



SIKKIM LEGISLATIVE ASSEMBLY SECRETARIAT

NAM NANG, GANGTOK

BULLETIN PART-II

(GENERAL INFORMATION RELATING TO AUXILIARY ACTIVITIES OF ASSEMBLY SECRETARIAT)

VOL.NO. XI/01/01

GANGTOK, 11TH JUNE, 2024

1. SUMMONING OF THE HOUSE

In exercise of the power conferred by clause (1) of Article 174 of the Constitution, Hon'ble Governor of Sikkim, Shri Lakshman Prasad Acharya has been pleased to summon the Sikkim Legislative Assembly to meet on 12th June, 2024 at 11.00 a.m. vide Order No. SKM/GOV/2024/952, dated 11th June, 2024 in Sikkim Legislative Assembly Secretariat.

2. OATH OR AFFIRMATION

Kind attention of the Hon'ble Members is invited to Article 188 of the Constitution of India which is reproduced below;

Article 188. Oath or Affirmation by the Hon'ble Members "Every Member of Legislative Assembly or the Legislative Council of a State shall, before taking his seat, make and subscribe before the Governor, or some person appointed in that behalf by him, an oath or affirmation according to the form set out for the purpose in the Third schedule."

3. IMPLICATION OF SUBSCRIBING OATH OR AFFIRMATION

Hon'ble Members may like to refer to the Rights of Members prior to making Oath or Affirmation as written in the Practice and Procedure of Parliament by M.N. Kaul and S.L Shakhder (Seventh Edition) at page nos. 413 & 414. The relevant portions are reproduced below;

"A person becomes a member of the House from the date on which he is declared elected by the Returning Officer but he is not entitled to sit and vote in the House until he has made and subscribed the prescribed oath or affirmation and taken his seat in the House, he is, however, entitled to receive

his salary as a member from the date of production of the notification of the Election Commission constituting the House.

He is also entitled to other rights of a member. He can be elected to the Office of the Speaker or Deputy Speaker or nominated and elected as a member of a Select or other Committee of the House but he cannot function as a member of such Committee until he has made and subscribed the oath or affirmation and taken seat in the House.

A member who has not taken seat in the House can give notice of a question or a resolution and these can be admitted but neither he nor any member on his behalf is entitled to ask the question or move the resolution.

A member who has not made and subscribed the oath or affirmation or taken seat in the House is entitled to ask for leave of absence from the sittings of the House in order to guard against vacation of his seat. A member can also resign his seat before making and subscribing the oath or affirmation and taking seat in the House.”

Furthermore, Hon’ble Members may also like to go through the Parliamentary Procedure (Law, Privileges, and Practice & Precedents) Second Edition written by Subash C. Kashyap at Clause 13.2, page no. 63 which states *“until he has made and subscribed the prescribed oath or affirmation, a member is not entitled to sit or vote or to perform any other function in the House or in the Committee of which he may be named a member. Otherwise, he is entitled to all privileges of a member.”*

4. LANGUAGES OF OATH OR AFFIRMATION

There are arrangements for Hon’ble Members to take Oath or Affirmation in Hindi, English, Nepali and other recognized official languages of the State. Hon’ble Member who wish to subscribe the Oath or Affirmation in any official languages viz. Lepcha, Bhutia, Limboo, Tamang, Manger, Sherpa, Rai, Sunuwar, Gurung, Newar, he/she may inform this Secretariat in advance to enable Assembly Secretariat to make arrangements accordingly.

5. FORMALITIES TO BE FULFILLED BY THE LEADER OF LEGISLATURE PARTIES AND THE HON'BLE MEMBERS

All Hon'ble Members may like to note that they should submit self-attested copy of Election Certificate issued by Competent Authority to the Secretary, Assembly Secretariat before the Oath or Affirmation in pursuance to Rule 4(2) of the Members of the Sikkim Legislative Assembly (Disqualification of Ground of Defection) Rules, 1985.

Hon'ble Leader of the Legislature Parties are requested to fill up the **Form I** as provided under Rule 3 and all Hon'ble Members are requested to fill up the Form III and Form IV, as provided under Rule 4 & 5 of the Members of the Sikkim Legislative Assembly (Disqualification of Ground of Defection) Rules, 1985 which have already been circulated and may be obtained from the Office of the Principal Director, Sikkim Legislative Assembly Secretariat, Sonam Tshering Marg, Gangtok.

6. ELECTION OF THE SPEAKER AND DEPUTY SPEAKER

Hon'ble Members are hereby informed that as per Rule 7(1) and 8 (1) of the Rules of Procedure and Conduct of Business in the Sikkim Legislative Assembly, the Hon'ble Governor has fixed 12th June, 2024 as the date for the election of the Speaker and the Deputy Speaker of the House.

7. RULES TO BE OBSERVED BY HON'BLE MEMBERS

Kind attention of Hon'ble Members is invited to Rules 294 of the Rules of Procedure and Conduct of Business of the Sikkim Legislative Assembly which is reproduced below.

294. *Whilst the House is sitting, a member: -*

- (i) *shall not read any book, a newspaper or letter except in connection with the business of the House;***
- (ii) *shall not interrupt any member while speaking by disorderly expression or noises or in any other improper 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 applaud when a stranger enters any of the Galleries;*
- (x) *shall not while speaking make any reference to the strangers in any of the Galleries;*
- (xi) *shall not obstruct proceedings, hiss or interrupt and shall avoid making running commentaries when speeches are being made in the House;*
- (xii) *Shall not shout slogans in the House;*
- (xiii) *shall not sit or stand with back towards the Chair;*
- (xiv) *Shall not approach the Chair personally in the House. The Member may send chits to the officer at the Table, if necessary;*
- (xv) *Shall not wear to display badges of any kind in the House except the National Flag and SLAS badge in the form of a lapel pin or a badge;*
- (xvi) *shall not bring or display arms and electronic gadgets in the House;*
- (xvii) *shall not display flags, emblems or any exhibits in the House;*
- (xviii) *shall not leave the House immediately after delivering the speech;*
- (xix) *shall not distribute within the precincts of Assembly Building any literature, pamphlets, press notes, leaflets etc. not connected with the business of the House;*
- (xx) *shall not place one's hat / cap on the desk in the House, bring boards in the Chamber for keeping files or for writing purposes, smoke or enter the House with coat hanging on the arms;*
- (xxi) *shall not carry walking stick into the House unless permitted by the Speaker on health grounds;*
- (xxii) *shall not tear off documents in the House in protest;*
- (xxiii) *shall not bring or play cassette or tape recorder or similar electronic gadgets in the House;*

- (xxiv) *shall avoid talking or laughing in Lobby loud enough to be heard in the House;*
- (xxv) *shall not enter the House in an inebriated state.*

8. ISSUE OF VISITOR'S PASS


Hon'ble Members should give the following certificate to **two visitors only** in the given Performa which has already been circulated and is also available in the Sikkim Legislative Assembly Secretariat while recommending to the Visitors' Gallery;

"The above-named visitor is well known to me. I recommend him/her for issue of Pass for Visitors' Gallery for the above day and I shall take full responsibility of him/her."

9. MOBILE PHONES

Hon'ble Members are requested to kindly deposit their Mobile Phones at the entrance counter/desk while they are entering into the Assembly Hall.

The Session papers will also be uploaded in the Assembly Secretariat's website www.sikkim.neva.gov.in in which the Hon'ble Members may like to visit.


(Lalit Kumar Gurung)
Secretary