ix) make any reference to the strangers in any of the galleries;
 - (x) refer to Government officials by name; read a written speech except with the previous permission of the Chair;
 - (xii) address individual members of the House but should address the Chair; and
 - (xiii) question or comment on the Ruling of the Speaker except on a substantive motion.
- (29) No member should raise in the House the subject matter of a notice or a communication sent by him to the Speaker or Legislature Secretariat unless he has been specifically permitted by the Speaker. If no intimation has been received by the member, he should presume that the matter is under the consideration of the Speaker.
- (30) 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.
- (31) A member should not read the speech for another member.

- (32) It is desirable that, as far as practicable, a member should not be referred to by name, but in some other suitable way, e.g., as "the member who has last spoken, the member representing... constituency", "the member from...", etc. If unavoidably necessary, full name may be used.
- (33) 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 obtaining information from the member who is speaking.
- But a member who is addressing the House with the permission of the Chair, should not be interrupted by another member. It is open to give way by resuming his seat but to on with his speech if his interruption is not due to raising a point of order.
- (34) Repetition of the arguments of previous speakers or one's own should as far as practicable, be avoided.
- (35) No member should speak to the Galleries from inside the House nor should he make any reference or appeal to the persons seated there.
- (36) It is not in order for members, other than ministers to consult officials in the Official Gallery from inside the House.

- (37) Documents cited by a member in course of his speech, which are not available to other members, should be kept ready to be placed by him on the Table of the House, if there is demand to that effect and the Chair so directs.
- (38) Words containing insinuations offensive and unparliamentary expressions should *be* avoided.
- (39) When the Chair holds that a particular word or expression is unparliamentary, it should be immediately withdrawn without any attempt to raise any debate over it.
- (40) A member having personal, pecuniary or direct interest in a matter to be decided by the House is expected, while taking part in the proceedings on that matter, to declare his interest, it would avoid raising of objections regarding his vote at the time of division.
- (41) When a member is making the maiden speech, he should not be interrupted.
- (42) 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.
- (43) A member against whom charges are made personally on the floor of the House may, with the permission of the speaker, make a personal explanation although there is no

question before the House. In this case no debatable matter should be brought forward and no debate should arise.

- (44) If any statement is imputed to another member, and the latter says that he did not make that statement, the contradiction should be accepted without demur.
- (45) the Speaker may direct any member whose conduct in his opinion is disorderly to withdraw immediately from the House, and any member so ordered to withdraw should do so forthwith and should absent himself during the remainder of the day's sitting.
- (46) when any member offers a criticism of another member or Minister, the latter is entitled to expect that the critic should be present in the House to hear his reply. To be absent when the latter is replying is a breach of parliamentary etiquette.

Guidelines for ethical behavior 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.

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

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 statement 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 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 Member during official study visit to any installation, undertaking, office or establishment and during informal discussions with officials of the concerned establishment, undertakings etc.

Code of conduct during visit of delegations to foreign countries

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.

