

**RULES OF PROCEDURE  
AND  
CONDUCT OF BUSINESS  
IN THE  
BIHAR VIDHAN SABHA**

**TWELFTH EDITION**



**BIHAR VIDHAN SABHA SECRETARIAT  
PATNA  
2023**



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RULE	<b>Rules</b>
	PAGES

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## **RULES OF PROCEDURE AND CONDUCT OF BUSINESS IN THE BIHAR VIDHAN SABHA**

[English Text of the rules in Hindi as adopted by the Assembly on the 21st December, 1965 under Article 208(1) of the Constitution and enforced on the 1st January, 1966 and amended up to 10th March, 2022]

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## RULES OF PROCEDURE AND CONDUCT OF BUSINESS IN THE BIHAR VIDHAN SABHA

### PRELIMINARY

1. *Short title and commencement*:- (1) These rules shall be called the Rules of Procedure and Conduct of Business in the Bihar Vidhan Sabha.

(2) They shall come into force on such date as the Speaker may notify after consulting the Leader of the House.

2. *Definitions*:- (1) In these rules, unless the context otherwise requires,-

“Assembly” means the Bihar Legislative Assembly (Bihar Vidhan Sabha);

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

“Chief Minister” means a member of the Council of Ministers appointed as such by the Governor under the Constitution;

“Clear days” includes Sundays and holidays but does not include the day of receipt of a notice by the Secretary;

“Committee of the Vidhan Sabha” means a Committee which is appointed or elected by the Vidhan Sabha or nominated by the Speaker and which works under the direction of the Speaker and presents its report to the House or to the Speaker;

“Constitution” means the Constitution of India;

“Council” means the Bihar Legislative Council (Bihar Vidhan Parishad);

“Deputy Minister” means a member appointed as such by the Governor;

“Deputy Speaker” means the person holding the office of the Deputy Speaker under Article 178 of the Constitution;

“Finance Minister” means the Minister-in-charge of the portfolio of Finance or any other Minister to whom he may delegate any of his functions for the purpose of these rules;

“Gazette” means the *Bihar Gazette*;

“House” means a House of the Bihar Legislature;

“Leader of the House” means the Chief Minister or any other Minister authorised by the Chief Minister to perform the functions of the leader of the House under these rules;

“Lobby” means the covered corridor immediately adjoining the chamber and coterminous with it;

“Member” means a member of the Assembly and includes a Minister;

Provided that a Minister who is not a member and the Advocate General shall be deemed to be members for the purpose of speaking in, moving motions and otherwise taking part in the proceedings of the Assembly, but shall not by virtue of this rule be deemed to vote on any question or be deemed to be members for the purpose of forming quorum;

“Member-in-charge” in the case of a resolution or motion means the member who has moved or made such a resolution or motion;

“Member-in-charge of the Bill” means in the case of a Government Bill, any Minister, or in any other case, the member who has introduced the Bill or a member authorised in writing by such member to act in his behalf, or when the Bill has been transmitted from the Council, any Minister, or the member who has given notice of his intention to move that the Bill be taken into consideration;

“Minister” means a member of the Council of Minister or a Minister of State or a Deputy Minister, and includes a Parliamentary Secretary, or any other member to whom such Minister may delegate any function assigned to him under these rules;

“Minister of State” means a member appointed as such by the Governor;

“Motion” means a proposal relating to any matter which may be discussed by the Assembly and made by a member for the consideration of the Assembly, and includes a resolution or an amendment to a motion;

“Naming a Member” means drawing by the Speaker the attention of the House to the conduct of a member with a view to action being taken against him;

“Originating House” means the House in which a Bill originally introduced;

“Parliamentary Secretary” means a member holding the office of Parliamentary Secretary under the Government of Bihar;

“Precincts of the Assembly” means the Assembly Building with the following boundaries:-

- (i) *North-The* thick white line drawn east to west across the road in between the porticos of the Assembly Chamber and the Chamber of the Bihar Legislative Council;
- (ii) *South-The* inner edge of the road running east to west immediately south of the Administrative Block of the Assembly;
- (iii) *East-The* inner edge of the road running north to south immediately east of the porticos of the Assembly Chamber and the Administrative Block of the Assembly;
- (iv) *West-The* inner edge of the road running north to south immediately west of the Assembly Chamber and the Administrative Block of the Assembly including the Library of the State Legislature;

“President” means the President of India;

“Private Member” means a member other than a Minister, a Minister of State, a Deputy Minister or a Parliamentary Secretary;

“Rules” means the rules made by the Assembly under clause (1) of Article 208 of the Constitution;

“Secretary” means the Secretary of the Assembly and includes any person for the time being performing the duties of the Secretary;

“Sergeant-at-Arms” means any person appointed as such or any officer to whom duties of Sergeant-at-Arms under these rules and other cognate duties may be assigned under the direction of the Speaker;

“Session” means the period commencing with the first meeting of the Assembly summoned by the Governor and ending with its prorogation;

“Speaker” means the person holding the office of the Speaker under Article 178 of the Constitution;

“Statutory motion” means a motion which is made in pursuance of any statute or enactment for the time being in force; and

“Vidhan Sabha Secretariat” means and includes the Vidhan Sabha Secretariat at Patna and any camp office set up outside Patna for the time being for, or under the authority of, the Speaker.

(2) The words and expressions defined in the Constitution and not defined in these rules shall have the meaning assigned to them in the Constitution.

PART I

**Summoning of the Assembly and effect of its Prorogation**

3. *Summoning of Assembly:—*

(1) On the issue of a notification by the Governor under Article 174 of the Constitution appointing the time and place for a session of the Assembly the Secretary shall issue a summon to each member specifying the time and place so appointed.

(2) The summons under sub-rule (1) shall ordinarily be issued four weeks before the date so fixed:

Provided that when a session is called at short notice or emergently, an announcement of the date and place of the session may be published in the Gazette and in the Press, and members may be informed by modern mediums of communications.

4. *Termination of session:—On the termination of a session by prorogation :—*

- (i) all pending notices except those in respect of privilege motions, motions for leave to introduce a Bill, statutory motions, motions for the amendment of the rules and the



motions for the consideration which has been adjourned to the next session under these rules, shall lapse;

- (ii) bills shall be carried over to the next session from the stage reached by them in the preceding session:

Provided the proceedings pending before a Committee of the House shall not lapse by reason only of prorogation :

Provided further that short notice, starred and un-starred questions, sent to the Government departments before the termination of the session shall not lapse on prorogation of the Assembly and their replies shall be laid on the Table of the House during the following session.

5. *Dissolution of the House :-*

- (1) On the dissolution of the House, all pending notices shall lapse.
- (2) Notwithstanding anything contained in sub-rule (1) a motion of privilege pending before the dissolved House may be renewed or revived by a fresh motion.

*Explanation*-A fresh motion for renewal or revival of a lapsed privilege motion shall be subject to the same condition and restrictions as are applicable to motions of privileges in general as provided in rules 242 to 245 of these rules except rule 244 (ii).

PART II

**Governor's Address and message to Assembly**

6.(1) *Governor's address under Article 176 of the Constitution:-*

At the time and place appointed for the commencement and holding of-

- (i) the first session after each general election to the Legislative Assembly;
- (ii) the first session of each year, the Governor will address both Houses assembled together as required by Article 176 of the Constitution; and
- (iii) Any disturbance created at the time of entry of the Governor to the House or any attempt to create disturbance to his entry to the House shall be termed as against the Rules and

Conduct of Business of Bihar Vidhan Sabha, and contempt proceeding against such member or members indulging in such activities will be started.

Provided that the making of the prescribed oath or affirmation by a member and, in the case on the first session held after general election, the election of the Speaker may precede the Governor's address.

(2) A debate on the address shall take place in the Assembly on a motion made by a member and seconded by another member. The form of the motion shall be-

“That the members are grateful to the Governor for the address”

The debate on the address shall be of a general character for which not more than four days shall be available to the Assembly. Amendments may be moved to such motion in such form as may be considered appropriate by the Speaker.

(3) The debate on the address shall, on the first day, take precedence over all other business except questions or any formal business, but on any subsequent day or days it may be interrupted in favour of-

- (a) a question of breach of any of the privileges of the Assembly or of the members thereof;
- (b) a motion for an adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance;
- (c) an urgent Government Bill; or
- (d) private members' business on the day appointed for it.

(4) The Speaker may prescribe a time-limit for speeches.

(5) The Chief Minister or any other Minister, whether he has previously taken part in the discussion or not, shall, on behalf of the Government, have a general right of explaining the position of Government at the end of the discussion and the Speaker may enquire how much time will be required for the speech so that he may fix the hour by which the discussion shall conclude.

(6) A copy of the motions adopted shall be communicated to the Governor in such manner as the Speaker may determine.

(7) The Speaker shall report to the Assembly the reply of the Governor to the motion.

**7. Governor's address under Article 175 (1) of the Constitution:-** There shall be no debate on the address of the Governor made under Article 175 (1) of the Constitution except that the contents of the address may be referred to in any debate in the Assembly.

**8. Message of the Governor under Article 175 (2) of the Constitution:-** Where a message under Article 175 (2) of the Constitution from the Governor to the Assembly is received by the Speaker, he shall read the message to the House and give necessary directions in regard to the procedure that shall be followed for the consideration of matter referred to in the message. In giving these directions the Speaker may suspend or vary the rules to such extent as may be necessary.

**8. (A) Governor's Address on Prorogation under Article 176 of the Constitution:-** When the Governor prorogues the session of the House or the Houses, he may address the House or Houses, as the case may be.

PART III

**Election of Speaker and Deputy Speaker and formation of Panel of Presiding Members**

**9. Election of Speaker:-**

- (1) The election of a Speaker shall be held on such date as the Governor may fix, and the Secretary shall send to every member notice of this date.
- (2) At any time before noon on the day preceding the date so fixed, any member may give notice in writing, addressed to the Secretary of a motion that another member be chosen as the Speaker (of the House) and the notice shall be seconded by a third member and shall be accompanied by a statement by the member whose name is proposed in the notice that he is willing to serve as Speaker, if elected:

Provided that a member shall not propose his own name, or second a motion proposing his own name, or propose or second more than one motion.

- (3) A member in whose name a motion stands on the list of business may, when called, move the motion or withdraw the motion and shall confine himself to a mere statement to that effect:

Provided that a candidate may also withdraw his candidature any time before the motion is put to vote.

- (4) The motions which have been moved and duly seconded shall be put one by one in the order in which they have been moved, and decided, if necessary, by division. If any motion is carried, the person presiding shall without putting later motions, declare that the member proposed in the motion which has been carried, has been chosen as the Speaker of the House.

10. *Election of Deputy Speaker:-*

- (1) The election of a Deputy Speaker shall be held on such date as the Speaker may fix, and the Secretary shall send to every member notice of this date.

- (2) At any time before noon on the day preceding the date so fixed, any member may give notice in writing, addressed to the Secretary, of a motion that another member be chosen as the Deputy Speaker (of the House) and the notice shall be seconded by a third member and shall be accompanied by a statement by the member whose name is proposed in the notice that he is willing to serve as Deputy Speaker, if elected:

Provided that a member shall not propose his own name, or second a motion proposing his own name, or propose or second more than one motion.

- (3) A member in whose name a motion stands in the list of business may, when called, move the motion or withdraw the motion, and shall confine himself to a mere statement to that effect:

Provided that a candidate may also withdraw his candidature any time before the motion is put to vote.

- (4) The motions which have been moved and duly seconded shall be put one by one in the order in which they have been moved, and decided, if necessary, by division. If any motion is carried, the person presiding shall, without putting the other motions, declare that the member proposed in the motion which has been carried, has been chosen as the Deputy Speaker of the House.

11. *Delegation of Powers to Deputy Speaker:-*The Speaker may by order in writing delegate to the Deputy Speaker all or any of his powers under these rules and revoke any such delegations.

12. *Presiding Members:-*

(1) As soon as may be after commencement of every session the Speaker shall nominate not more than five members of the Assembly to constitute a panel of Presiding Members. Any one of whom may preside over the Assembly in the absence of the Speaker and the Deputy Speaker during the session in accordance with the arrangement made by the Speaker in this behalf.

(2) Any member may, at the request of the Speaker or the Deputy Speaker or the Presiding Member whoever may be presiding at the time, take the Chair temporarily as acting Presiding Member when the other Presiding Members are absent or otherwise unavailable for presiding.

(3) If at any time the Speaker, the Deputy Speaker, and the Presiding Members nominated under sub-rule (1), be absent, the Assembly, upon being informed thereof by the Secretary may under Article 180 of the Constitution, and upon the motion of a Minister, without amendment thereto and debate thereon being allowed, call upon any member to preside over the Assembly, the question being put by the Secretary.

13. *Powers of persons (other than Speaker) Presiding:-*The Deputy Speaker or any Presiding Member of the Assembly or any other member of the Assembly shall, when presiding over the Assembly, have all the powers of the Speaker when so presiding, and all references to the Speaker under these rules shall, in these circumstances, be deemed to be references to any person so presiding.

PART IV

**Sittings of the Assembly, Arrangement of Business  
and Giving of Notices**

14. *Sittings of Assembly:-*After the commencement of a session 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.

**15. Roll of Members:-** There shall be a Roll of Members of the House which shall be signed by every Member in the presence of the Speaker before taking his seat for the first time.

**16. Time of meeting:-** The meetings of the Assembly shall, subject to the direction of the Speaker, ordinarily commence at 11 A.M. and ordinarily terminate at 4 P.M. without prejudice to rules 94 and 102.

**NOTE-**Subject to the direction of the Speaker, the recess for lunch shall be from 1 P.M. to 2 P.M. every day, while on Friday it shall be from 12.30 P.M. to 2.00 P.M. hours. On the last day fixed for the voting of Demands for Grants the Guillotine shall be applied at 17 hours and the meeting on that day terminates only when all the Demands for Grants have been disposed of.

**17. Adjournment of meeting:-** The Speaker may, without discussion or vote, adjourn any meeting *sine die* or to any part of the same day or to any future day and hour to be named by him:

Provided that the Speaker may, if he thinks fit, call a sitting of the House before the date or time to which it has been adjourned or at any time after the House has been adjourned *sine die*.

**18. Quorum:—**

- (1) Twenty-five members, including the person presiding, shall form the quorum.
- (2) If at any time after the commencement of the business of the day any member draws the attention of the Speaker to the fact that there is not a quorum of members present, the Secretary by the direction of the Speaker shall ring the bell for five minutes, and if at the end of five minutes there be not a quorum present the Speaker shall adjourn the meeting to some later hour of the same day or the next sitting day.

**19. Allotment of time for private members' business and precedence of business:-**

- (1) On Fridays, private members' business shall have precedence and on all other days no business other than Government business shall be transacted except with the consent of the Leader of the House and the Speaker:

Provided that on a motion by the Leader of the House this rule may be suspended and the Assembly may thereupon transact Government business on Friday.

- (2) When upon the motion of the Leader of the House under proviso to sub-rule (1) any Friday or a number of Fridays is utilised for the purpose of any Government business, the Speaker shall direct that another day or an equal number of days, as the case may be, shall be made available for the transaction of private members' business.
- (3) This rule shall not apply to the period allotted for the disposal of the financial business mentioned in Part XIV of these rules.

20. *Arrangement of Business:-*

- (1) On the days made available for the transaction of Government business that business shall have precedence and the Secretary shall arrange that business in such order as the Leader of the House may indicate:

Provided that such order of business shall not be varied on the day that business is set down for disposal unless the Speaker is satisfied that there is sufficient ground for such variation.

- (2) (a) Of the days made available under rule 19 for private members' business the Speaker may allot different days for the disposal of different classes of such business; and on the days allotted for any particular class of business, business of that class shall have precedence.
- (b) On days available for private members' Bills in any session such Bills shall be arranged in the following order, provided notices in respect thereof as required by these rules have been given :-
  - (i) Bills to be introduced;
  - (ii) Bills returned by the Governor with a message under Article 200 or 201 of the Constitution;
  - (iii) Bills passed by the Council in respect of which the originating House is the Assembly;
  - (iv) Bills introduced in and passed by the Council;
  - (v) Bills introduced in the Assembly in respect of which

a motion has been carried that the Bill be taken into consideration;

- (vi) Bills introduced in the Assembly in respect of which the report of a Joint Select Committee or a Select Committee has been presented;
  - (vii) Bills introduced in the Assembly in respect of which the next stage is the presentation of the report of a Joint Select Committee or a Select Committee;
  - (viii) Bills which have been circulated for the purpose of eliciting opinions thereon; and
  - (ix) Other Bills.
- (c) Subject to the provisions of clause (b)-
- (i) Bills which have been introduced shall be so arranged as to give priority to Bills which are most advanced; and
  - (ii) The relative precedence of Bills Which are at the same stage shall be determined by ballot:

Provided that not more than one such Bill of any private member to be duly notified by him shall be included in the ballot to be held for the determination of its precedence under this rule:

Provided further that Bills falling under sub-clause (ix) of clause (b) of this sub-rule remaining over from the preceding session shall have priority in the order of the date of their introduction.

- (3) Save as otherwise provided in these rules, the days made available for the discussion of private members' resolutions, the relative precedence of such resolution shall be determined by ballot.
- (4) Ballots required to be held under this rule shall be held in such manner and at such time as the Speaker may from time to time direct.

21. *Programme of a Session and List of Business:-*

- (1) A provisional programme for a session or part of a session shall be despatched by the Secretary to each member ordinarily at least four weeks before the commencement of the session.



- (2) 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:

Provided that the Secretary may prepare a combined List of Business for more than one day:

Provided further that if motions of amendment are numerous they may be entered in an appendix to the said List.

- (3) Save as otherwise provided in these rules, no business not included in the List of Business for the day shall be transacted at any meeting without the leave of the Speaker.
- (4) Unless otherwise directed by the Speaker no business requiring notice shall be included in the List of Business until the period of notice necessary for it has expired.
- (5) No business shall be transacted except in the order in which it appears in the List of Business without permission of the Speaker, provided that the order of any business determined by ballot shall not be altered except with the permission of the Assembly without any objection.

*22. Business outstanding at the end of day:*-All business appointed for any day and not disposed of on that day shall stand over until the next day of the session available for business of the class to which it belongs but private members' business so standing over shall have no priority on such day unless it had been commenced on the former day in which case only it shall have priority over private members' business fixed for that day and not for any subsequent day.

*23. Time for questions:*-Unless the Speaker otherwise directs the first hour of every meeting shall be available for the asking and answering of questions, of which the first twenty minutes may be available for asking and answering of short-notice questions and the remaining forty minutes for asking and answering of starred questions.

*23.(A) Notice concerning zero hour:*-Any member can give notice concerning Zero hour to the Secretary within a period of two hours but not later than one hour before the House commences. The period

after the Question Hour shall be regarded as Zero Hour in which member can raise any matter of Urgent and Public importance, which shall consist maximum of 50 words.

**24. Giving of notice by members:—**(1) Every notice required by these rules shall be given in writing addressed to the Secretary at the Assembly secretariat which shall be open for this purpose between the hours of 10.30 A.M. and 3 P.M. on all days except Sundays and public holidays.

(2) The period of every notice shall be computed from the date on which it is received in the Assembly Secretariat:

Provided that the notice received when the office is closed or received after 3 P.M. on a working day shall be treated as having been received on the next working day.

**25. Language of notices:—**(1) No notice of a question or a motion shall contain any offensive or unparliamentary word or expression.

(2) A notice which is in contravention of the provisions of sub-rule (1) shall not be entered in the List of Business:

Provided that the Speaker may, in his discretion, direct the notice to be entered in the list of Business in such a revised and amended form as may be in conformity with these rules.

**26. Copy of notice to be made available to members:—**(1) The Secretary shall, as far as possible, make available to each member, a copy of every notice or other paper which is, by these rules, required 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—

- (i) when the Assembly is in session and for two days before the commencement of the session or an adjourned meeting, if it is exhibited on the notice board of the Assembly Secretariat and deposited at an appointed place in the Assembly building or delivered or dispatched to every member in such a manner as the Speaker may direct; and
- (ii) on other days, if it is sent by post or by a messenger to the address of every member as registered in the Assembly Secretariat.

**27. Notice as admitted to be sent to the concerned Government Department:-** A copy of every notice of a question or motion received shall be forwarded by the Secretary to the department of the Government to which it relates as admitted by the Speaker.

PART V

**General Rules of Procedure**

**28. New members to make oath and take their seats:-**

- (1) At the beginning of each meeting the Secretary shall call the name of any new member who is present and who desires to take his seat. Such member shall then take the oath or make the affirmation in the manner prescribed in the Constitution.
- (2) The members shall sit in such order as the Speaker may appoint.

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

- (i) shall enter, sit and leave the House with decorum and shall take and leave his seat after bowing to the Chair;
- (ii) shall not come in between the Speaker and the member who is speaking and shall not cross the floor of the House irregularly;
- (iii) shall not read any book, newspaper or letter except in connection with the business of the House;
- (iv) shall maintain silence;
- (v) shall not interrupt any member while speaking by disorderly expression or noises or in any other disorderly manner;
- (vi) shall not smoke, eat or drink; and
- (vii) shall keep to his usual seat while addressing the House.

**30. Member to rise when speaking and to resume his seat when Speaker rises or a point of order is raised:-**

- (1) Any member willing to move any motion or make any observation on any matter before the Assembly shall rise from his seat and, if called upon by the Speaker address his remarks to the Chair. If he is not so called upon, he shall

resume his seat. If more members than one rise at the same time the member whose name is called upon by Speaker shall be entitled to speak.

- (2) At any time if the Speaker rises or makes an observation or if a member rises on a point of order, any member speaking shall resume his seat.
- (3) When the Speaker rises he shall be heard in silence and no member shall leave his seat or the House while he is addressing the House.

**31. Interruptions while a member is speaking:**—If, while a member is speaking, another member desires to offer a personal explanation or asks for an information or explanation from the member speaking, he shall rise in his seat and if called upon by the Speaker, shall make the explanation or ask for the information or explanation; and if not so called upon, he shall resume his seat:

Provided that the Speaker may not call upon the member so rising unless the member speaking resumes his seat.

**32. Personal explanation:**—A member may, with the permission of the Speaker, make a personal explanation at any time but in doing so he shall not bring forward any debatable matter, nor shall any debate be allowed on such explanation.

**33. Limitations of debates:**—

- (1) Every speech must be strictly relevant to the matter before the Assembly.
- (2) A member while speaking or putting or answering a question shall not-
  - (i) use the President or Governor's name for the purpose of influencing the debate;
  - (ii) refer to any matter of fact on which a judicial decision is pending;
  - (iii) make a personal charge or use an unparliamentary expression against, or impute improper motives to, a member;
  - (iv) use offensive expressions regarding the conduct or proceedings of the other House of the Legislature and of the Parliament or any other State Legislature;

- (v) reflect upon the conduct of the President or any Governor (as distinct from the Governments of which they are respectively the Heads), or any Court of Law in the exercise of its judicial functions;
- (vi) utter treasonable, seditious or defamatory words;
- (vii) use his right of speech for the purpose of wilfully and persistently obstructing the business of the Assembly;
- (viii) reflect upon any decision of the Assembly except on a fresh motion relating to such decision;
- (ix) refer to any proceedings of any Committee appointed by the Assembly or any Joint Committee or Joint Select Committees of both Houses; and
- (x) discuss or question any ruling or direction of the Speaker or any order of the Speaker disallowing a question, resolution or motion.

*Explanation:*-If any words of the kind referred to in clause (iii) are used objection must be raised at the time when they are used, and not after any other member has spoken.

- (3) No discussion can take place in the Assembly with respect to the conduct of any judge of the Supreme Court or of a High Court in the discharge of his duties.

**34. *Written Speech not to be read:***-No member shall read his written speech except with the permission of the Speaker, but he may refer to his notes while speaking.

**35. *Language of the Assembly:***-The business of the Assembly shall be transacted in Hindi written in Devnagri Script:

Provided that if any member desires to take oath in Sanskrit only, he may do so:

Provided further that if any member desires to give written notice in Urdu, also he may do so and express his view in House:

Provided further that the Speaker may permit any member who cannot adequately express his views in Hindi or Urdu, to address the House in his mother tongue:

Provided further that if a member is allowed to address the House in his mother tongue (Barring, Hindi or Urdu), he shall submit to the Secretary Hindi version in Devnagri script of his speech for inclusion in the proceeding of the House.

**36. Procedure for obtaining decision of the House:**-Except as otherwise provided in these rules a matter requiring the decision of the Assembly shall be decided by means of a question put by the Speaker on a motion made by a member.

**37. Proposal and putting of question:**-When a motion has been made the Speaker shall propose the question for the 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.

**38. Period of notice of motion or amendment:**—

- (1) A member who wishes to move a motion (other than a motion for the notice of which a specified period is prescribed) shall give notice thereof at least on the third day in the case of a motion of an amendment and on the tenth day in the case of any other motion, before the meeting at which he intends to move the motion.
- (2) The Speaker, in his discretion may, at any time, admit any motion at shorter notice than that prescribed by this rule or any other rule of these rules.

**39. Short notice motion or amendment not to be entered in the List of Business:**-A motion or an amendment of which shorter notice than that prescribed in these rules has been given shall not be entered in the List of Business unless the Speaker, in his discretion has allowed it to be so entered.

**40. Subject-matter of motions, and disallowance or amendment of motions by Speaker:**—

- (1) The Speaker may disallow any motion or part of a motion if, in his opinion, it is in contravention of any of the rules, or he may amend it to bring it into harmony with these rules.
- (2) The Speaker may disallow any motion or part of a motion on the ground that it relates to a matter which is not primarily the concern of the State Government.
- (3) A motion which has not been admitted by the Speaker shall not be entered in the List of Business.
- (4) No motion shall be moved in regard to any matter which is under adjudication by a Court of Law having jurisdiction in any part of the Union.

**41. *Treatment of motions for the consideration of any policy, situation, statement or any other matter:***-A motion that the policy or situation or statement or any other matter be taken into consideration shall not be put to the vote of the House, but the House shall proceed to discuss such matter immediately after the mover has concluded his speech. No further questions 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, the vote of the House shall be taken on such motion.

**42. *Rules relating to resolutions to apply to motions:***-Except as otherwise provided in these rules the provision of rules 153, 156 and 159 to 166 shall so far as may be, apply to all motions.

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

**44. *Statutory motions:***-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 with the consent of the Minister-in-charge of the Department concerned otherwise directs, and shall together with the notice submit a copy of the proposed motion.

**45. *Withdrawal of motion:***—

- (1) A motion which has been moved shall only be withdrawn save with the unanimous leave of the Assembly.
- (2) The leave shall be signified not upon question but upon Speaker taking the pleasure of the House.

The Speaker shall ask:

“Is it your pleasure that the motion be withdrawn?” But if any dissentient voice be heard, or a member rises to continue the debate, the Speaker shall forthwith put the motion:

Provided that if an amendment has been proposed to a motion the original motion shall not be withdrawn until the amendment has been disposed of.

**46. *Rule against anticipation:***-No motion shall seek to anticipate debate upon any matter previously appointed or with respect to which notice has previously 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.

**47. Motion for adjournment of business:—**

- (1) A motion relating to a Bill or any other motion made may be adjourned to any other date or *sine die* on a motion made by any member and agreed to by the Assembly. The Speaker after permitting, if he thinks fit a brief explanatory statement from the mover of the motion and, if the motion is opposed, from the member opposing the motion, may, without further debate, put the question thereon:

Provided that such motion for adjournment shall not be made unless the business to which it relates, as entered in the List of Business, is reached.

- (2) The Speaker may disallow any motion for the adjournment of any such business, if, in his opinion, it is made for the purpose of obstructing or delaying the business of the Assembly.

**48. Motions without notice:-**

- (1) The following motions may be made without notice, namely:-

- (i) a motion for the adjournment of a sitting;
- (ii) a motion for closure of debate;
- (iii) a motion for electing members to Committees other than motion for which any notice is prescribed;
- (iv) a motion for raising the question of privilege (with the consent of the Speaker);
- (v) a motion in regard to which notice is dispensed with the unanimous concurrence of the Assembly;
- (vi) a motion for congratulation or condolence (with the consent of the Speaker);
- (vii) a motion for the postponement of any business included in the List of Business (with the consent of the Speaker); and

- (viii) A motion under proviso to sub-rule (1) of rule 19.

- (2) The Speaker may give precedence to a motion of condolence.



**49. *Motions, resolutions or questions not to be published:-***^ motions, questions or resolutions shall be published by any member, which are not admitted by the Speaker and entered in the List of Business:

Provided that a member may, with the previous consent of the Speaker, publish his questions, motions or resolutions after they are admitted by the Speaker and before they are entered in the List of Business.

**50. *Unparliamentary expressions to be expunged from proceedings:-***Any part of the proceedings of the Assembly containing any unparliamentary language or expression otherwise objectionable may, on a motion made by a member and carried by the Assembly or by the Speaker of his own motion, be expunged from such proceedings.

**51. *Unparliamentary expressions etc.:-***The portion of the proceedings of the House 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/House'."

**52. *Repetition of motions:-***A motion relating to a Bill or any other motion must not raise a question substantially identical with the one on which the Assembly has given a decision in the same session:

Provided that nothing herein contained shall be deemed to prevent the making of-

- (1) any motion for the amendment of a Bill made after the return of the Bill by the Governor for reconsideration by the Assembly and
- (2) unless the Speaker in any case otherwise directs, any of the following motions, namely: -
  - (a) a motion for taking into consideration or reference to a Select Committee or Joint Select Committee of a Bill where an amendment has been carried to a previous motion of the same kind to the effect that the Bill be circulated for the purpose of eliciting opinion thereon.

- (b) any motion for the amendment of a Bill which has been recommitted to a Select Committee or re-circulated for the purpose of eliciting opinion thereon;
- (c) any motion for the amendment of a Bill which is consequential on or designed merely to alter the drafting of another amendment which has been carried; and
- (d) any motion which has to be made within a period determined by or under these rules.

**53. *Treatment of identical motions:***-When substantially identical motions stand in the names of two or more members, the Speaker shall, save as otherwise provided in these rules, decide which motion shall be moved, and when such motion is moved, the other motion or motions shall be deemed to have been withdrawn.

**54. *Order of speeches and right to reply:***-

- (1) After the member who has moved a motion has spoken, other members may speak to the motion in the order in which the Speaker may call upon them:

Provided that if any member who is so called upon does not speak, he shall not be entitled, except by the permission of the Speaker, to speak to the motion at any later stage of the debate.

- (2) Except in the exercise of a right to reply or, as otherwise provided, no member shall speak more than once to any motion except with the permission of the Speaker for the purpose of making a personal explanation.

- (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 to whose department the matter relates shall have the right of speaking, 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 right of reply to the mover of an amendment to a resolution or to the mover of any motion to reduce any grant or to omit or reduce any item in the grant.

**55. Rules as to amendments :—**

- (1) An amendment must be relevant to, and within the scope of, the motion to which it is proposed.
- (2) An amendment shall not be moved which has merely a negative effect.
- (3) An amendment to a motion must not be inconsistent with the previous decision on the same motion given at the same stage of any Bill or other matter.
- (4) The Speaker may refuse to put an amendment which is in his opinion frivolous.
- (5) An amendment to an amendment may be made with the permission of the Speaker.
- (6) The Speaker shall decide the order in which amendments which may have been moved to a motion shall be put.
- (7) No alternative amendment shall be moved.
- (8) 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:

Provided that in order to save the time and repetition of arguments, a single discussion may be allowed to cover a series of interdependent amendments.

**56. Procedure on division:—**

- (1) On the conclusion of the debate on a motion the Speaker shall put the question by asking those who are in favour of it to say 'Aye' and those who are of the contrary opinion to say 'No'. The Speaker shall then declare whether in his opinion the 'Ayes' or the 'Noes' have it.
- (2) Any member challenging the opinion of the Speaker as to the decision of a question may call for a division:  

Provided that no member shall call for a division unless he has given his voice against the majority as declared by the Speaker.
- (3) As soon as a division is demanded the Speaker shall, unless he is of opinion that the division has been unnecessarily

claimed, direct the Secretary to ring the division bell for three minutes at the expiry of which all the doors of the lobbies leading to the Assembly House shall be closed; No member shall be allowed to enter or leave the Assembly House unless after the division has been taken.

- (4) When the doors have been closed, the Speaker shall put the question again; and if a division is again demanded in the manner prescribed in sub-rule (2), votes shall be taken by division, and the Speaker shall determine the method of taking votes by division, e.g., by asking the members to divide and proceed to the lobbies, or by asking them to rise in their seats for the purpose of counting votes, or otherwise; but no member shall be entitled to vote unless he was present in the House when the question was put for the second time. If the Speaker directs the "Ayes" and the "Noes" to proceed to the lobbies, he may appoint two or more than two tellers for each side.
- (5) A member having given his voice the "Ayes" or with the "Noes" as the case may be, shall not, on a division being taken, be at liberty to vote with the party of the opposite view.
- (6) In the case of any confusion or error concerning the number of votes reported to the Speaker, the Speaker may give such direction as he thinks fit.
- (7) If subsequent to the result of division being announced to the House an error is noticed in the division lists, the Speaker, on being satisfied that the mistake is *bona fide*, may order it to be corrected.
- (8) At any time before the Speaker asks the House to divide the call for a division may be withdrawn by the leave of the House granted without any negative voice. The division shall not then be proceeded with, and the decision of the Speaker which has been challenged shall stand.

**57. Closure of debate:-**

- (1) When any motion is under discussion any member may move "That the question be now put" and unless it appears to the Speaker that the motion is an abuse of the rules of the

Assembly or an infringement of the right of reasonable debate the question "That the question be now put" shall be put forthwith. There shall be no debate on such motion. If such motion be carried, the question shall be put accordingly:

Provided that the Speaker may allow any member any right to reply which he may have under these rules.

But if such motion be lost, the discussion on the original question shall be resumed at the stage at which it was interrupted.

- (2) In the event of such motion during any debate being once negated, it shall not again be moved within the next fifteen minutes.

**58. *Limitation of debate:—***

- (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 the hour at which the debate shall conclude.
- (2) The Speaker shall at such appointed hour, unless the debate be sooner concluded, proceed forthwith to put all such questions as may be necessary to determine the decision of the House on the original question.

**59. *Committees:—****Save as otherwise provided in these rules, a Committee may be appointed by the Assembly or by the Speaker for any purpose connected with the business of the Assembly.*

**60. *Statement made by a Minister:—****A statement may be made by a Minister on a matter of public importance with the consent of the Speaker but no questions shall be asked at the time the statement is made.*

**61. *Decision on point of order:—***

- (1) A point of order shall relate to the interpretation or enforcement of these rules or such Articles of the Constitution as regulate the business of the House and shall raise a question which is within the cognizance of the Speaker.
- (2) A point of order may be raised in relation to the business before the House at the moment provided that the Speaker

may permit a member to raise 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 or arrangement of business before, the House.

- (3) Whichever point of order may be raised, the Speaker shall decide it and his decision shall be final.
- (4) While raising a point of order the member shall confine himself to stating the point relating to the point of order.
- (5) There shall be no discussion on any point of order except with the consent of the Speaker.
- (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.

**61.** (A) *Raising a matter which is not a point of order.*—A member who wishes to bring to the notice of the House any matter which is not a point of order, shall give notice to the secretary in writing stating briefly the point which he wishes to raise in the House together with reasons for wishing to raise it, and he shall be permitted to raise it only after the Speaker has given his consent and at such time and date as the Speaker may fix.

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

**63.** *Power to preserve order and to order withdrawal or suspension of members.*—

- (1) The Speaker shall preserve order and shall have all powers necessary for the purpose of enforcing his decisions on all points of order.

- (2) The Speaker may direct any member who refuses to obey his order or whose conduct, in his opinion is otherwise disorderly or who has been found guilty of breach of a privilege of the House to withdraw immediately from the Assembly for a period to be named by him.
- (3) The Speaker may, in his discretion, instead of taking action under sub-rule (2), name such member for the adjudication of his conduct by the Assembly and thereafter shall forthwith put the question on a motion being made by the Leader of the House, "That such member be suspended from the service of the House" for a period to be specified in the motion. No amendment or adjournment of debate being allowed unless the Speaker otherwise permits and upon the motion being carried the member so suspended shall forthwith withdraw from the Assembly.
- (4) The suspension of a member under sub-rule (2) or (3) in any session, on the first occasion, shall continue for not more than five consecutive sittings and on the second occasion not more than ten consecutive sittings and on any subsequent occasion for any period not longer than the remainder of the session.
- (5) A member ordered to withdraw or suspended under this rule shall forthwith quit the precincts of the Assembly:  
Provided that such suspension shall not exempt a member from serving on any Committee of the Assembly or any Joint Committee or Joint Select Committee of both the House to which he may have previously been appointed.
- (6) A member suspended under this rule shall not be deemed to be absent for the purpose of clause (4) of Article 190 of the Constitution.
- (6) If the member who has been ordered to withdraw or suspended under this rule refuses to withdraw, the Speaker may order his removal by force; and the Sergeant-at-Arms on duty shall act on such direction of the Speaker as he may receive in pursuance of this rule.

**64. *Adjournment or suspension of sitting in case of grave disorder***:-The Speaker may in the case of grave disorder arising in the Assembly adjourn or suspend any sitting for a time to be named by him.

**65. Form for resigning seat in the Assembly:-**

- (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 reason for his resignation :-

Place:

Date:

To,

The Speaker of the Bihar Legislative Assembly,  
Patna.

Sir,

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

Yours faithfully,  
Member of the Assembly.

- (2) Where any member gives any reason for such resignation the same shall not be read out in the House.

**66. Resignation of seats in the Assembly:—**

- (1) As soon as may be, the Speaker shall, after he has received an intimation in writing from a member under his hand resigning his seat in the Assembly, inform the House that such and such member has resigned his seat in the Assembly:

Provided that when the Assembly is not in session, the Speaker shall inform the House immediately after the House re-assembles, that such and such member has resigned his seat in the Assembly during the intersession period.

- (2) The Secretary shall, as soon as may be, after the Speaker has received such intimation from a member resigning his seat in the Assembly cause the information to be published in the Gazette and forward a copy of the notification to the Election Commission for taking steps to fill the vacancy thus caused.



**67. Permission to remain absent from the meetings of the Assembly:-**

- (1) If a member finds that at any time he is unable to attend the meetings of the Assembly for a period of sixty or more days computed in the manner prescribed in clause (4) of Article 190 of the Constitution, he shall apply for the permission of the Assembly to be so absent.
- (2) Such application shall, as soon as may be after receipt, be read out by the Speaker to the Assembly. On this being done the Speaker shall ask: "Is it the pleasure of the House that permission be granted to such and such a member for remaining absent from all meetings of the Assembly for such and such a period?"  
If no one dissents, the Speaker shall say: "Permission to remain absent is granted". But if any dissentient voice is heard, the Speaker shall take the sense of the House and thereupon declare the determination of the House.
- (3) No discussion shall take place on any question before the House under this rule.

NOTE:-Applications for leave received in pursuance of sub-rule (1) of this rule will be circulated to the members along with other agenda papers for the day.

- (4) The Secretary shall inform the member, as soon as may be, of the decision of the Assembly on his application.
- (5) Any member having leave of absence shall forfeit the same by attending the service of the Assembly before the expiration of such leave.

**68. Permission to remain absent from meetings of the Assembly for attending Court as witness:-**If a member has been served with summons by any Court of Law having jurisdiction in any part of the Union as a witness in a case pending before it and has to remain absent on that account from a meeting or meetings of the Assembly he may apply for the permission of the Assembly to be so absent. His application shall be dealt with in the same manner as an application under rule 67.

**69. Absence from meetings without permission:—**

- (1) If a member is absent without permission from all meetings of the Assembly for a period of sixty days or more computed

in the manner prescribed in clause (4) of Article 190 of the Constitution, the Speaker shall bring that fact to the notice of the Assembly and thereupon the seat of the member may be declared vacant, under clause (4) of Article 190 of the Constitution, on a motion made by the Leader of the House or by such other member to whom he may delegate his functions in this behalf.

- (2) If the motion referred to in sub-rule (1) of this rule is carried, Secretary shall cause the information to be published in the Gazette and forward a copy of the notification to the Election Commission for taking steps to fill the vacancy thus caused.

**70. Maintenance of attendance register .**—There shall be a register of attendance containing the names of all the members. The members shall sign in this register for showing their attendance at every sitting. The register shall be available for the inspection of the members.

**71. Admission to galleries:**—The admission to the Assembly House of:—

- (a) visitors to the Speaker's Gallery;
- (b) visitors to the Visitor's Galleries;
- (c) representatives of the Press to the Press Gallery; and
- (d) officers to the Official Galleries,

during the meetings of the Assembly shall be regulated in accordance with the orders of the Speaker.

**72. Speaker's power to order galleries to be Cleared:**—The Speaker, whenever he thinks fit, may order all or any of the galleries to be cleared.

**73. Removal of person not being a member:**—A person not being a member who interferes with the orderly conduct of the business of the House, or obstructs the approaches to the House, or occasions a disturbance within the precincts of the House, may, by an order of the Speaker, be removed by the Sergeant-at-Arms or by his assistant on duty in the Assembly House and on its precincts.

**74. Strangers:**—No member shall bring any stranger into any part of the Assembly building appropriated to the members while the Assembly is sitting, except to such places and in such manner as the Speaker may direct.

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

**76. Withdrawal of strangers:-**The Speaker may, whenever he thinks fit, order the withdrawal of strangers from any part of the House.

**77. Removal and taking into custody of strangers:-**An officer of the Secretariat authorised in this behalf by the Speaker shall remove any stranger from the precincts of the House or take into custody, 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 75 or does not withdraw when the strangers are directed to withdraw under rule 76 while the House is sitting.

**PART VI**

**Question**

**78. Notice of questions:—**

- (1) A member who desires to ask a question shall give notice thereof in writing to the Secretary adopting the procedure with regard to the category of question.
- (2) There shall be three categories of questions, namely:-
  - (a) Short Notice,
  - (b) Starred, and
  - (c) Unstarred.
- (3) *Period of notice:-*After summoning of the House, unless the Speaker otherwise directs, the period required for giving a notice of the question shall be 7 days minimum and 14 days maximum.
- (4) *Form of Notice:-*A notice of question shall be given to the Secretary in writing and it must comply the following conditions:-
  - (a) The name of the Department of the Minister to whom the question is addressed.

- (b) If the notice has been signed by more than one member then the notice will be deemed to have been given by the first signatory.
  - (c) Questions will be admitted on any day among the days fixed for a department in the rotational order of the questions.
- (5) *Short Notice Questions:—*
- (a) A member, who desires to ask a short notice question, shall give 7 days notice, thereof in writing to the Secretary, before the meeting at which he desires to put the question:

Provided that, any such question shall not be included in the list of questions, until four days have not elapsed in giving the notice of such question by the Secretary to the Minister, whom it is addressed.
  - (b) Short Notice Question may be asked on any specific matter of urgent public importance and replies to such questions shall be given in the House orally.
  - (c) If the Speaker is convinced that the short notice question is of much public importance and immediate nature he may admit on a notice of less than 7 days and direct the Minister concerned for oral or written reply after fixing a date.
- (6) *Starred question:—*
- (a) Notice of starred question shall be distinguished by an "asterisk" mark or writing "Starred".
  - (b) Starred question may be asked for seeking information on any matter of public importance.
  - (c) A member who desires to ask a starred question shall give 14 days clear notice thereof in writing to the Secretary before the meeting at which he desires to put the question.
- (7) *Unstarred question:-*
- (a) Notice of questions which require lengthy answers or elaborate statistical information or report or require written reply shall be treated as unstarred.

- (b) If (any) a member does not write "short notice question or starred question" or mention "asterisk", then the question will be treated as unstarred.
  - (c) Short notice or starred question not reached and replied in the house, shall be treated as unstarred.
  - (d) The Speaker shall have power to convert any short notice question or starred question, asked during the period of session into unstarred question.
  - (e) A member may give notice of two unstarred questions maximum in a week prior to the notification of the commencement of the session and after the *sine die* of the Assembly.
  - (f) It shall be imperative for the Government to send written reply of the unstarred question to the concerned member and Assembly Secretariat within one month maximum from the date of notice of the question.
  - (g) It shall be imperative for the concerned department to lay the written replies of the unstarred question on the table of the House but no supplementary question shall be asked relating to those replies.
- (8) The Starred question shall be answered in the House orally and if written reply thereof, is received from the Department by the time which may enable it to be included in the list of questions to be prepared for any day under Rule 89, then written reply after being printed shall be circulated to the members with the concerned questions.
- (9) Notices of not more than two starred questions or two short notice questions or one starred question and one short notice question of a member shall be admissible for a day.

**79. Power of Speaker to change class of question:-** The Speaker may convert a short-notice question into a starred or unstarred Question and a starred question into an unstarred question.

**80. Speaker's power to disallow questions:-** The Speaker may, Within the period of notice, disallow any question or any part of a question on the ground that it relates to a matter which is not primarily

the concern of the State Government; and if he does so, the question or part of the question shall not be placed on the list of questions and the member concerned shall be informed accordingly.

**81. Subject-matter of question:-**A question may be asked for the purpose of obtaining information on a definite and specific matter of public concern within the special cognizance of the State Government or a member concerned:

Provided that no question shall refer to the conduct, in exercise of his judicial functions, of a judge of any Court of Law having jurisdiction in any part of the Union.

**82. Matter to which question must relate:-**(1) A question addressed to a Minister must relate to the public affairs with he is officially connected or to a matter of administration for which he is responsible.

(2) A question addressed to a private member must relate to the Bill, resolution or other matter concerned with the business of the Assembly for which that member is responsible.

**83. Form and contents of questions:-**In order that a question may be admissible, it must satisfy the following conditions, namely:-

- (1) it shall specify the official designation of the Minister to whom it is addressed, or if the question is addressed to a private member the name of such member;
- (2) it shall not bring in any name or statement not strictly necessary to make the question intelligible;
- (3) if it contains a statement, the member shall make himself responsible for the accuracy of the statement;
- (4) it shall not contain arguments, inferences, imputations, insinuations, ironical expressions or defamatory statements;
- (5) it shall not ask for an expression of opinion or the solution of a hypothetical proposition;
- (6) it shall not be asked as to the character or conduct of any person except in his official or public capacity;
- (7) the question shall not contain more than 150 words in any case and shall be only on one side of the page, typed or hand written;

- (8) it shall not deal with several subjects having no connection with one another;
- (9) it shall not relate to matters within the jurisdiction of the Speaker;
- (10) it shall not contain references to newspapers by name, nor ask whether certain statements made in a newspaper are true or not, but attention may be drawn to such statements if the member who puts the question complies with the requirement of the aforesaid condition (3) and makes the question self-contained;
- (11) it shall not seek information set forth in documents easily accessible to the members;
- (12) it shall not in substance be a suggestion or request for any particular action in a matter raised by the member asking the question;
- (13) except when a matter of principle is involved, it should not relate to an individual case;
- (14) it shall not raise questions of policy too large to be dealt with within the limits of an answer to a question;
- (15) it shall not repeat in substance questions already answered or of which answer has been refused;
- (16) it shall not ask for information on unimportant matters;
- (17) it shall not relate to a matter which is primarily the concern of a local authority unless there has been some intervention or there is a reasonable ground for intervention by the Government;
- (18) it shall not seek information about matters which in their nature are secret, such as 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;
- (19) 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; and further, it shall not ordinarily ask about matters pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial function or any

commission or court of enquiry appointed to enquire into, or investigate, any matter but may refer to matters concerned with procedure or subject or stage of enquiry if it is not likely to prejudice the consideration of the matter by the tribunal or commission or court of enquiry;

- (20) it shall not seek information on subjects which have been placed under the control of statutory or autonomous bodies unless any matter of policy is involved for which the Minister is responsible, or, it relates to any act of commission or omission by the Minister or raises any question of sufficient public interest;
- (21) a question may not refer to any debate that has occurred or answer that has been given in the current session; and
- (22) a question may not be asked about proceedings in a Committee which have not been placed before the House by a report from the Committee.

**84. *Speaker to decide admissibility of questions:***-The Speaker shall decide on the admissibility of a question with reference to the provisions of the relevant rules and may disallow any question when he is of opinion that it is in contravention of those provisions, or is an abuse of the right of questioning or calculated to obstruct or prejudicially affect the procedure of the Assembly:

Provided that he may, in his discretion, amend a question to bring it into harmony with the rules.

**85. *Questions regarding controversy between the State Government and the Government of India:***- In matters which are or have been the subject-matter of controversy between the State Government and the Government of India, no questions shall be asked except as to matters of fact, and the answer shall be confined to a statement of fact.

**86. *Copies of short-notice and starred questions to be given to Government Departments:***-The Secretary shall forward to the Department of Government concerned a copy of each short-notice question ordinarily at least four clear days before the date fixed for its answer. He shall forward to the Department of Government concerned a copy of the starred question at least ten clear days before the date fixed for its answer.

**87. *Time for answering short-notice questions and starred questions:***-The time for answering short-notice questions and starred questions shall be allotted on different days in rotation to such



department or departments of the Government as the Speaker may from time to time provide, and such questions shall be placed on the list of questions accordingly.

**88. *Supplementary questions:-*** A member may put a supplementary question on the oral answer to a short-notice question, or on the oral and written answer to a starred question for the purpose of further elucidation of facts regarding which such answer has been given:

Provided that the member in whose name such a question stands shall be the first to ask a supplementary question:

Provided further that the Speaker shall disallow any supplementary question if, in his opinion, it infringes the rules or if a sufficient or reasonable number of supplementary questions has already been put in respect of the principal question:

Provided further that supplementary questions shall not be asked in respect of answers to those questions, which have been laid on the Table of the House in accordance with these rules.

**89. *List of Questions:-***

- (1) Questions which have not been disallowed shall be entered in the list of questions for the day in the following manner:—
  - (i) in the case of a short-notice question, it shall be entered in the list on that date but if time does not permit it may not be so entered;
  - (ii) in the case of starred question, it shall be entered in the list on the date on which the member has desired to have the answer, provided it is a day earmarked for the Minister-in-charge to answer such question.
- (2) Printed or cyclostyled copies of a provisional statement of short-notice questions and starred questions for the day shall be circulated amongst the members at least two days in advance.
- (3) If any short-notice question entered in the days' list for oral answer on any day is not reached during the time available for questions and answers on that day, the Minister to whom the question is addressed shall forthwith lay upon the Table of the House a written reply to the question. No oral reply shall be required to such question and no supplementary shall be asked in respect thereof.

**90. How to put questions:-**

- (1) During the time made available for questions and answers, questions shall be put in the order in which they stand on the list, short-notice questions being put first.
- (2) Subject to the sub-rule (1) question shall be put and answers given in such manner as the speaker may in his discretion determine.

**91. Further time for short-notice and starred question:-** If answer to a short notice question or starred question is not ready on the day, on which the member has desired to have it, the Minister-in-charge may ask for further time giving the reasons in the House and Speaker may permit it.

**92. Answers to questions in absence of questioners:-**

- (1) If at the time when a question is called the member in whose name it stands is absent, any other member authorised by him, or without being so authorised if the Speaker permits, may put it.
- (2) Answers to Questions not put:-The Speaker, at the request of a Minister, may direct that an answer to a question which has been called or to a part thereof may be given on the ground of public interest even though the question is not put or the member in whose name it stands is absent.
- (3) When all the question for which oral answers are desired have been called the Speaker may, time permitting, call again any question which has not been asked by reason of the absence of the member in whose name it stands.

**93. Publication of answers to question in advance:-** Answer to question which Ministers propose to give in the House shall not be released for publication until the answer have actually been given on the floor of the House or laid on the Table.

Provided that, the answers to the questions being received through online medium shall be considered as laid on the Table of the House after the date fixed for the Question.

**94. Discussion on a matter of public importance arising out of answers to questions:-**

- (1) If during the time available for the asking and answering of questions a matter of sufficient public importance has been the subject of a question answered orally or of which a

written answer has been given, the Speaker may allow a debate thereon on such notice being given as he may determine, on two days in the week, namely, Wednesday and Friday, and the Speaker shall allot half an hour from 4 P.M. to 4.30 P. M. for such discussion:

Provided that if other business set down for the day is concluded before 4 P.M. the period of half an hour shall commence from the time such business is concluded:

Provided further that the Speaker may allot any other day instead of Wednesday or Friday for the purpose if such course in his opinion, is necessary or convenient.

- (2) A member wishing to raise a matter shall give notice in writing to the Secretary three days in advance of the day on which it is desired to be raised specifying the point or points he wishes to raise, it being optional with the Speaker to waive the requirement concerning the period of notice:  
Provided that the notice shall be accompanied by an explanatory note stating the reason for raising discussion on the matter in question:  
Provided further that the notice shall be supported by the signatures of at least two other members.
- (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 may in his opinion, seek to revise the present policy of Government or to raise a question of privilege.
- (4) There shall be no formal motion before the House nor voting. No speech shall exceed five minutes in duration except in the case of the member who has given notice and the Minister concerned who each may be allowed ten minutes. The discussion shall end with the final remarks of the Minister concerned.
- (5) If two or more such notices are received for a single day, they shall be put down by the Secretary in the order in which they were received in point of time and the one that was received first of all shall, if it is otherwise in order, be taken up in preference to the remaining notice or notices but if such notices are received at one and the same time the Secretary shall hold a ballot with a view to determining which notice shall have preference for the day.

**95. *Promise regarding action to be taken against any officer:-***  
When in reply to a question the Minister-in-charge of the Department promises to take action against any officer of his department the report of the action taken shall be laid on the Table of the House as soon as possible after such assurance.

**96. *Prohibition of discussion on questions or answers:-*** Save as provided in rule 94 no discussion shall be permitted in respect of any question or of any answer given to a question.

#### PART VII

#### Statement of Member resigning Office of Minister

**97. *Personal statement by member resigning office of Minister:-***

- (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 at the earliest possible opportunity.
- (2) Such statement shall be made after questions and before the list of Business of the day is entered upon.
- (3) On such statement no debate shall be allowed, provided that the Chief Minister shall be entitled, after the ex-Minister has made his statement, to make a statement pertinent thereto.

#### PART VIII

#### Motion of Adjournment for Purposes of Debate

**98. *Motion for adjournment:-*** 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.

**99. *Restrictions on right to move adjournment motions:-***

- (1) The right to move adjournment of the Assembly for the purpose of discussing a definite matter of urgent public importance shall be subject to the following conditions, namely:—
  - (i) not more than one matter shall be discussed on the same motion and the motion must be restricted to a specific matter of recent occurrence;

- (ii) the motion must not revive discussion on a matter which has been discussed in the same session or for the discussion of which the leave of the Assembly to make a motion of adjournment was refused in the same session;
- (iii) the motion must not anticipate a matter which has been previously appointed for consideration or with reference to which a notice of motion has been previously given, however in such cases the Speaker shall take into account that whether the matter anticipated is probable to come up before the Assembly within a reasonable time or not;
- (iv) the motion must not deal with a matter on which a resolution could not be moved; and
- (v) the motion shall not raise a question of privilege.

(2) Not more than one such motion shall be made at the same sitting.

**100. Method of asking for leave:-** A member desiring to move such a motion must hand to the Secretary a written statement of the proposed motion within one to two hours before the commencement of the sitting at which he proposes to ask for leave of the Assembly to move his motion.

**101. Time for asking for leave:-** Subject to sub-rule (3) of rule 172 and sub-rule (3) of rule 176 leave to make such motion must be asked for after questions, if any, and before the List of Business for the day is entered upon.

**102. Procedure to be followed in moving adjournment motions:-** If the Speaker is of opinion that the matter proposed to be discussed is in order, he shall read the statement to the Assembly and ask whether the member has the leave of Assembly to move the motion. If objection is taken the Speaker shall request the members who are in favour of leave being granted to rise in their places, and if at least twenty-five members rise accordingly the Speaker shall intimate that leave is granted, and that the motion will be taken up at 2.30 P.M. or, if the Speaker with the consent of the Minister concerned so directs, at any earlier hour at which the business of the day may terminate. If less than twenty-five members rise, the Speaker shall inform the member that he has not the leave of the Assembly.

**103.** (1) *Form of question to be put on adjournment motion and total time available for discussion:-* On a motion to adjourn for the purpose of discussing 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 at the end of the two hours and thereafter no question shall be put.

(2) *Time-limit for speeches:-* No single speech during the debate shall exceed fifteen minutes in duration.

(3) *Transaction of other business:-* The Assembly may proceed to transact other business, if any, for the day after the debate on the motion has concluded.

#### PART IX

#### Calling attention to matters of Urgent Public Importance

**104.** *Calling attention to matter of urgent public importance:-*

- (1) A member may, with the permission of the Speaker, call the attention of the Minister to any matter of urgent public importance. But no member may give more than one such notice for a day.
- (2) The member desiring to call attention to any matter of urgent public importance may give its notice on any day to the Secretary within one hour of the commencement of the sitting. The notice shall contain a brief statement which may not be of more than two hundred words showing the urgency of the matter sought to be raised.
- (3) The Speaker may decide the admissibility of any two calling attention notices within twenty four hours of the receipt of the notice. The notice if admitted will be fixed for a date by the Speaker, which shall not be more than a week for the Minister concerned to make a brief statement. Copy of the notice along with the order of the Speaker shall be sent to the Departments concerned and shall be circulated to the members. On a day so fixed minister may make a brief statement on the subject in the House.

- (4) The proposed matter shall be raised immediately after the questions and before the list of business is entered upon and at no other time during the sitting of the House for which the duration of time shall be 30 minutes.
- (5) The member whose notice has been admitted shall only read out the notice to the House and thereafter the Minister shall make a statement on it. Notices of members absent shall lapse.
- (6) There shall be no debate on the statement of the Minister but only the member who drew the attention of the Minister may ask for clarification. The Speaker may allow him time not exceeding five minutes for clarification on each statement.
- (7) On any day when two notices are admitted by the Speaker, no statement shall be made by the Minister on other copies received for that day. Copies of remaining notices, shall be forwarded to the Department of Government concerned and the Speaker shall fix date even on such notices. The Departments concerned shall send their replies to the Assembly Secretariat on the appointed date. After the receipt of replies in the Assembly Secretariat, copies thereof shall be sent to the members concerned.

**PART X**

**Discussion on matter of urgent public  
importance for short duration**

**105. Notice of raising discussion:-** Any member desirous of raising discussion on a matter of urgent public importance may give notice in writing to the Secretary specifying clearly and precisely the matter to be raised:

Provided that the notice shall be accompanied by an explanatory note stating reasons for raising discussion on the matter in question: Provided further that the notice shall be supported by the Signatures of at least two other members.

**106. Speaker to decide admissibility.-** If the Speaker is satisfied, after calling for such information from the member who has given notice and from the Minister as he may consider necessary, that the

matter is urgent and is of sufficient importance to be raised in the House at an early date, he may admit the notice 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 and a half hours, as he may consider appropriate in the circumstances:

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

**107. No formal motions.**—There shall be no formal motion before the House for voting. The member who has given notice may make a short statement and the Minister shall reply shortly. Any member who has previously intimated to the Speaker may be permitted to take part in the discussion.

**108. Time-limit for speeches:**—The Speaker may, if he thinks fit, prescribe a time-limit for the speeches.

**PART XI**

**Motion expressing no-confidence or confidence in the Council of Ministers and resolution to remove Speaker or Deputy Speaker**

**109. Motion of no-confidence in Council of Ministers:**—

- (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 must be asked for after questions and before the List of Business for the day is entered upon.
  - (b) the member asking for leave must, before the commencement of the sitting for that day, leave with 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, he shall read the motion to the House and shall request those members who are in favour of leave being granted to rise in their places and if not less than twenty three members rise



accordingly, the Speaker shall intimate 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, as he may appoint. If less than twenty three members rise, the Speaker shall inform the member that they have not leave of the House.

- (3) If leave is granted under sub-rule (2) the Speaker may, after considering the state of business in the House, allot a day or days or part of a day for the discussion of the motion.
- (4) The Speaker shall, at the appointed hour on the allotted day or the last of the allotted days, as the case may be, forthwith put every question necessary to determine the decision of the House on the motion.
- (5) The Speaker may, if he thinks fit, prescribe a time-limit for speeches.

**109.** (A) *Motion of Confidence in Council of Ministers:-* A motion expressing confidence in the Council of Ministers may be made in the following manner-

- (i) The Government may give notice to present Motion of Confidence in the Council of Ministers under the direction of Governor or in special circumstances if government deems it necessary.
- (ii) The notice to present said motion may be given to the Secretary before start of the sitting.
- (iii) The motion shall be presented with the consent of the Speaker and the timing for debate and voting shall be determined by the Speaker.

**110.** *Resolution for removal of Speaker or Deputy Speaker:—*

- (1) Any resolution to remove the Speaker or the Deputy Speaker from office, of which notice of fourteen days as required under the first provision to Article 179 of the Constitution has been given by a member, shall be read to the Assembly by the person presiding. He shall then request the members who are in favour of leave being granted to move the resolution to rise in their places and if not less than thirty eight members rise accordingly the person presiding shall allow the resolution to be moved. If less than thirty eight members rise, the person presiding shall inform the intending mover thereof that he has not the leave of the Assembly to move it.

- (2) The Speaker or the Deputy Speaker shall not preside while a resolution for his (Speaker or the Deputy Speaker, as the case may be) removal is under consideration.

PART XII

Legislation

A-Introduction of Bills

**111. Notice of motion for leave to introduce Bills:-**

- (1) Any member 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 a Statement of Objects and Reasons.
- (2) The text of every Bill to be introduced in, and passed by the Vidhan Sabha, shall be in Hindi in Devanagri script.
- (3) The Period of notice of a motion for leave to introduce a Bill under this rule shall be fifteen days. However the Speaker may allow the motion to be made at a shorter notice.

**112. Publication of Bills before introduction:-**The Speaker may order the publication of any Bill (together with the Statement of Objects and Reasons accompanying it) in the Gazette, although no motion has been made for leave to introduce the Bill; and thereupon the Secretary shall accordingly publish the Bill. In that 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.

**113. Form of Statement of Objects and Reasons:-**The Statement of Objects and Reasons of a Bill shall be brief and shall not contain any offensive, defamatory or irrelevant matter. The Speaker shall have power to amend the Statement of Objects and Reasons for this purpose after consulting, if he thinks fit, the member-in-charge of the Bill.

**114. Opposition of motion for leave to introduce Bills:-**If a motion for leave to introduce a Bill is opposed, the Speaker after permitting, if he thinks fit, a brief explanatory statement from the member who moves and from the member who opposes the motion may without further debate put the question thereon:

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

**115. Procedure for introduction of Bills:-**If a Bill after it has been published under rule 112 is proposed to be introduced, or if leave to introduce a Bill is granted, as the case may be, the member-in-charge shall forthwith introduce the Bill and place a copy thereof on the Assembly Table.

**116. Publication of Bills after introduction:-**As soon as may be after a Bill has been introduced, the Bill, unless it has already been published under rule 112, shall be published in the Gazette.

**117. Bills or amendments requiring previous sanction under the Constitution:-**

- (1) No Bill or amendment which requires previous sanction under any of the provisions of the Constitution shall be introduced or moved unless the member who has proposed to introduce the Bill or move the amendment has obtained such sanction from the authority competent to grant it and forward it to the Secretary.
- (2) If any question arises whether a Bill or amendment is or is not a Bill or amendment which cannot be introduced or moved without previous sanction, and if the Speaker is of opinion that it requires such sanction, he shall stay further progress of the Bill or amendment and direct the member concerned to obtain the sanction required.
- (3) If the authority referred to in sub-rule (1) is of opinion that such sanction is not necessary the member concerned may forward to the Secretary the opinion of the authority, and thereupon the Bill or amendment shall be proceeded with from the stage at which its progress was stayed under sub-rule (2).
- (4) If the said authority grants previous sanction required, the member may forward the same along with a fresh notice of a motion to introduce the Bill or move the amendment.

**118. Financial Memorandum to Bills and Money clauses in Bill:-**

- (1) A Bill involving expenditure shall be accompanied by a financial memorandum which shall invite particular attention to the clauses involving expenditure and shall also give an estimate of the recurring and non-recurring expenditure involved in case the Bill is passed into law.
- (2) Clauses or provisions in Bills involving expenditure from public funds shall be printed in thick type or italics:

Provided that where a clause in a Bill involving expenditure is not printed in thick type or italics, the Speaker may permit the member-in-charge of the Bill to bring to the notice of the House such clauses.

**119.***Bills or amendments requiring recommendations of Governor:-*

- (1) A Bill or amendment to which the provisions of clause (1) of Article 199 of the Constitution apply shall not be introduced or moved unless the member who has proposed to introduce the Bill or move the amendment has forwarded to the Secretary the recommendation of the Governor under clause (1) of Article 207 of the Constitution in respect of the Bill or amendment as the case may be.
- (2) A motion that the Bill to which the provision of clause (3) of Article 207 of the Constitution applies be taken into consideration shall not be moved unless the mover forwards to the Secretary the recommendation required.
- (3) If any question arises whether a Bill or amendment is or is not a Bill or amendment which cannot be introduced or moved save without the recommendation of the Governor and if the Speaker is of opinion that it requires such recommendation, he shall stay further progress of the Bill or amendment and direct the member concerned to obtain the recommendation required.
- (4) If the Governor is of opinion that such recommendation is not necessary, or grant the recommendation required, the member concerned may forward to the Secretary the opinion or the recommendation, as the case may be, and thereupon the Bill, or amendment shall be proceeded with from the stage at which its progress was stayed under sub-rule (3).

**120.***Requisition for papers connected with Bills:-*

- (1) Any member may ask for any papers or returns connected with any Bill before the Assembly.
- (2) The Speaker shall determine, either at the time or at the meeting of the Assembly next following whether the papers or returns asked for can be given.

***B—Motions after introduction*****121. *Motions after introduction:—***

- (1) When a Bill is introduced or on some subsequent occasion, the member-in-charge may make one of the following motions in regard to the Bill, namely: -
  - (a) that it be taken into consideration by the Assembly either at once or on some future day to be then mentioned; or
  - (b) that it be referred to a Select Committee composed of such members of the Assembly and with instruction, if any, to report before such date as may be specified in the motion; or
  - (c) that it is expedient that the Bill be referred to a Joint Select Committee of both Houses composed of a fixed number of members to be indicated in the motion and with instruction, if any, to report before such date as may be specified in the motion; or
  - (d) that it be circulated for the purpose of eliciting public opinion thereon by a date to be specified in the motion:  
Provided that no such motion as is referred to clause (c) shall be made with reference to a Bill making provision for any of the matters specified in sub-clause (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 member may object to any such motion being made, unless copies of the Bill have been so made available for seven days before the motion is made, and such objection shall prevail unless the Speaker in the exercise of his power to suspend this rule allows the motion to be made.
- (2) The period of notice of a motion under sub-rule (1) shall be fifteen days, unless the Speaker in exercise of his power to suspend this rule, allows the motion to be made at shorter notice.

**122. Discussion on principle of Bills:-**

- (1) On the day on which any such motion is made, or on any subsequent day to which the discussion thereof 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.
- (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 by way of amendment make a motion as mentioned in clause (b), (c) or (d) of sub-rule (1) of rule 121, or
  - (b) if the member-in-charge moves that the Bill be referred to a Select Committee or Joint Select Committee, any member may make a motion as mentioned in clause (d) of sub-rule (1) of rule 121.
- (3) Where a motion that the Bill be circulated for the purpose of eliciting public 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 must move that the Bill be referred to a Select Committee or to a Joint Select Committee, however the Speaker in the exercise of the power to suspend this rule, allows a motion to be made that the Bill be taken into consideration.

**123. Persons by whom motion in respect of Bills may be made:-**

No motion that a Bill be taken into consideration or be passed shall be made by any member other than the member-in-charge of the Bill and no motion that a Bill be referred to a Select Committee or to a Joint Select Committee or be circulated or re-circulated for the purpose of eliciting public 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.

***C-Consideration, amendment and passing of Bill***

**124. Scope of debate on report of Select Committee or Joint Select Committee:-** The debate on a motion that the Bill, as reported by the Select Committee or Joint Select Committee, be taken into

consideration", shall be confined to the consideration of the report of the committee and the matters referred to in the report or any alternative suggestions consistent with the principle of the Bill.

**125. Proposal of amendments:-**When a motion has been agreed to by the Assembly that "a Bill be taken into consideration", any member may propose an amendment of such Bill.

**126. Notice of amendments:—**

- (1) A member who desires to move an amendment to a Bill shall give notice of his intention not later than the fifth day before the meeting of the Assembly on which the Bill is set down for consideration, and shall, together with the notice, submit a copy of the amendment which he wishes to make:

Provided that the Speaker may allow an amendment to be entered in the list of amendments, of which shorter notice has been given.

- (2) The Secretary shall, if time permits cause every notice of a proposed amendment to be printed and a copy thereof to be made available for the use of each member.

**127. Conditions of admissibility of amendment:-**The following conditions shall govern the admissibility of amendments:-

- (1) An amendment shall be relevant to and within the scope of the clause of the Bill to which it relates.
- (2) 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 former amendment is moved so as to make the series of amendments intelligible as a whole:

Provided that in order to save time and repetition of arguments a single discussion may be allowed to cover a series of interdependent amendments.

**128. Order of amendments:-**Amendments shall ordinarily be considered in the order of the clauses of the Bill to which they respectively relate.

**129. Power of Speaker to select new clauses or amendments:—**The Speaker shall have power to select the new clauses or amendments

to be proposed, and may if he thinks fit, call upon any member who has given notice of an amendment to give explanation of the subject of the amendment as may enable him to form a judgement upon it.

**130. *Submission of Bill, clause by clause:* —**

(1) After a motion has been agreed to by the Assembly "that the Bill be taken into consideration", the Speaker shall submit the Bill to the Assembly clause by clause.

(2) The Speaker shall call the number of each clause separately, and, when the amendments relating to it have been dealt with, shall put the question "That this clause, or (as the case may be) this clause as amended, do stand part of the Bill":

Provided that the Speaker may, in the case of uncontested clauses, put the question on a group of clauses.

(3) 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 the new schedules shall follow the consideration of the original schedules. The question shall then be put: "That this schedule or (as the case may be) this schedule as amended do stand part of the Bill."

The Title and the Preamble of the Bill shall be put after the rest of the Bill has been dealt with.

(4) The Speaker, if he thinks fit, may postpone the consideration of a clause.

**131. *Passing of Bills:-***

(1) After a motion "that a Bill be taken into consideration" has been carried and no amendment of the Bill is made, the member-in-charge may at once move that the Bill be passed.

(2) If any amendment of the Bill is made, any member may object to any motion being made on the same day that the Bill be passed; and such objection shall prevail, unless the Speaker, in the exercise of his power to suspend this rule, allows the motion to be made.



- (3) Where the objection prevails, a motion "that the Bill as amended be passed" may be brought forward on any future day.
- (4) To such a motion no amendment may be moved which is not either formal or consequential upon an amendment made after the Bill was taken into consideration.

**132. *Scope of debate:***-The discussion on a motion "that the Bill be passed" shall be confined to the submission of arguments either in support of the Bill or for the rejection of the Bill. But 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.

**133. *Authentication of Bills:***-When a Bill is passed by the Assembly the Secretary shall, if necessary, revise and complete the marginal notes and renumber the clauses thereof and make such purely formal consequential amendments therein as may be required and correct typographical errors, if any. A copy of the Bill shall be submitted to the Speaker and shall be signed by him. In case the Bill passed is Money Bill he will endorse a certificate under Article 199 (4) of the Constitution.

**134. *Transmission of Bill passed by Assembly to Council:***-The copy of the Bill signed by the Speaker under rule 133 shall be transmitted to the Council.

**135. *Submission of Assembly Bills passed by both Houses for assent:***-When a Bill originating in and passed by the Assembly, has been passed by the Council and returned to the Assembly, or when a Bill is deemed to have been passed by both Houses, the Secretary shall make verbal or consequential amendments, if any, in it, and after the Speaker has signed it, and if it is a Money Bill, endorsed the necessary certificate under Article 199(4) of the Constitution, it shall be submitted to the Governor for his assent and if the assent is given it shall be published in the Gazette as an Act of the Bihar Legislature assented to by the Governor. If the Bill is reserved for the consideration of the President and the assent of the President has been given it shall be published in the Gazette as the Act of the Bihar Legislature assented to by the President.

**136. *Bills returned by Governor:***-

- (1) When a Bill which has been passed by both Houses is returned by the Governor to the Assembly for reconsideration,

the point or points referred for consideration or the amendment 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.

- (2) For the subsequent procedure to be adopted in regard to the Bill, the provisions of the rules regarding Legislation in both Houses shall, so far as may be, apply.

**137. *Withdrawal of Bills***:-The member-in-charge of the Bill may, at any stage of the Bill, withdraw it with the leave of the Assembly if no objection is raised:

Provided that where a Bill has been referred to a Select Committee notice of any such withdrawal shall automatically stand referred to the Committee and after the Committee has expressed its opinion in a report to the House the notice may be put down in the List of Business.

**138. *Explanatory statement by member who moves or opposes withdrawal motion***:-If withdrawal of a Bill is opposed the Speaker may, if he thinks fit, permit the member-in-charge of the Bill and the member who opposes its withdrawal to make brief explanatory statements and may thereafter take the sense of the House without any discussion.

**139. *Removal of Bill from the Register of Bills***:-Where any of the following substantive motions under these rules in regard to a Bill is rejected by the Assembly, no further motion shall be made with reference to the Bill and such Bill shall be removed from the Register of Bills pending in the Assembly:-

- (i) that the leave be granted to introduce the Bill;
- (ii) that the Bill be referred to a Select Committee;
- (iii) that the Bill, as reported by the Select Committee, be taken into consideration;
- (iv) that the Bill be taken into consideration; and
- (v) that the Bill (or that the Bill as amended) be passed.

**140. *Discussion on Governor's Ordinance***:-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 by the Secretary to the members of the Assembly.

Within six weeks from the re-assembly of the Assembly, any member may, after giving three clear days' notice to the Secretary, move a resolution approving the Ordinance; and if such resolution is passed, it shall be forwarded to the other House with a message asking for its concurrence.

***D—Bills originating in the Assembly***

**141.** *Bills returned to the Assembly after rejection or with amendments, or returned with suggestion of amendments, or not returned within three months:-*

- (1) If after a Bill has been passed by the Assembly and transmitted to the Council:-
- (a) the Bill is rejected by the Council; or
  - (b) more than three months elapse from the date on which the Bill is laid before the Council without the Bill being passed by it; or
  - (c) the Bill is passed by the Council with amendments; or
  - (d) the Bill is returned by the Council with amendments suggested by it;

the Assembly may, in cases referred to in clauses (a) and (b) on a motion made by the member-in-charge, after giving three days' notice or with the consent of the Speaker at shorter notice or without notice consider the Bill and pass it, with or without amendments, and when the Bill is so passed, a message shall be sent to the Council desiring its concurrence; or

the Assembly may, in cases referred to in clauses (c) and (d) agree, or not agree, to the amendments made or suggested by the Council, on a motion made by the member-in-charge with or without notice as above, that the amendments be taken into consideration and when it does so a message intimating its agreement or disagreement, as the case may be, shall be sent to the Council; or

the Assembly may, agree to the amendments made or suggested by the Council with further amendments, and if it does so it shall send a message to the Council desiring its concurrence thereto.

- (2) If after a Bill has been so passed for the second time by the Assembly and transmitted to the Council:-
- (a) the Bill is rejected by the Council; or
  - (b) more than one month elapses from the date on which the Bill is laid before the Council without the Bill being passed by it; or
  - (c) the Council insists on its original amendments to which the Assembly has disagreed; or
  - (d) the Council disagrees to the further amendments made by the Assembly; or
  - (e) the Council proposes further amendments in lieu of and relevant to the amendments disagreed to by the Assembly;
- the Bill, in all such cases, shall be deemed to have been passed by both Houses of the Legislature in the form in which it was passed by the Assembly for the second time with such amendment or amendments, if any, as have been made or suggested by the Council and agreed to by the Assembly.
- (3) No amendments shall be proposed to any amendment of the Council that is not strictly relevant thereto or consequential thereupon or alternative thereto or is made necessary by the delay in the passage of the Bill.
- (4) The other general rules relating to Bill, save as provided above, shall apply.
- (5) Nothing in this rule shall apply to a Money Bill.

**142. Procedure as to Money Bills:—** If after a Bill which is a Money Bill has been passed by the Assembly and transmitted to the Council for its recommendations : -

- (a) the Bill is returned by the Council with its recommendation within a period of fourteen days from the date on which the Bill was received by the Council; or
- (b) the Bill is returned by the Council without any recommendation within the aforesaid period of fourteen days; or

- (c) the Bill is not returned by the Council within the aforesaid period of fourteen days -
- (i) in the case referred to in clause (a), the Assembly may after such recommendations have been laid on the Table, on a motion made by the member-in-charge after giving one day's notice or with the consent of the Speaker without notice, consider the Bill and accept or reject all or any of the recommendations made by the Council, and where the Assembly so accepts any of the recommendations of the Council the Bill shall be deemed to have been passed by both Houses with the amendments recommended by the Council and accepted by the Assembly; and where the Assembly does not accept any of the recommendations made by the Council, the Bill shall be deemed to have been passed by both Houses in the form in which it was passed by the Assembly without any of the amendments recommended by the Council; and
  - (ii) in the cases referred to in clauses (b) and (c) the Bill shall be deemed to have been passed by both Houses in the form in which it was passed by the Assembly.

Explanation:-The period of fourteen days referred above is to be counted from the date of the receipt of the Bill by the Legislative Council and not from the date on which the Bill is laid before the Council.

***E—Bills originating in the Council and sent to the Assembly***

**143. Council Bills as passed by Council and sent to Assembly:-** When a Bill originating in the Council has been passed by the Council and is sent to the Assembly, copies of the Bill shall be laid on its Table at the meeting of the Assembly as soon as may be thereafter. The Secretary shall, immediately on receipt of the Bill, cause a copy thereof to be sent to every member of the Assembly.

**144. Notice of motion for Consideration of Council Bills:-**

- (1) After the Bill has been made available for the use of the members, any member acting on behalf of Government in the case of a Government Bill, or in any other case, any

member may after giving five days' notice or with the consent of the Speaker at shorter notice, move that the Bill be taken into consideration.

- (2) The member moving the motion under sub-rule (1) shall, for the purpose of these rules, be deemed to be member-in-charge of the Bill in the Assembly.

**145. Discussion on principle of Council Bills:-**On the day on which such motion is made or on any subsequent day to which the discussion 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.

**146. Reference to Select Committee:-**Any member may (if the Bill has not already been referred to Select Committee of the originating House 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 rules, regarding Select Committee on Bills originating in the Assembly shall, so far as may be, then apply.

**147. Consideration and passing:-**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, so far as may be, apply.

**148. Council Bills passed by Assembly without amendment:-**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 sent to the Council.

**149. Council Bills passed by Assembly with amendments:-**

- (1) If the Bill is passed with amendments, the Bill shall be returned with a message asking the concurrence of the Council in the amendments.
- (2) If the Bill so amended by the Assembly and returned to the Council for its concurrence is again sent back by the Council with a message disagreeing to the amendments or proposing further amendments the Assembly may either agree to the

Bill as passed by the Council or as amended by the Council, as the case may be, or may insist on an amendment or amendments with which the Council has disagreed.

**PART XIII**

**Resolutions**

**150. Notice of resolutions:-** A member who wishes to move a resolution shall give notice thereof in writing to the Secretary not later than fifteen clear days before the first day fixed for the disposal of private resolutions and shall, together with the notice, submit a copy of the resolution which he wishes to move:

Provided that the Speaker may, with the consent of the Minister-in-charge of the Department concerned, and without the procedure of a ballot under sub-rule (3) of rule 20, allow a resolution to be entered in the List of Business, of which shorter notice has been given, but such a resolution shall be entered in the said list only at the end of the balloted resolution:

Provided further that in the case of resolution of which notice is given by or on behalf of Government, a notice of ten days shall be necessary.

**151. Maximum number of resolutions by one member:-** No member shall give notice of more than one resolution for each day allotted for the disposal of private resolution.

**152. Form of resolution:-** Every resolution shall be in the form of a specific recommendation addressed to the Government save as otherwise provided by the Constitution.

**153. Restrictions on moving of resolutions:-**

- (1) No resolution shall be admissible which does not comply with the following conditions, namely:-
  - (a) it shall be clearly and precisely expressed and shall raise one definite issue; and
  - (b) it shall not contain arguments, inferences, ironical expressions or defamatory statements, nor shall it refer to the conduct or character of any person except in his official or public capacity.

- (2) No resolution shall be moved in regard to any matter which is under adjudication by a Court of Law having jurisdiction in any part of the Union.
- (3) The Speaker may, within the period of notice, disallow any resolution or any part of a resolution on the ground that it relates to a matter which is not primarily the concern of the State Government; and if he does so, the resolution or part of the resolution, as the case may be, shall not be placed on the List of Business.

**154. Admissibility of resolutions:**—The Speaker shall decide on the admissibility of a resolution under these rules and may disallow any resolution when in his opinion it does not comply with the rules:

Provided that he may, in his discretion, amend its form or give the member concerned an opportunity of amending it if it is in contravention of the rules.

**155. Copy of resolution to be forwarded to the Department of Government concerned :**—The Secretary shall forward to the Department of Government concerned a copy of the resolution of admission by the Speaker, at least ten clear days before the date fixed for its discussion.

**156. Moving and withdrawal of resolutions:**—

- (1) A member in whose name a resolution appears on the List of Business shall, when called on, either:—
  - (a) withdraw the resolution in which case he may confine himself to a brief statement of his reasons for withdrawal; or
  - (b) move the resolution in which case he shall commence his speech by a formal motion in the terms appearing on the List of Business:

Provided that the member may, with the permission of the Speaker, authorise any other member, in whose name the same resolution stands lower in the List of Business to move it on his behalf and the member so authorised may move it accordingly.



- (2) If the member, when called-on/called-upon, is absent, then any member authorised by him in writing in this behalf may, with the permission of the Speaker, move the resolution standing in his name. Provided that no member has been so authorised or such permission is not granted, then the resolution shall be deemed to have lapsed.

**157. Time-limit for speech on resolution:-**No Speech on a resolution except with the permission of the Speaker shall exceed ten minutes in duration:

Provided that the mover of a resolution when moving the same, and the Minister to whose department the resolution relates, when speaking for the first time, may speak for fifteen minutes or for such longer time as the Speaker may permit.

**158. Time-limit for discussion of a single resolution:-**

- (1) The Speaker may, if he thinks fit, fix a maximum limit of time for the discussion of any resolution of a private member on any day allotted for the discussion of such resolutions.
- (2) As soon as such maximum limit of time for discussion is reached the Speaker shall forthwith put every question necessary to dispose of the resolution under discussion.
- (3) Notwithstanding anything contained in rule 157, the Speaker may, in the case of any resolution for the discussion of which he has allotted a maximum time under sub-rule (1), prescribe a time-limit for speeches shorter than that referred to in that rule.

**159. Amendment to resolutions:-**After a resolution has been moved, any member, may, subject to the rules relating to resolutions, move an amendment to the resolution.

**160. Notice of amendments:-**

- (1) If a copy of such amendment has not been received by the Secretary not later than on the third day before the day fixed for the discussion of the resolution any member may object to the moving of the amendment and such objection shall prevail unless the Speaker in the exercise of his power to Suspend this rule, allows the amendment to be moved.

- (2) The Secretary shall, if time permits, cause every amendment to be printed and a copy thereof to be made available for the use of each member.

**161. *Withdrawal of resolutions:-***

- (1) A member who has moved a resolution or an amendment to a resolution shall not withdraw the same except by the leave of the Assembly.
- (2) No discussion shall be permitted on a request for leave to withdraw such resolution or amendment.

**162. *Order of amendments:-***

- (1) When an amendment to any resolution is moved, or when two or more such amendments are moved, the Speaker shall, before taking the sense of the Assembly thereon, state before or read to the Assembly the terms of the original motion and of the amendment or amendments proposed.
- (2) It shall be in the discretion of the Speaker to put first to the vote either the original motion or any of the amendments which may have been brought forward.

**163. *Division of resolution or amendment:-***When any resolution or amendment involving several points has been discussed, it shall be in the discretion of the Speaker to divide the resolution or the amendment and put each or any point separately to the vote, as he may think fit.

**164. *Resolutions not discussed:-***If a resolution which has been admitted is not discussed during the session, then that resolution shall be deemed to have been withdrawn.

Provided that a resolution which has been admitted but have not been proposed in the house, then that resolution shall be deemed to have lapsed.

**165. *Effect of resolutions omitted and disallowance and withdrawal of resolutions:-***

- (1) When a resolution has been moved, and has not been withdrawn by the leave of the Assembly, no resolution or amendment raising substantially the same question shall be moved within one year.
- (2) When a resolution has been disallowed under these rules or has been withdrawn with the leave of the Assembly no resolution or amendment raising substantially the same question shall be moved during the same session.

**166.** *Copy of resolutions passed by Assembly to be sent to Government:-* A copy of every resolution which has been passed by the Assembly shall be forwarded to the Government for necessary action. Action taken by the Government on such a resolution shall be communicated to the Secretary before the commencement of the next session and the Secretary shall thereupon inform the members of the same.

**PART XIV**

**Financial Business**

**167.** *Presentation of Budget:-* 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 in the preceding financial year as the Government may appoint.

**168.** *Demands for grants:-*

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

Provided that the Finance Minister may, in his discretion, include in one demand grants proposed for two or more departments, or make a demand in respect of expenditure, such as, Famine and Interest, which cannot readily be classified under particular departments.

168 (1) (a) "All the departments will be taken in the Guillotine simultaneously and the demands of grant of the budget and the supplementary budget, to be guillotined, will be placed on the floor of House simultaneously."

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

(3) When a demand for grant or any part of it relates to any new scheme or general revision of pay or allowances of a class of Government servants or creation of a new post or department, on a permanent or temporary basis, all material details of such scheme or general revision of pay or allowances of new post or department shall be included in the Financial Statement.

(4) Subject to these rules, the Budget shall be presented in such a form as the Finance Minister may consider best fitted for its consideration by the Assembly.

**169. Dates for commencement of general discussion and voting of demands:-** There shall be no general discussion of the Budget till after two days from the day on which it is presented to the Assembly and the voting of demands for grants shall not be commenced till after three days from the day the Budget is so presented.

**170. Discussion on Budget:-** The Budget shall be dealt with by the Assembly in two stages, namely:-

- (i) a general discussion; and
- (ii) the voting on demands for grants.

**171. General discussion:-**

- (1) On the days to be appointed by the Speaker subsequent to the day on which the Budget is presented, the Assembly shall be at liberty to discuss the Budget as a whole or any question of principle involved therein, but no motion shall be moved at this stage, nor shall the Budget be submitted to the vote of the Assembly.
- (2) The Speaker shall allot not more than seven days for the General Discussion.
- (3) The Finance Minister shall have a general right of reply at the end of the discussion.

**172. Voting on demands:—**

- (1) The voting on demands for grants shall take place on such days not exceeding twenty-one as the Speaker may, in consultation with the Leader of the House, allot for the purpose:  
Provided that the voting on demands shall be completed by the date, if any, fixed by the Speaker.
- (2) Of the days allotted under sub-rule (1), not more than two days shall be taken by the Assembly for the discussion of any one demand. As soon as the maximum limit of time for discussion is reached the Speaker shall forthwith put every question necessary to dispose of the demand under discussion.
- (3) On the days so allotted no other business shall be taken up except with the consent of the Speaker, provided that such consent shall not be given on the last day of the days.
- (4) At 5 P.M. on the last day of the days so allotted, or on the day, if any, fixed by the Speaker under the proviso to subrule

(1), whichever is earlier, the Speaker shall forthwith put every question necessary to dispose of all outstanding matters in connection with the demands for grants.

- (5) Nothing in this rule shall prohibit the asking and answering of question during the time allowed under these rules.

**173. Budget motions:-**

- (1) No demand for a grant shall be made except on the recommendation of the Governor communicated to the Assembly and the Minister who moves such a motion may make a statement explaining the policy underlying the demand to which it relates.
- (2) Motions may be moved at this stage to reduce any grant or to omit or reduce any items in a grant, but not omit a total amount of any grant or to increase or alter the destination of a grant.
- (3) A member who desires to bring forward a motion under sub-rule (2) shall give notice thereof in writing to the Secretary not later than on the fifth day before the first day fixed for the voting of demands for grants and shall submit a copy of the motion with the notice:

Provided that the Speaker may with the consent of the Minister-in-charge of the Department concerned allow the motion to be moved, of which shorter notice has been given.

- (4) The notice of every such motion shall:—
- (i) state the unit of appropriation, the sub-head and the detailed head of the grant concerned, and
- (ii) indicate the object proposed to be discussed on the motion clearly and precisely and shall raise one definite issue and shall not contain arguments, inferences, imputations, ironical or defamatory statements, nor shall it refer to the conduct or character of any person except in his official or public capacity.
- (5) Such a motion shall not be moved in regard to any matter which is under adjudication by a Court of Law having jurisdiction in any part of the Union.

- (6) When several motions relating to the same demand have been proposed they shall be discussed in the order in which the heads to which they relate appear in the Budget:

Provided that priority shall be given to a motion proposing a larger reduction on the ground of economy:

Provided further that a motion proposing a reduction in the total amount of any grant shall not be moved unless motions relating to specific items in the grant have been disposed of.

**174. Further demands for grant:-** On a day fixed by the Governor before the last day of the days allotted by the Speaker for the moving of demands for grants, further demands for grants may be moved:

Provided that:-

- (i) they are required for purposes which in the opinion of the Governor are of an emergent nature; and
- (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 of appropriation and detailed account heads under each grant.

**175. Vote on Account:-**

- (1) Notwithstanding anything contained in the foregoing rules of this part, any day or days subsequent to the presentation of the Budget, which may be appointed by the Governor for the purpose, motions may be made for asking the Assembly to make any grant in advance in respect of the estimated expenditure for a part of any financial year pending the voting of such grant under rule 172 and the passing of the Appropriation Bill under rule 182 in relation to that expenditure. A motion for Vote on Account shall state the total sum required, and the various amounts needed for each department or service or item of expenditure which compose that sum shall be stated in a Schedule appended to the motion.
- (2) Amendments may be moved for reduction of the whole grant or for the reduction or omission of the items whereof the grant is composed.

- (3) Discussion of a general character shall be allowed on the motion or any amendments moved thereto but the details of the grant may not be discussed further than is necessary to develop the general points.
- (4) In other respects a motion for Vote on Account shall be dealt with in the same way as if it were a demand for grant.

**176. Supplementary demands:-**

- (1) The Governor may, from time to time, allot a day for the presentation of a statement of supplementary expenditure.
- (2) The Speaker shall allot one or more days not earlier than two days after such presentation, (i) for the voting of the demands for supplementary grants, or **(ii)** for discussion of the estimates of the expenditure charged on the Consolidated Fund of the State, or (iii) for both such voting and discussion, as the case may be:

Provided that the voting of demands shall be completed by the date, if any, fixed by the Speaker.

- (3) On the days so allotted no other business shall be taken up except with the consent of the Speaker, provided that such consent shall not be given on the last day of the days.
- (4) At 5 P.M. on the last day of the days so allotted, or on the day, if any, fixed by the Speaker under the proviso to sub-rule (2), whichever is earlier, the Speaker shall forthwith put every question necessary to dispose of all the outstanding matters in connection with the demands for grants.
- (5) Nothing in this rule shall prohibit the asking and answering of question during the time allowed under these rules.
- (6) A member who desires to bring forward a motion to reduce any demand for supplementary grant or to omit or reduce any item in a demand shall give notice thereof in writing to the Secretary not later than on the second day before the first day fixed for the voting of demands for supplementary grants and shall submit a copy of the motion with the notice:  
Provided that the Speaker may, with the consent of the Minister-in-charge of the Department concerned, allow a motion to be moved, of which shorter notice has been given.

- (7) Except as otherwise provided, demands for supplementary grants shall be dealt with in the same way as if they were demands for grants and the provisions of rule 171, 172 and 182 shall, so far as may be, apply.

**177. Excess grants:** -If in respect of any financial year money has been spent in excess of the amount granted for that service and for that year on any service for which the vote of the Assembly is necessary, a demand for the excess amount shall be presented to the Assembly and shall be dealt with in the same way by the Assembly as if it were a demand for a grant and the provisions of rules 171, 172 and 182 shall, so far as may be, apply.

**178. Time-limit for speeches:** -The Speaker may, if he thinks fit, prescribe a time-limit for speeches at the general discussion of the Budget, at the voting of demands for grants, at the general discussion of the statement of supplementary expenditure and at the voting of supplementary demands or further demands.

**179. Supplementary or additional grant:** -When in respect of any financial year further expenditure from the Consolidated Fund of the State becomes necessary over and above the expenditure heretofore authorised for that year or when a need arises during any financial year for expenditure upon some new service not contemplated in the Appropriation Act, a supplementary statement showing the estimated amount of that expenditure shall be laid before the Assembly.

**180. Scope of discussion on supplementary grants:** -

- (1) The debate on supplementary grants shall be confined to the items constituting the same and no discussion may be raised on the original grants save in so far as it may be necessary to explain or illustrate the particular items under discussion.
- (2) A demand for a supplementary or additional grant shall be presented to the Assembly in respect of so much of such further expenditure as relates to expenditure other than expenditure charged upon the Consolidated Fund of the State:

Provided that when funds to meet proposed expenditure on a new service for which the assent of the Assembly is necessary 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 so made available.

- (3) Supplementary or additional estimates shall be dealt with by the Assembly in the same way as if they were demands for grants and the provisions of rules 171, 172 and 182 shall apply.

**181. *Vote of Credit or of exceptional grant:***-At any time during a financial year a motion may be made for a vote of credit or of exceptional grant as contemplated by sub-clause (b) and (c) of Article 206 of the Constitution, and then the provisions of rule 171, 172 and 182 in relation to such vote or grant shall, so far as may be, apply.

**182. *Appropriation Bill:***—

- (1) As soon as may be after the grants have been made by the Assembly under these rules there shall be introduced a Bill to provide for the appropriation out of the Consolidated Fund of the State of all moneys required to meet following grants and expenditure:—
- (a) the grants so made by the Assembly; and
  - (b) the expenditure charged on the Consolidated Fund of the State but not exceeding in any case the amount shown in the Budget presented to the Assembly.
- (2) Save as otherwise provided in the Constitution, the provisions of these rules relating to Bills shall apply to an Appropriation Bill introduced under this rule:
- Provided that no amendment shall be proposed to any such Bill which will have the effect of varying the amount or altering the destination of any grant by the Assembly or of varying the amount of any expenditure charged on the Consolidated Fund of the State:
- Provided further that the Speaker may suspend the operation of any such rules for the purpose of timely completion of the financial business.
- (3) 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 discussion.
- (4) The Speaker may, in order to avoid repetition of debate, require members desiring to take part in discussion of an

Appropriation Bill to give advance intimation of the specific points they intend to raise, and he may withhold permission for raising such of the points as in his opinion appear to be repetitions of the matters discussed on a demand for grant or as may not be of sufficient public importance.

- (5) If an Appropriation Bill is in pursuance of a supplementary grant in respect of an existing service, the discussions shall be confined to the items constituting the same and no discussion shall be raised on the original grant or the policy underlying it save in so far as it may be necessary to explain or illustrate a particular item under discussion.

**183. Finance Bill:-**

- (1) In this rule "Finance Bill" means the Bill ordinarily introduced in each year to give effect to the financial proposals of Government for the next financial year and includes a Bill to give effect to supplementary financial proposal for any period.
- (2) At any time after the introduction of a Finance Bill in the Assembly, the Speaker may allot a day or days, jointly or separately for the completion of all or any of the stages involved in the passage of the Bill by the Assembly and when such allotment has been made, the Speaker shall at 5 o'clock on the allotted day or, as the case may be, the last of the allotted days forthwith put every question necessary to dispose of all the outstanding matters in connection with the stage or stages for which the day or days have been allotted:

Provided that if a Minister has a right of reply to the debate on the motion which is under discussion at 4 P.M. on that day and has not commenced his reply at that hour the Speaker shall enquire how much time not exceeding one hour he will require for his reply and shall call upon any member for the time being addressing the House to resume his seat at such time as will leave available before 5 o'clock the amount of time which the Minister has stated that he requires for his reply.

- (3) Where the question or one of the questions, required by sub-rule (2) to be put at 5 o'clock on the allotted day or the last of the allotted days is that the Bill be passed, sub-rule

(2) shall have effect notwithstanding that amendment of the Bill have been made.

- (4) Subject to the proviso to sub-rule (2) the Speaker may, if he thinks fit, prescribe a time-limit for speeches at all or any of the stages for which a day or days have been allotted under that sub-rule.

**184. Time-limit for disposal of financial business:**-In addition to the powers exercisable by the Speaker under these rules, he may exercise all powers necessary for the purpose of the timely completion of all financial business and in particular allot time for the disposal of various kinds of such business and where time is so allotted, he shall, at the appointed hour, put every question necessary to dispose of all the outstanding matters in connection with the stages or stage for which time has been allotted.

*Explanation :-* Financial business includes any business which the Speaker holds as coming within this category under the Constitution.

#### PART XV

#### Committees of the Vidhan Sabha

**185. Committee includes Committee of Vidhan Sabha:**-In this Part, unless the context otherwise requires, "Committee" means and includes "Committee of the Vidhan Sabha" as defined in rule 2.

**186. Appointment of Committee:-**

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

**187. Term of office of Committee nominated by the Speaker:—**  
A Committee nominated by the Speaker shall, unless otherwise

specified in the rules contained in this Chapter, hold office for the period specified by him or until a new Committee is nominated.

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

**189. Chairman of Committee:-**

- (1) The Chairman of a Committee shall be appointed by the Speaker from amongst the members of the Committee:

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

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

**190. Quorum:-**

- (1) The quorum to constitute a sitting of a Committee shall be, as near as may be, one-third of the total number of members of the Committee.
- (2) If at any time fixed for any sitting of the Committee, or if at any time during such sitting, there is no quorum the Chairman of the Committee shall either suspend the sitting until there is a quorum or adjourn the sitting to some future day.
- (3) 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 appointed by the Speaker, the Chairman shall report the fact of such adjournment to the Speaker.
- (4) If there are *ex-officio* members in a Committee their absence may not be counted at the time of Quorum.

**191. Discharge of members absent from sittings of committee:-** If a member is absent from two or more consecutive sittings of a Committee without the permission of the Chairman, a motion may be

moved in the House for the discharge of such member from the Committee:

Provided that where the members of the Committee are nominated by the Speaker such members may be discharged by the Speaker.

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

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

**194. *Power to appoint Sub-Committees:***—

- (1) A Committee may appoint one or more sub-committees each having the powers of the undivided Committee, to examine any matters that may be referred to them, and the reports of such sub-committees shall be deemed to be the 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.

**195. *Sittings of Committee:***-The sittings of a Committee shall be held on such days and at such time as the Chairman of the Committee may fix:

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

Provided further that in the case of Select or Joint Committee on a Bill, if the Chairman of the Committee is not readily available, the Secretary may, in consultation with the Minister concerned with the Bill, fix the date and time of a sitting.

**196. *Committee may sit whilst House is sitting:***-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 will in his opinion enable the members to vote in a division.

**197. *Sittings of Committee:***- Sittings of a committee shall be held confidentially.

**198. Venue of sittings:-** The sittings of a Committee shall be held within the precincts of the Vidhan Sabha and if it becomes necessary to change the place of sitting outside the Vidhan Sabha, the matter shall be referred to the Speaker whose decision shall be final.

**199. All strangers to withdraw when Committee deliberates:-** All persons other than members of the Committee and officers of the Vidhan Sabha Secretariat shall withdraw whenever the Committee is deliberating unless the Chairman otherwise directs.

**200. Power to take evidence or call for documents: -** (1) A witness may be summoned by an order signed by the Secretary and shall produce such documents as are required for the use of a Committee.

(2) It shall be in the discretion of the Committee to treat any evidence tendered before it as secret or confidential.

(3) Any document presented before the committee will neither be taken back nor any change will be done into it, without the knowledge and approval of the Committee.

**201. Power to send for persons, papers and records: -**

(i) Committee shall not consider at any application or complaint which is not referred by the Speaker or House to examine.

(ii) Committee shall not pass veto order or give any direction for implementation order to the State Government without prior permission of the Speaker.

(iii) Committee shall have power to send for persons, papers and records.

Provided 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:

Provided further that if the Committee considers that the production of the document is necessary, the matter may be referred to the Speaker whose decision shall be final.

**202. Consequence of failure of a person or witness to appear before a Committee or the House:-** If a person or witness summoned by the House or by a Committee having powers to require the attendance of such person or witness fails to obey the summons, the matter shall be reported to the House for taking appropriate action in the matter.

**203. Counsel for a witness:-** A Committee may permit a witness to be heard through a Counsel appointed by the Speaker on the recommendation of the Committee.

**204. Evidence on Oath:-** (1) A Committee may administer oath or affirmation to a witness examined before it.

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

I, A.B., do swear in the name of God  
solemnly affirm

that the evidence which I shall give in this case shall be true, that I will conceal nothing, and that no part of my evidence shall be false.

**205. Procedure for examining witness:-**The examination of witnesses before a Committee shall be conducted as follows:-

- (1) The Committee shall, before a witness is called for examination, decide the mode of procedure and the nature of questions that may be asked.
- (2) 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 (1) of this rule.
- (3) The Chairman may call other members of the Committee one by one to ask any other questions.
- (4) 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.
- (5) A verbatim record of proceedings of the Committee shall, when a witness is summoned to give evidence, be kept.
- (6) The evidence tendered before the Committee may be made available to all members of the Committee.

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

**207. Evidence, report and proceedings treated as confidential:-**

- (1) A Committee may direct that the whole or a part of the evidence or a summary thereof may be laid on the Table.
- (2) No part of the evidence, oral or written, report or proceedings of a Committee which has not been laid on the Table shall be open to inspection by anyone 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 the 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.

**208. *Special reports:-*** A Committee may, if it thinks fit, make a special report on any matter that arises or comes to light in the course of its work which it may consider necessary to bring to the notice of the Speaker or the House, notwithstanding that such matter is not directly connected with, or does not fall within or is not incidental to, its terms or reference.

**209. *Report of Committee:-***

- (1) Where the House has not fixed any time for the presentation of a report by a Committee, the report shall be presented within one month 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 presentation of the report by the Committee be extended to a date specified in the motion:

Provided further that if at the time when the necessity for extension arises the Assembly is not in session, the Speaker may give such extension.

- (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.

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



**211. Presentation of report:-**

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

**212. Printing, publication, or circulation of report prior to its presentation to House:-** The Speaker may, on a request being made to him, order the printing, publication or circulation of a report of a Committee although it has not been presented to the House. In that case the report shall be presented to the House during its next session at the first convenient opportunity.

**213. Power to make suggestions on procedure:-** 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.

**214. Power of Committee to make detailed rules:-** A Committee may with the approval of the Speaker make detailed rules of procedure to supplement the provisions contained in the rules in this Part.

**215. Power of Speaker to give directions:-**

- (1) The Speaker may from time to time issue such directions to the Chairman of a Committee as he may consider necessary for regulating its procedure and the organisation of its work.
- (2) If any doubt arises on any point of procedure or otherwise, the Chairman, may, if he thinks fit, refer the point to the Speaker whose decision shall be final.

**216. Business before Committee not to lapse on prorogation:-** Any business pending before a Committee shall not lapse by reason only of the prorogation of the House and the Committee shall continue to function notwithstanding such prorogation.

**217. Unfinished work of Committee:-** 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.

**218. *Applicability of general rules to Committee:***-Except for matters for which special provision is made in the rules relating to any particular Committee, the general rules in this Part shall apply to all Committees and if and so far as any provision in the special rules relating to a Committee is inconsistent with the general rules, the former rules shall prevail.

**218.(a)** Keeping in view the circumstances and necessities the "Power to frame internal rules even regarding the committees nominated by the Speaker shall at times vest in the Rules Committee of Bihar Vidhan Sabha." Internal rules may be framed by the Rules Committee within six months after nomination of such committee by the Speaker.

#### Business Advisory Committee

**219. *Constitution of the Business Advisory Committee:***-(1) At the commencement of the House or from time to time, as the case may be, the Speaker may nominate a Committee called the Business Advisory Committee consisting of not more than eight members including the Speaker who shall be the Chairman of the Committee.

(2) If the Speaker for any reason is unable to preside over any sitting of the Committee, he shall nominate a Chairman for that sitting.

**220. *Functions of the Committee:***-

- (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 Bill or Bills and other Government business as the Speaker in consultation with the Leader of the House may direct for being referred to 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 Government 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.

**221. *Presentation and circulation of the report of the Committee:***-The time-table in regard to the Bill or group of Bills and

other Government business as settled by the Committee shall be reported by the Speaker to the House and notified in the Bulletin.

**222. Order of Time Allocation:**-As soon as may be after the report has been made to the House, a motion may be moved by a member of the Committee designated by the Speaker "that this House agrees with the allocation of time proposed by the Committee in regard to such and such Bill or Bills and other Government business" and if such a motion is accepted by the House, it shall take effect as if it were an order of the House:

Provided that an amendment may be moved that the report be referred back to the Committee either without limitation or with reference to any particular matter:

Provided further that not more than half an hour shall be allotted for the discussion of the motion and no member shall speak for more than five minutes on such a motion.

**223. Disposal of outstanding matters at the appointed hour:**-At the appointed hour in accordance with Allocation of Time Order, for the completion of a particular stage of a Bill, the Speaker shall forthwith put every question necessary to dispose of all the outstanding matters in connection with that stage of the Bill.

**224. Variation in the Order of Time Allocation:**-No variation in the order of Time Allocation 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 then be enforced by the Speaker after taking the sense of the House.

#### Select Committees on Bills

**225. Composition, procedure and powers of Select Committee:-**

- (1) A Select Committee to which a Bill is referred shall ordinarily consist of not more than sixteen members.

The Minister-in-charge of the Department to which the Bill relates and the member who has introduced the Bill shall be members of every Select Committee. The other members of the Committee shall be appointed by the Assembly from amongst its members when the motion that the Bill be referred to the Committee is made:

Provided that a Minister who is not a member or the Advocate General may also be named as a member of the Committee subject to the provisions of Article 177 of the Constitution.

- (2) If any member appointed under sub-rule (1) is unable to attend the meetings of the Select Committee, or by death, resignation or otherwise ceases to be member thereof, the Assembly shall, after receiving a report to that effect from the Chairman of the Committee, appoint another member in his place:

Provided that, if at the time when the said report is received the Assembly is not in session, the Speaker shall appoint a member to fill up the vacancy.

- (3) A Select Committee shall have power to make such amendments in the Bill as are relevant to the subject-matter, or within the scope, of the Bill and not in conflict with the principle thereof.
- (4) The Chairman of the Select Committee shall fix the time for the first meeting of the Committee in consultation with the member-in-charge of the Bill.
- (5) It shall be the duty of the Chairman to prepare the report of the Select Committee.
- (6) If a Select Committee is instructed to report before a certain date fixed by the Assembly, the Committee shall make its report within the period so fixed, unless the Assembly grants an extension of the said period:

Provided that if at the time when the necessity for further extension arises the Assembly is not in session, the Speaker shall grant it.

- (7) All proceedings of a Select Committee shall be treated as confidential and its recommendations shall not be disclosed until the report of the Committee is published in the Gazette or presented to the Assembly.
- (8) Subject to the provisions of these rules the Speaker may make regulations to prescribe the procedure at Select Committees.
- (9) A Select Committee may appoint a sub-committee to examine any special point or points connected with the Bill. The order of reference to such sub-committee shall clearly state the point or points for such investigation. The report of the sub-committee shall be considered by the whole Committee.

- (10) When a Bill has been referred or re-referred to a Select Committee, any notice of amendment given by any member of the Assembly before the Bill is referred or re-referred shall stand referred to the Committee.
- (11) A Select Committee may hear expert evidence and representatives of special interests affected by the Bill before them.
- (12) When a Minister who is not a member of the Assembly is the Chairman of the Committee he shall decide a question at the meeting of the Committee by the drawing of lots in case of an equality of votes.

**226. Report by Select Committee:-**

- (1) When a Bill is referred to a Select Committee: -
  - (a) the Committee shall examine the Bill, clause by clause, and if they decide to recommend any alteration in the Bill, the Bill shall be revised so as to bring it into conformity with such recommendation; and
  - (b) the Committee shall make a report on the Bill-
    - (i) not less than one month after the Bill has been published in the Gazette; or
    - (ii) at any time that the Assembly may direct.
- (2) The report of a Select Committee may be either preliminary or final.

A preliminary report shall be confined to:-

- (a) a statement of the reasons why the Committee have been unable to present a final report;
- (b) a statement of the reasons why a meeting or meetings of the Select Committee could not take place on the date or dates fixed for the purpose; and
- (c) a request for further time or further instruction or both.

The final report shall be confined to:-

- (a) a statement whether the publication directed by these rules or by the Assembly has taken place, and the date on which the publication has taken place;

- (b) a statement of the alterations, if any, made by the Committee and of their reasons for such alterations; and
  - (c) a recommendation that the Bill be passed; or
  - (d) a recommendation that the Bill be republished with the report; or
  - (e) a recommendation that the Bill be circulated or recirculated for eliciting public opinion thereon by a particular date; or
  - (f) a recommendation that the Bill be not further proceeded with.
- (3) (i) Any member who has attended any meeting or meetings of the Select Committee may record a note of dissent on any matter or matters, connected with the Bill or dealt with in the Report within the time fixed for it by the Chairman.
- (ii) A note of dissent shall be written in temperate and decorous language and shall not refer to any discussion in the Select Committee.

**227. Custody, printing and publishing of report:-**

- (1) 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 each member. The report together with the notes of dissent, if any, received within the time fixed under sub-rule (3) (i) of rule 226 and the Bill, if amended, shall be published in the Gazette.
- (2) The original report duly signed and the notes of dissent shall be in the custody of the Secretary and shall form part of the records of the Assembly.

**228. Presentation of report:-**

- (1) The report of the Select Committee on a Bill shall be presented to the Assembly by the Chairman of the Committee or in his absence by any member of the Committee.
- (2) In presenting the report he shall, if he makes any remarks, confine himself to a brief explanatory statement of facts about the changes made in the Bill by the Committee, but there shall be no debate at this stage.

**229.** *Procedure after presentation of report:—*

- (1) After presentation of the final report of a Select Committee on a Bill, the member-in-charge may move:-
  - (a) that the Bill as reported by the Select Committee be taken into consideration:
 

Provided that any member may object to its being so taken into consideration if a copy of the report has not been made available for the use of members for seven clear days; and such objection shall prevail, unless the Speaker, in the exercise of his power to suspend this rule, allows the Bill as reported by the Select Committee to be taken into consideration; or
  - (b) that the Bill as reported by the Select Committee be recommitted either-
    - (i) without limitation; or
    - (ii) with respect to particular clauses or amendments only; or
    - (iii) with instructions to the Select Committee to make some particular or additional provision in the Bill; or
  - (c) that the Bill as reported by the select Committee be circulated or re-circulated for the purpose of obtaining opinion or further opinion thereon, as the case may be, by a date to be specified in the motion.
- (2) Any member may move a motion referred to in clause (b) or (c) of sub-rule (1) by way of amendment.
- (3) If a member moves any of the motions referred to in clause (b) of sub-rule (1), any other member may move by way of amendment any other motion under the said clause.
- (4) The period of notice for a motion under sub-rule (1) shall be 12 days.

**230.** (1) *Procedure if a Joint Select Committee is appointed:-*

The provisions of rule 231 shall apply if a motion is passed that it is expedient that a Bill be referred to a Joint Select Committee of both Houses.

- (2) *Power of Joint Select Committee to make amendments in a Bill:-*A Joint Select Committee shall make such amendments in the Bill referred to it as are relevant to the subject matter, or within the scope, of the Bill and not in conflict with the principle of the Bill as referred to the Committee.
- (3) *Preparation of report by Joint Select Committee, custody, printing and publishing of report and treatment of proceedings of such Committee as confidential:-*The procedure to be adopted by such Joint Select Committee for the purpose of (i) preparing its report, (ii) custody, printing and publishing of the report and (iii) treatment of the proceedings of the Committee as confidential shall, so far as may be, governed respectively by the provisions of rules 226, 227 and 225 (7) of these rules.
- (4) *Presentation of report:-*The report of a Joint Select Committee on a Bill referred to it under rule 121 (1 )(c) or 122(2)(a) shall be presented to the Assembly by the Chairman of the Joint Select Committee or in his absence by any member of the Assembly who is a member of the Committee. In presenting the report he may make brief explanatory remarks about the changes made in the Bill by the Committee. There shall be no further discussion at this stage.
- (5) *Procedure after presentation of report:-*As to the procedure to be adopted after presentation of such report, the provisions of rule 229 shall, so far as may be, apply.

**Joint Select Committee on Bills**

231. *Joint Select Committee and its procedure:-*

- (1) If a motion is passed in the Assembly recommending that a Bill pending before it be committed to a Joint Select Committee of both Houses, a message shall be sent to the Council to inform it of the motion and to desire its concurrence therein.
- (2) The motion sent to the other House for concurrence shall not be made until after copies of the Bill have been made available for the use of members of that House for at least seven days before, unless the Chairman of the Council or the Speaker, as the case may be allows the motion to be made earlier.



- (3) If the Council agrees, a motion shall be made in each House nominating the members of that House who are to serve on the Committee. In a Joint Select Committee members of the Assembly and those of the Council shall be nominated in the proportion of 3 : 1.
- (4) The Minister-in-charge of the Department to which the Bill relates and the member who has introduced the Bill shall be members of every Joint Select Committee. The Minister shall be Chairman of the Committee and in his absence from any meeting the members present may select one from among their members to be Chairman of that meeting. The Chairman shall have only a single vote; and if the votes are equal, the question shall be decided in the negative.
- (5) The presence of at least one-third of the total number of members of the Committee shall be necessary to constitute a meeting of the Committee.
- (6) A Joint Select Committee may hear expert evidence and representatives of special interests affected by the Bill before them.
- (7) The report of a Joint Select Committee shall be presented to the Assembly if the Bill originated therein.
- (8) Save as provided in this rule and in rule 230 the provisions of the rules relating to a Select Committee on a Bill of the Assembly shall, so far as may be, apply.
- (9) If the Council does not agree to the reference of the Bill to a Joint Select Committee the member-in-charge of the Bill may make any of the motions referred to in clauses (a), (b) and (d) of sub-rule (1) of rule 121.

**Joint Committee**

**232.** *Joint Committee and its procedure:-*

- (1) If a motion is passed in the Assembly recommending that a matter of sufficient public importance be referred to a Joint Committee of both Houses, a message shall be sent to the Council to inform it of the motion and to desire its Concurrence therein.
- (2) As to the procedure to be adopted by the Joint Committee to which a matter of sufficient public importance is referred under sub-rule (1), the provisions of rule 231 shall, so far as may be, apply.

**Report of Comptroller and Auditor General of India**

**233. Presentation of Appropriation Accounts, Finance Accounts and Reports thereon before the Assembly:-**The reports of the Comptroller and Auditor-General on the Appropriation Accounts, the Finance Accounts and the Local Bodies of the State shall be laid before the Assembly on such day as the Governor may appoint.

**234. Publication of Appropriation Accounts, Finance Accounts and Reports thereon .—**When the Appropriation and the Finance Accounts of the State and the Reports of the Comptroller and Auditor-General thereon as well as Local Bodies have been laid before the Assembly, the Secretary shall cause them to be published and a copy thereof shall be made available for the use of each member.

These documents may be made available for sale to the public even before they have been considered by the public Accounts Committee, but not until they have been laid before the Assembly.

**235. Accounts and Reports thereon referred to Public Accounts Committee:-**The Appropriation and the Finance Accounts of the State and the Reports of the Comptroller and Auditor-General thereon as well as Local Bodies shall, as soon as they are laid before the Assembly, stand referred to the Committee on Public Accounts constituted under rule 237.

**236. Discussion on the Accounts and Reports thereon:-**No discussion on the Appropriation and the Finance Accounts of the State and the Reports of the Comptroller and Auditor-General thereon as well as Local Bodies shall take place in the Assembly until the report of the Committee on Public Accounts on such accounts and reports has been presented to the Assembly under rule 239.

**Public Accounts Committee**

**237. (1) Constitution of the Committee:-** There shall be a Public Accounts Committee of the Bihar Vidhan Sabha consisting of not more than seventeen members including the Chairman in which thirteen members 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 not more than four members shall be referred by the Bihar Vidhan Parishad for being associated with the Committee. The Chairman shall be appointed by the Speaker from amongst the elected members. No Minister of the Government shall be a member of the Committee:

Provided that the Speaker may be authorised to form the Committee with the consent of the House by relaxing election process.

In the absence of the Chairman from any sitting the members present may select one of their members present to act as Chairman of that sitting.

(2) *Term of Office of the Committee:-* The term of office of the Committee shall be two years or till the constitution of a new Committee.

**238. Functions of Committee:-**

- (1) The Committee shall consider the reports of the Comptroller and Auditor General on Appropriation Accounts, Finance Accounts and Local Bodies and such other subjects which are sent to the Committee by the Finance Department of the Government (hereinafter referred as the "finance Department").
- (2) In scrutinizing the Appropriation Accounts and the Finance Accounts of the State and the Report of the Comptroller and Auditor-General relating to such accounts and Local Bodies it shall, *inter alia*, be the duty of the Committee to satisfy itself—
  - (a) that the money voted by the Assembly has been spent within the scope of the demands granted by the Assembly and to bring to the notice of the Assembly every case in which it is not so satisfied;
  - (b) that the moneys shown in the accounts having been disbursed were legally available for and applicable to the service or purpose to which they have been applied or charged;
  - (c) that the expenditure conforms to the authority which governs it;
  - (d) that every re-appropriation has been made in accordance with the rules made in this behalf by the Governor or by the Finance Department as the case may be; and
  - (e) The Committee shall perform such functions as may be assigned to it by the House or the Speaker from time to time.

- (3) The Committee shall bring to the notice of the Assembly-
- (i) every re-appropriation within a grant which has the effect of increasing the expenditure on an item the provision for which has been specifically reduced by a vote of the Assembly;
  - (ii) where the Assembly has made a specific stipulation that the money voted for a certain purpose shall not be diverted to any other purposes, every case of diversion of such money to any other purpose without a token vote; and
  - (iii) 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-
- (i) to examine such trading, manufacturing and profit and loss accounts and balance sheets, as the Governor may have required to be prepared and the Comptroller and Auditor-General's report thereon;
  - (ii) 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 the stores and stock; and
  - (iii) to examine the statements of accounts of autonomous and semi-autonomous bodies and of Government Commercial enterprises, the report and accounts of which are required to be laid before the Legislature together with the report of the Comptroller and Auditor-General thereon, if any:
- 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.
- (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.
- (6) The General Rules of Procedure of the Committee of Vidhan Sabha as mentioned in the Rules of Procedure and Conduct

of Business in the Bihar Vidhan Sabha not provided in the Rules of this Committee, shall apply.

**239. Presentation of reports by Public Accounts Committee:-** The report of the Committee on Public Accounts on the Appropriation and the Finance Accounts of the State and the Reports of Comptroller and Auditor-General thereon as well as Local Bodies shall be presented to the Assembly by the Chairman of the Committee on Public Accounts.

The Chairman of the Committee of Public Accounts shall move the following motions:-

That the Report of the Committee on the Public Accounts on the Appropriation and the Finance Accounts of the State and the Reports of the Comptroller and Auditor-General thereon as well as Local Bodies be taken into consideration.'

The report after presentation shall be deemed to be made available for publication and sell.

#### Committee on Estimates

**240.(1) Constitution of the Committee:-** There shall be a Committee on Estimates of the Bihar Vidhan Sabha consisting of not more than twenty five members including the Chairman in which nineteen members 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 not more than six members shall be referred by the Bihar Vidhan Parishad for being associated with the Committee. The Chairman shall be appointed by the Speaker from amongst the elected members. No Minister of the Government shall be member of the Committee:

Provided that the Speaker may be authorised to form the Committee with the consent of the House by relaxing election process.

In the absence of the Chairman from any sitting the members present may select one of their members to act as Chairman of that sitting.

(2) *Term of office of the Committee:-* The term of office of the Committee shall be two years or till the constitution of a new Committee.

(3) *Functions of the Committee:-*

(a) To examine Estimates which may deem fit to the Committee or are specially referred to it by the House.

- (b) to report what economies, organisational improvements, efficiency or administrative reform consistent with the policy underlying the estimates, may be effected;
- (c) to suggest alternative policies in order to bring about efficiency and economy in administration;
- (d) to examine whether the money is well laid out within the limits of the policy implied in the estimates; and
- (e) to suggest the form in which the estimates shall be presented to the Legislature:

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

- (f) The Committee may continue the examination of the estimates from time to time throughout the financial year and report to the House as its examination proceeds. It shall not be incumbent on the Committee to examine the entire estimates of any one year. The demands for grants may be finally voted notwithstanding the fact that the Committee has made no report.
  - (g) The Committee shall perform such functions as may be assigned to it by the House or the Speaker from time to time.
- (4) The General Rules of Procedure of the Committees of Vidhan Sabha as mentioned in the Rules of Procedure and Conduct of Business in the Bihar Vidhan Sabha not provided in the Rules of this Committee, shall apply.

#### Committee on Public Undertaking

**241.(1) Constitution of the Committee:-** There shall be a Committee on Public Undertakings of the Bihar Vidhan Sabha consisting of not more than fourteen members including the Chairman in which eleven members shall be elected by the Assembly from amongst its members according to the principle of proportional representation by means of single transferable vote and not more than three members shall be referred by the Bihar Vidhan Parishad for being associated with the Committee. The Chairman shall be appointed by the Speaker

from amongst the elected members:

Provided that the Speaker may be authorised to form the Committee by relaxing election process.

In the absence of the Chairman from any sitting the members present may select one of their members to act as Chairman of that sitting.

(2) *Term of office of the Committee:-* The term of office of the Committee shall be two years or till the constitution of a new Committee.

(3) *Functions of the Committee:-*

- (a) to examine the reports and Accounts of Public Undertaking notified by the State Government;
- (b) to examine the reports (if available) of the Comptroller and Auditor-General of India;
- (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 practices;
- (d) to perform such other functions vested in the Public Accounts Committee and the Estimates Committee in relations to the Public Undertakings as are not covered by sub-clause (a), (b) and (c) above and as may be assigned to it by the Vidhan Sabha or the Speaker from time to time:

Provided that the Committee shall not examine and investigate any of the following matters, namely:-

- (i) matters of major Government policy as distinct from business or commercial functions of the Public Undertaking;
  - (ii) matters of day to day administration;
  - (iii) matters for the consideration of which a machinery is established by the statute under which a separate public undertaking is established.
- (4) The General Rules of Procedure of the Committees of Vidhan Sabha as mentioned in the Rules of Procedure and Conduct of Business in the Bihar Vidhan Sabha not provided in the Rules of this Committee, shall apply.

**Questions of Privileges**

**242. Questions of privilege:**—A member may, with the consent of the Speaker, raise a question involving a breach of privilege either of a member or of the House, or of a Committee thereof.

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

**244. Conditions of admissibility of questions of privilege:**—The right to raise a question of privilege shall be governed the following conditions:—

- (i) By One Member, 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;
- (iii) The matter requires the intervention of the House.

**245. Mode of raising a question of privilege:**—

- (1) If the Speaker gives consent under rule 242 and holds that the matter proposed to be discussed is in order, he 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 242 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. If not less than nineteen members rise accordingly, the Speaker shall intimate that leave is granted. If less than nineteen members



rise, the Speaker shall inform the member that he has not the leave of the House.

**246. Reference to Committee of Privileges:**-If leave under rule 245 is granted, the House may consider the question and come to a decision or refer it to a Committee of Privileges on a motion made either by the member who has raised the question of Privilege or by any other member.

**246.(A) Power of Speaker to refer question of privilege to Committee:**- Notwithstanding anything contained in these rules, the Speaker may refer any question of privilege to the Committee of Privileges for examination, investigation or report.

#### Committee on Privileges

**247.(1) Constitution of the Committee .-**There shall be a Committee of Privileges of the Bihar Vidhan Sabha constituted by the Speaker of the Vidhan Sabha. The Committee shall consist of not more than fifteen members. The Speaker shall be the ex-officio Chairman of the Committee. The Speaker shall nominate any other member as a Chairman if he may desire.

**(2) Term of office of the Committee:**-The term of office of the Committee shall be one year or till the constitution of a new Committee.

**248. Examination of the question of privileges by Committee:-**

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

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

**249. Consideration of report:-**

(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, whereupon the Speaker may put the question to the House.

(2) Before putting the question to the House, the Speaker may permit a debate on the motion, not exceeding half an hour

in duration, and such debate shall not refer to the details of the report further than is necessary to make out a case for the consideration of the report by the House.

- (3) After the motion 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.

**250. Priority for consideration of report of the Committee:-**A motion that the report of the Committee of Privileges be taken into consideration shall be accorded the priority assigned to a matter of privilege under sub-rule (1) of rule 245 unless there has been undue delay in bringing it forward:

Provided that when a date has already been fixed for the consideration of the report, it shall be given priority as a matter of privilege on the day so appointed.

**251. Regulation of procedure:-**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 or in the House.

**252.** Nil

**Information to speaker of arrest, detention and release**

**253. Information to Speaker by the Committing Judge, Magistrate or Executive or other authority of arrest, detention, etc., of a member:-**When a member is arrested on a criminal charge or for a criminal offence or is sentenced to imprisonment by a court or is detained under executive order, the committing judge, magistrate or executive authority or the persons making arrest, 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 First Schedule.

**254. Intimation to Speaker on release of a member:-**When a member is arrested and after conviction released on bail or during pending an appeal or acquitted by the court, such fact shall also be intimated to the Speaker by the concerned authority in the appropriate form set out in the First Schedule.

255. *Treatment of communications received from Magistrate*:—As soon as may be, the Speaker shall, after he has received a communication referred to in rule 253 or rule 254 read it out in the Assembly if in session, or if the Assembly is not in session, direct that it may be published in the Bulletin for the information of the members:

Provided that if the intimation of the release of a member either on bail or by discharge on appeal is received before the Assembly has been informed of the original arrest, the fact of his arrest or his subsequent release or discharge may not be intimated to the Assembly by the Speaker.

**Procedure about arrest and legal process within the precincts of the House.**

256. *Arrest within the precincts of the House*:—No arrest shall be made within the precincts of the House without obtaining the permission of the Speaker.

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

**Library Committee**

258.(1) *Constitution of the Committee*:— There shall be a Library Committee of the Bihar Vidhan Sabha consisting of not more than fifteen members in which eleven members shall be nominated by the Speaker and not more than four members shall be associated by the recommendation of the Chairman of Bihar Vidhan Parishad. The Chairman shall be appointed by the Speaker from amongst the members. No Minister of the Government shall be a member of the Committee.

- (2) *Term of office of the Committee*:— The term of office of the Committee shall be one year or till the constitution of a new Committee.
- (3) *Functions of the Committee*:—
  - (a) The Committee shall advise to Speaker on subjects regarding library of the Legislature.
  - (b) The Committee shall examine the establishment of new libraries within the State as well as the activities of

libraries which are registered / financed by the Government situated in the State and may recommend through report for making them useful to the people of the state.

- (c) The Committee shall receive information regarding libraries outside the state and recommend for improvement of libraries of the State and Bihar Legislature.
  - (d) The Committee shall perform such functions as may be assigned to it by the House or the Speaker from time to time.
- (4) The General Rules of Procedure of the Committees of Vidhan Sabha as mentioned in the Rules of Procedure and Conduct of Business in the Bihar Vidhan Sabha not provided in the Rules of this Committee, shall apply.

#### House Committee

**259.** (1) *Constitution of the Committee:-* There shall be a House Committee of the Bihar Vidhan Sabha constituted by the Speaker of the Vidhan Sabha. The Committee shall consist of not more than fifteen members including the Chairman. No Minister of the Government shall be a member of the committee.

- (2) *Term of office of the Committee:-* The term of office of the Committee shall be one year or till the constitution of a new Committee.
- (3) *Functions of the Committee :-*
  - (a) To advice upon matters connected with the house and necessary facilities of the members but "allotment of quarters shall be done by the Speaker of Vidhan Sabha himself;"
  - (b) The Committee shall perform such functions as may be assigned to it by the House or the Speaker from time to time.
- (4) The General Rules of Procedure of the Committees of Vidhan Sabha as mentioned in the Rules of Procedure and Conduct of Business in the Bihar Vidhan Sabha not provided in the Rules of this Committee, shall supply.

**Petitions**

**260. Scope of Petitions:-** Petitions may be presented or submitted to the House with the consent of the Speaker on:-

- (1) a Bill which has been published or which has been introduced in the House under rule 112 or 116;
- (2) any matter connected with the business pending before the House, and
- (3) any matter of general public importance provided that it is not one: -
  - (a) which falls within the cognizance of a court of law having jurisdiction in any part of India or a court of enquiry or a concerned tribunal or authority or a quasi-judicial body or a Commission;
  - (b) Which can be raised on a substantive motion or resolution; or
  - (c) for which remedy is available under the law, including rules, regulations, bye-laws made by state Government or an authority to whom power to make such rules, regulations etc. is delegated.

**261. Petitions dealing with Financial Matters:-** A petition, dealing with any of the matters specified in sub-clauses (a) to (f) of clause (1) of Article 199 or involving expenditure from Consolidated Fund of State shall not be presented to the House unless recommended by the Governor.

**262. General Form of Petition:-**

- (1) The general form of petition set out in the second schedule with such variations as the circumstances of each case require, may be used, and if used, shall be sufficient.
- (2) Every petition shall be written in respectful, decorous and temperate language.
- (3) Every petition shall be in Hindi and shall be signed by the petitioner.

**263. Authentication of Petition:-**

- (1) The full name and address of every signatory to a petition shall be set out therein and shall be authenticated by his signature, and if illiterate, by his thumb impression.
- (2) Where there is more than one signatory to a petition, at least one person shall sign, or, if illiterate, affix his thumb impression, on the sheet on which the petition is inscribed,

if signatures or thumb impressions are affixed to more than one sheet, the prayer of the petition shall be repeated at the head of each sheet.

- (3) Letters, affidavits or other documents shall not be attached to any petition.

**264. Countersignature on Petition:-**

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

**265. Petition to be addressed to House:-**Every petition shall be addressed to the House and shall conclude with a prayer reciting the definite object of the petitioner in regard to the matter to which it relates.

**266. Notice of Presentation:-**A member shall give advance intimation to the Secretary of his intention to present a petition:

Provided that the member may give notice for petition on any one subject to the Secretary within an hour of the Commencement of the sitting of the House. A member may not give notice for more than one petition in a day and it will be admissible up to two day prior to the conclusion of the Session.

**267. Presentation of Petition:-**A petition may be presented by a member or be forwarded to the Secretary, who shall report it to the House. The report shall be made in the form set out in the third schedule. No debate shall be permitted on the presentation or the making of such report.

**268. Form of Presentation of Petition:-**A member presenting a petition shall confine himself to a statement in the following form:

"I present a petition signed by ..... petitioner(s) regarding ..... and no debate shall be permitted on this statement."

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

**Committee on Petition**

- 270.(1) Constitution of the Committee :-**There shall be a Committee on Petition of the Bihar Vidhan Sabha constituted by the Speaker of the Vidhan Sabha. The Committee shall consist of not more than fifteen members

including the Chairman. No Minister of the Government shall be a member of the Committee.

- (2) *Term of office of the Committee:-* The term of office of the Committee shall be one year or till the constitution of a new Committee.

**271. Functions of the Committee:-**

- (1) The Committee shall examine every petition referred to it, and if the petition complies with these rules, the Committee may direct 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 be in detail 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 cases in future.
- (4) The Committee shall perform such functions as may be assigned to it by the House or the Speaker from time to time.
- (5) The General Rules of Procedure of the Committee of Vidhan Sabha as mentioned in the Rules of Procedure and Conduct of Business in the Bihar Vidhan Sabha not provided in the Rules of this Committee, shall apply.

**Subordinate Legislation**

**272. Laying of regulation, rule etc. on the Table:-**

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

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

**273. Allotment of time for discussion of amendment:**—The Speaker shall, in consultation with the Leader of the House, fix a day or days or part of a day as he may think fit for the consideration and passing of an amendment to such regulation, rule, sub-rule, bye-law etc.:

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

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

**275. Amendment returned by Council:**— 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.

**276. Disagreement between Houses:**— 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.

**277. Regulation, rule etc. as amended to be laid on the Table:**—If a regulation, rule, sub-rule, bye-law etc. is modified in accordance with the amendment passed by the Houses, the amended regulation, rule, sub-rule, bye-law etc. shall be laid on the Table.



**Committee on Subordinate Legislation**

**278.(1) Constitution of the Committee:-** There shall be a Committee on Subordinate Legislation of the Bihar Vidhan Sabha constituted by the Speaker of Vidhan Sabha. The Committee shall consist of not more than fifteen members including the Chairman. No Minister of the Government shall be a member of the Committee.

**(2) Term of office of the Committee:-** The term of office of the Committee shall be one year or till the constitution of a new Committee.

**279. Functions of the Committee:-**

- (a) The Committee shall scrutinise and report to the House whether the powers delegated by the legislature have been properly exercised within the framework of rules and statute delegating such powers.
- (b) The Committee shall review whether the 'rules', 'regulations', sub-rules' or 'by-laws' have been made according to the delegated legislative functions in a prescribed time under the provisions of the Act passed by the State Legislature or not.
- (c) The Committee shall also review whether the 'rules', regulation', 'sub-rules' or 'by-laws' made under the Act passed by the State Legislature/have been laid out on the table of the Legislature Assembly or not.
- (d) The Committee shall do such other functions as entrusted to it by the House or by the Speaker from time to time.

**280. Numbering and publication of 'Regulation', 'Rule', 'Sub-rule', 'Bye-law', etc. :-** It shall be mandatory to present every 'Regulation', 'Rule, 'Sub-rule', 'Bye-law', etc/framed in accordance with the legislative functions delegated by the Assembly to a subordinate authority before the House, and it shall automatically be deemed to have been presented before the Committee for consideration after it has been on the House Table for the prescribed time, and, hereinafter referred to as "Order" in these rules shall be published in the Gazette, immediately after they are promulgated and numbered under the rules as prescribed by the Speaker in consultation with the House leader.

**281. Duties of the Committee:-**After each order referred to in rule 280 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 Legislature;
- (iii) whether it contains imposition of taxation;
- (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 it before the Legislature; and
- (ix) whether for any reason its form or purport calls for any elucidation.

**282. Report of the Committee:-**

(1) If the Committee is of opinion that any order should be annulled wholly or in part, or should be amended in any respect, it shall report that opinion and the grounds thereof to the House within one month of the commencement of session of the House after the promulgation of such orders or within such earlier or later period which a statute of Legislature may have fixed for any specified case.

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

**283. Regulation of procedure:-**The Speaker may issue such directions as he may consider necessary for regulating the procedure

in connection with all matters connected with the consideration of any question of Subordinate Legislation either in the Committee or in the House.

#### Committee on Government Assurances

**284.**(1) *Constitution of the Committee:-* There shall be a Committee on Government Assurances of the Bihar Vidhan Sabha Constituted by the Speaker of the Vidhan Sabha. The Committee shall consist of not more than fifteen members including the Chairman. No Minister of the Government shall be a member of the Committee.

(2) *Term of office of the Committee:-* The term of office of the Committee shall be one year or till the constitution of a new Committee.

**285.***Functions of the Committee:-*The Committee shall scrutinize the assurances, promises, undertakings, etc., given by Ministers, from time to time, on the floor of the House and to report on-

- (a) the extent to which such assurances, promises, undertakings, etc., have been implemented; and
- (b) where implemented whether such implementation has taken place within the minimum time necessary for the purpose.
- (c) The Committee shall perform such functions as may be assigned to it by the house or the Speaker from time to time.
- (d) The General Rules of Procedure of the Committee of Vidhan Sabha as mentioned in the Rules of the of Procedure and Conduct of Business in the Bihar Vidhan Sabha not provided in the Rules of this Committee, shall apply.

#### Rules Committee

**286.**(1) *Constitution of the Committee:-*There shall be a Rules Committee of the Bihar Vidhan Sabha constituted by the Speaker of the Vidhan Sabha. The Committee shall consist of not more than fifteen members including the Chairman. The Speaker shall be the ex-officio Chairman of the Committee.

(2) *Term of office of the Committee:-* The term of office of the Committee shall be one year or till the constitution of a new Committee.

**287. Functions of the Committee :-**

- (a) The Committee shall recommend any amendments or additions to these Rules that may be deemed necessary. In addition to it, any notice given by a member to any amendment to the Rules shall stand referred to the Committee which shall consider it and make such recommendations as the Committee may consider fit.
- (b) The recommendation of the Committee shall be laid on the Table and within a period of two days, beginning with the day on which they are so laid, any member may give notice of any amendments to such recommendations.

**288. Provision regarding the Recommendation of the Committee:-** Any notice given by a member of any amendment to the recommendation of the Committee shall stand referred to the committee who shall consider it and make such changes in their recommendations as the Committee may consider fit. The final report of the committee after taking into consideration the amendment 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:

Provided no notice of such amendment has been given within two 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.

**289. Application of the rules or amendments made:-** When a rule or amendment of a rule is passed by the Assembly, copy thereof shall be signed by the Speaker and unless otherwise directed by the Speaker shall come into force from the date of its publication in the Bulletin.

**General Purpose Committee**

**290.(1) Constitution of the Committee:-** There shall be a General Purpose Committee of the Bihar Vidhan Sabha constituted by the Speaker of the Vidhan Sabha. The Committee shall consist of not more than fifteen members including the Chairman. The Speaker shall be the ex-officio Chairman of the Committee.

(2) *Term of office of the Committee:-* The term of office of the Committee shall be one year or till the constitution of a new Committee.

**291. Functions of the Committee:-** The functions of the Committee shall be to consider and give advice on such matters connected with the House and members of the House which may be referred by the Speaker.

**292. Provisions in other respects:-** In other respects the general rules applicable to the Parliamentary Committees as laid down in part 15 of the Rules of Procedure and Conduct of Business with such variations as change, addition or Omission, as the Speaker may consider necessary or convenient, shall apply.

#### Question and Calling Attention Committee

**292 (a). (1) Constitution of the Committee:-**

There shall be a Question and Calling Attention Committee of the Bihar Vidhan Sabha constituted by the Speaker of the Vidhan Sabha. The Committee shall consist of not more than fifteen members including the Chairman. No Minister of the Government shall be a member of the Committee.

(2) *Term of office of the Committee :-*—The term of office of the Committee shall be one year or till the constitution of a new Committee.

(3) *Functions of the Committee:-*

- (a) The Speaker may refer a question or Calling Attention Motion, asked under the Rules of Procedure and Conduct of Business in the Bihar Vidhan Sabha to the Committee, on being satisfied that it would be proper to refer it to the Committee for examination and report.
- (b) If the Speaker is satisfied that the reply to the question or Calling Attention Motion, given by the State Government is not satisfactory or the State Government has not replied even after giving ample time or it is necessary for detailed examination of the subject matter then the Speaker may refer it to the Committee for examination and report.
- (c) If the Speaker is satisfied with the subject matter of urgent public importance, raised in the House, that its

examination is necessary then he may order for its examination.

- (d) The Committee may examine such subjects and perform such functions which may be referred to it by the Vidhan Sabha or the Speaker.
- (4) The general Rules of Procedure of the Committees of Vidhan Sabha as mentioned in the Rules of Procedure and Conduct of Business in the Bihar Vidhan Sabha not provided in the Rules of this Committee, shall apply.

#### District Board and Panchayati Raj Committee

##### 292(b). (1) *Constitution of the Committee:-*

There shall be a District Board and Panchayati Raj Committee of the Bihar Vidhan Sabha constituted by the Speaker of the Vidhan Sabha. The Committee shall consist of not more than fifteen members including the Chairman. No Minister of the Government shall be a member of the Committee.

- (2) *Term of office of the Committee :-* Term of office of the Committee shall be one year or till the constitution of a new Committee.
- (3) *Functions of the Committee:-*
  - (a) To review and recommend about the working with regard to District Board and Panchayati Raj namely -agriculture, animal husbandry, education, sanitation, environment, transport, solar energy, water management, drinking water, construction of drain, corridor, public security and extension of co-operative activities etc.
  - (b) The Committee shall examine and report about such matters relating to District Board and Panchayati Raj which may be referred by the Vidhan Sabha or the Speaker.
- (4) The General Rules of Procedure of the Committees of Vidhan Sabha as mentioned in the Rules of Procedure and Conduct of Business in the Bihar Vidhan Sabha not provided in the rules of this Committee, shall apply.

**Scheduled Castes and Scheduled Tribes Welfare Committee****292(c).** (1) *Constitution of the Committee:-*

There shall be a Scheduled Castes and Scheduled Tribes Welfare Committee of the Bihar Vidhan Sabha constituted by the Speaker of the Vidhan Sabha. The Committee shall consist of not more than fifteen members. No Minister of the Government shall be a member of the Committee.

(2) *Term of Office of the Committee:-* The term of office of the Committee shall be one year or till the constitution of a new Committee.

(3) *Functions of the Committee:-*

- (a) To scrutinise the implementation of Acts, Rules statutes and circulars, orders, direction etc. issued by the State Government for implementation of the principles and directives of various Articles of the Constitution of India relating to Scheduled Castes and Scheduled Tribes, and "recommend" thereto.
  - (b) To study the report submitted to the State Government by Commissioner or Secretary or Officers appointed by the State Government for scheduled Castes and Scheduled Tribes or jointly for both or report submitted as required by the Committee and "recommend" thereto.
  - (c) To scrutinise the legal aids given to and received by the Scheduled Castes and Scheduled Tribes, under the Legal Aids Acts of the State.
  - (d) The committee may also examine the funtions and document of such institutions which get grants from the State Government or Union Government in any form in the name of Scheduled castes and Scheduled Tribes.
  - (e) The Committee shall perform such functions as may be assigned to it by the House or the Speaker from time to time.
- (4) The General Rules of procedure of the Committees of Vidhan Sabha as mentioned in the Rules of Procedure and Conduct of Business in the Vidhan Sabha not provided in the Rules of this Committee, shall apply.

### Procedure for Presentation of Nivedan

**292(d).** *Procedure for presentation of Nivedan in the House:-* Any member can give notice of Nivedan to the Secretary, on any single matter of utmost public importance within one hour from the sitting of the House, but a member shall not be allowed to give more than one notice in a day. The Nivedan presented by a member shall not consist of more than ten lines. The notice of Nivedan can be submitted up to two days prior to the termination of the session. Nivedan accepted by the Speaker, after approval of the House will be sent to the concerned department, the department will send reply to the concerned member within 15 days and a copy of it will be made available to Secretary, Bihar Vidhan Sabha.

Notice of Nivedan admitted may be presented by the Speaker each day before the end of the proceeding of the House. An admitted Nivedan cannot be withdrawn in any circumstances.

### Nivedan Committee

- 292(d).** (1) *Constitution of the Committee:-* There shall be a Nivedan Committee of the Bihar Vidhan Sabha constituted by the Speaker of the Vidhan Sabha. The Committee shall consist of not more than fifteen members. No Minister of the Government shall be a member of the Committee.
- (2) *Term of office of the Committee:-* The term of office of the Committee shall be one year or till the constitution of a new Committee.
- (3) *Functions of the Committee:-*
- (i) To examine admitted Nivedan and submit reports.
  - (ii) The Committee shall perform such functions as may be assigned to it by the House or the Speaker from time to time.
- (4) The General Rules of Procedure of the Committees of Vidhan Sabha as mentioned in the Rules of Procedure and Conduct of Business in the Bihar Vidhan Sabha not provided in the Rules of this Committee, shall apply.

### Women and Child Development Committee

**292(f).** (1) *Constitution of the Committee:-* There shall be a Committee on Women and Child Development of the Bihar Vidhan Sabha constituted by the Speaker of the Vidhan Sabha. The Committee



shall consist of not more than fifteen members including the Chairman. No Minister of the Government shall be a member of the Committee.

- (2) *Term of office of the Committee*:-The term of office of the Committee shall be one year or till the constitution of a new Committee.
- (3) *Functions of the Committee*:-
- (a) To review the Acts, Rules, Statutes, Circulars and Orders framed and issued by State Government for implementation of the principles and planning of women and Child Development.
  - (b) To make recommendations in its report for educational and economic development of women and Children.
  - (c) To review the legal aid available to the women and Children.
  - (d) The Committee may examine the functions and documents of such institutions situated in the State which receive grant in any form from the State Government or Union Government for women and Child Development.
  - (e) The Committee shall perform such functions as may be assigned to it by the House or the Speaker from time to time.
- (4) The General Rules of Procedure of the Committees of Vidhan Sabha as mentioned in the Rules of Procedure and Conduct of Business in the Bihar Vidhan Sabha not provided in the Rules of this Committee, shall apply.

#### Legislature's fund monitoring and Implementation Committee

292(g). Nil

#### Ethics Committee

**292(h).** (1) *Constitution of the Ethics Committee* : - There shall be a Ethics Committee of the Bihar Vidhan Sabha constituted by the Speaker of the Vidhan Sabha. The Committee shall consist of not more than fifteen members including the Chairman. No Minister of the government shall be a member of the Committee.

(2) *Term of office of the Committee*:- The term of office of the Committee shall be one year or till the constitution of a new committee.

## (3) Functions of the Committee :-

*The functions of the Committee shall be as follows:-*

- (a) To keep vigil on good behaviour and moral character of the members.
- (b) To prepare Code of Conduct for members and give suggestion for amendment and change from time to time in Code of Conduct by presenting report to the House.
- (c) To investigate the matters regarding said misconduct of members and violation of Code of Conduct by the members.
- (d) To suggest members on questions regarding standard of conduct from time to time after receiving request or suo motu.
- (e) The Committee shall perform such functions as may be assigned to it by the House or the Speaker from time to time.

(4) *Power to take evidence or seek letter, record or document:-*

- (a) Subject to the provisions of these Rules the witness may be called by the Committee and he may produce such documents which is required for the use of the Committee: Provided that if the question arises whether the presentation of evidence or document by the person is relevant to the purposes of the Committee or not, the matter shall be sent to the Speaker whose decision shall be final.
- (b) It shall depend on the discretion of the Committee to consider any oral or documentary evidence brought before them as confidential.

(5) *Information given by the members:-* Every member shall have to give information about his own as well as his family members such as wife/husband, dependent daughters and sons "assets and liabilities" to the Committee or the officer authorised from time to time by the Committee within 90 days from taking oath or affirmation as per the Article 188 of the Constitution as provided in the rules framed under section 75a of People's Representation (third amendment) Act, 2002.(6) *Register regarding interest of the members:-*

- (a) A "register regarding interest of the members" shall be kept in such form as may be determined by the

Committee and a member may receive on his request for inspection.

- (b) The register shall be maintained under the authority of the House.
  - (c) The information mentioned in the register as per the rules and procedures determined from time to time by the Committee may be presented to the common people.
- (7) *Procedure to complain:-*
- (a) Any person can lodge a complain to the Committee for misconduct of members or violation of code of conduct by any member or violation of interest of any member.
  - (b) The Committee can raise such matters suo motu:
  - (c) Members can also sent such matters to the Committee.
  - (d) A complain can be made to the Committee or any officer authorised by the Committee in writing in such form and nature as may be specified by the Committee.
  - (e) The complain shall be expressed in restrained language and limited to facts.
  - (f) The person making complain shall have to declare his own identity and present documentary or other proof to prove his allegations.
  - (g) The Committee shall not disclose the name of a complainant if requested by the complainant as such and accepted by the Committee with appropriate reasons.
  - (h) The complain based on anauthoritative report by media itself shall not deemed to be authentic allegation.
  - (i) The Committee shall not consider any such matters which are under adjudication and for the objective of this rule whether such matters are under adjudication or not, the decision of the Committee shall be deemed to be final.

(8) *Procedure to Investigate:—*

- (a) If the Committee is satisfied that the complain is proper and the matter is under its jurisdiction, then the Committee can take up the matter for preliminary investigation.
- (b) After preliminary investigation if the Committee finds that there is no case prima facie, the matter could be left out.
- (c) If it is found that a complaint is untrue and annoying and made in malice, it can be considered as a matter of violation of Parliamentary Privilege.
- (d) If it is found by the Committee that there is prima facie case, the matter can be considered for investigation and report to be made by the committee.
- (e) The Committee can make sub-rule from time to time by the permission of the Speaker for implementation of their mandate and for investigation by any official working under the Committee or their authority.
- (f) The Committee shall organize their meetings generally in closed door.

(9) *Penalty:-* Whenever it is found that any member has committed any immoral act or misconduct or violated any code/rules, the Committee may recommend for the imposition of one or more penalty from the following-

- (a) Censure;
- (b) Reprimand;
- (c) Suspension from the House for a specified period; and
- (d) Any other penalty considered appropriate by the committee.

(10) *Presentation of Report:-* The report of the Ethics Committee shall be presented to the House by the Chairman of the Committee or in his absence by any member.

(11) *Motion for consideration on report:-* After presentation of report in the House, a motion be moved in the name of the Chairman of the Committee or any member that the report be considered as soon as possible.

(12) *Amendment in the motion for consideration*:- Any member can give notice for amendment in the motion for consideration in such form as may be deemed appropriate by the Speaker.

(13) *Motion after consideration on report*:-After acceptance of the motion for consideration on report, the Chairman of the Committee or any member or any other member as the case be can move the motion that the House is agreed or disagreed or agreed with amendment to the recommendations contained in the report.

(14) *Regulation of procedure*:- The Speaker may issue such direction for regulating procedure regarding investigation of cases of misconduct of the members of the Committee or House as may be deemed necessary.

(15) *Right to Speaker to send questions of moral and other misconduct to the Committee*:- Notwithstanding anything contained in these rules, the Speaker may send any question of moral and other misconduct of a member to the Ethics Committee for inquiry, investigation and report.

(16) The General Rules of Procedure of the Committees of Vidhan Sabha as mentioned in the Rules of Procedure and Conduct of Business in the Bihar Vidhan Sabha not provided in the Rules of this Committee, shall apply.

#### Private Bill and Resolution committee

**292(i).** (1) *Constitution of the Committee*:- There shall be a Private Bill and Resolution Committee of the Bihar Vidhan Sabha constituted by the Speaker of the Vidhan Sabha. The Committee shall consist of not more than fifteen members including the Chairman. No Minister of the Government shall be a member of the Committee.

(2) *Term of office of the Committee*:- The term of office of the Committee shall be one year or till the constitution of a new Committee.

(3) *Functions of the Committee*:-

- (a) The Committee shall consider the nature, importance and urgency of every such bill which has been noticed by private member before including the motion of leave for introducing the bill in the list of business.
- (b) The Committee after considering the implementation of the resolution passed by the House shall present the report in the House.

- (c) The Committee shall perform such functions relating bills and resolutions of private members as may be assigned to it by the House or the Speaker from time to time.
- (4) The General Rules of Procedure of the Committees of Vidhan Sabha as mentioned in the Rules of Procedure and Conduct of Business in the Bihar Vidhan Sabha not provided in the Rules of this Committee, shall apply.

#### Environment Conservation and Pollution Control Committee

292(j). (1) *Constitution of the Committee:-* There shall be a Environment Conservation and Pollution Control Committee of the Bihar Vidhan Sabha constituted by the Speaker of the Vidhan Sabha. The Committee shall consist of not more than fifteen members including the Chairman. No Minister of the Government shall be a member of the committee.

(2) *Term of office of the Committee:-* The term of office of the Committee shall be one year or till the constitution of a new Committee.

(3) *Functions of the Committee:-*

- (a) *The Committee may present report about Pollution Control and Environment Conservation after reviewing the activities of the institutes of state government and institutes funded by the state government with reference to pollution control and environment safety.*
- (b) *The Committee shall perform such other functions regarding Environment Conservation and Pollution Control as may be assigned to it by the House or the Speaker from time to time.*

(4) The General Rules of Procedure of the Committees of Vidhan Sabha as mentioned in the Rules of Procedure and Conduct of Business in the Bihar Vidhan Sabha not provided in the Rules of this Committee, shall apply.

#### Committee on Internal Resources and Central Assistance

292(k). (1) *Constitution of the Committee:-* There shall be a committee on Internal Resources and Central Assistance of the Bihar Vidhan Sabha constituted by the Speaker of the Vidhan Sabha. The

Committee shall consist of not more than fifteen members including the chairman. No Minister of the Government shall be a member of the Committee.

(2) *Term of office of the Committee:-* The term of office of the Committee shall be one year or till the constitution of a new Committee.

(3) *Functions of the Committee:-*

- (a) Review the target achievement of revenue collection in the state, and recommend the creation of new sources of revenue increment after consideration.
- (b) Review whether the Central contributions in the Centrally sponsored schemes are being made available in time or not, and whether the proportionate contribution by the progress of works in pursuance of schemes funded by the State Fund and the Central assistance; and recommend in the form of report after consideration.
- (c) The Committee in co-ordination with all the departments shall ensure that there is no duplication of the review of the Centrally sponsored schemes.
- (d) The Committee shall do such other functions as entrusted to it by the House or by the Speaker from time to time.

(4) The General Rules of Procedure of the Committees of Vidhan Sabha as mentioned in the Rules of Procedure and Conduct of Business in the Bihar Vidhan Sabha not provided in the Rules of this committee, shall apply.

#### Minority welfare committee

**292(I).** (1) *Constitution of the Committee:-* There shall be a Minority Welfare Committee of the Bihar Vidhan Sabha constituted by the Speaker of the Vidhan Sabha. The Committee shall consist of not more than fifteen members including the Chairman. No Minister of the Government shall be a member of the Committee.

(2) *Term of office of the Committee:-* The term of office of the Committee shall be one year or till the constitution of a new Committee.

- (3) *Functions of the Committee :-*
- (a) To review the schemes regarding social, economical and educational development of religious and linguistic minority.
  - (b) To consider the problems of minority educational institutes recognized by the government and to review the progress.
  - (c) The Committee shall review the functions and records of such institutes who receive any type of grant in the name of development of minority from State Government or Union Government within the boundary of the State of Bihar and examine their progress.
  - (d) To examine the percentage of minority participation in employment opportunity, licenses issued for employment etc. announced by the State Government and to review their progress.
  - (e) The Committee shall perform such functions as may be assigned to it by the House or the Speaker from time to time.
- (4) The General Rules of Procedure of the Committees of Vidhan Sabha as mentioned in the Rules of Procedure and Conduct of Business in the Bihar Vidhan Sabha not provided in the Rules of this Committee, shall apply.

#### Committee on Agriculture Industry Development

**292(m).** (1) *Constitution of the Committee:-* There shall be a committee on Agriculture Industry Development of the Bihar Vidhan Sabha constituted by the Speaker of the Vidhan Sabha. The Committee shall consist of not more than fifteen members including the Chairman. No Minister of the Government shall be a member of the Committee.

(2) *Term of office of the Committee:-* The term of office of the committee shall be one year or till the constitution of a new Committee.

- (3) *Functions of the Committee:-*
- (a) The Committee shall recommend through report after studying the development of industries based on agriculture.



- (b) The Committee shall perform such other functions as may be assigned to it by the House or the Speaker from time to time.
- (4) The General Rules of Procedure of the Committees of Vidhan Sabha as mentioned in the Rules of Procedure and Conduct of Business in the Bihar Vidhan Sabha not provided in the Rules of this Committee, shall apply.

**Committee regarding Tourism Industry**

**292(n).** (1) *Constitution of the Committee:-* There shall be a Committee of the Bihar Vidhan Sabha regarding Tourism Industry constituted by the Speaker of the Vidhan Sabha. The Committee shall consist of not more than fifteen members including the Chairman. No Minister of the Government shall be a member of the Committee.

(2) *Term of office of the Committee:-* The term of office of the Committee shall be one year or till the constitution of a new Committee.

(3) *Functions of the Committee:—*

- (a) The Committee shall give their suggestion through report after deliberation with concerned departments for identifying the places to be developed as a tourist place, arrangement of necessary infrastructure, transportation at tourist places, their beautification, better road, modern mode of transportation, electricity and pure drinking water as well as control of law and order.
- (b) The Committee shall submit report on publicity of tourism facility through modern medium of communication in the country and abroad and connectivity of different tourist places.
- (c) The Committee shall perform such other functions as may be assigned to it by the House or the Speaker from time to time.
- (4) The General Rules of Procedure of the Committees of Vidhan Sabha as mentioned in the Rules of Procedure and Conduct of Business in the Bihar Vidhan Sabha not provided in the Rules of this Committee, shall apply.

**Zero Hour Committee**

**292(o).** (1) *Constitution of the Committee:-* There shall be a Zero Hour Committee of the Bihar Vidhan Sabha constituted by the Speaker of the Vidhan Sabha. The Committee shall consist of not more than fifteen members including the Chairman. No Minister of the Government shall be a member of the Committee.

(2) *Term of office of the Committee:-* The term of office of the Committee shall be one year or till the constitution of a new Committee.

(3) *Functions of the Committee:-*

- (a) In the session of the Vidhan Sabha notices of Zero Hour accepted for everyday shall be sent to the concerned government departments for making written answer available after reading out by the members in the House.
- (b) The written answer of every Zero Hour Notice shall be made available to the Committee branch office within fifteen days maximum.
- (c) The Copy of the answer received from the department shall be made available to the member concerned as soon as possible.
- (d) The Committee shall review the answers of all Zero Hour notices received from the department and discuss spot study with the officers of the departments as per need. The Committee shall present the report relating thereto.
- (e) The Committee shall perform such other functions as may be assigned to it by the House or the Speaker from time to time.

(4) The General Rules of Procedure of the Committees of Vidhan Sabha as mentioned in the Rules of Procedure and Conduct of Business in the Bihar Vidhan Sabha not provided in the Rules of this Committee, shall apply.

**Committee on Bihar Heritage Development**

**292(p).** (1) *Constitution of the Committee:-* There shall be a Committee on Bihar Heritage Development of the Bihar Vidhan Sabha constituted by the Speaker of the Vidhan Sabha. The Committee shall consist of not more than fifteen members including the Chairman. No Minister of the Government shall be a member of the Committee.

(2) *Term of office of the Committee:-* The term of office of the Committee shall be one year or till the constitution of a new Committee.

(3) *Functions of the Committee:-*

- (a) The Committee after reviewing the investigation, development and conservation of historical, cultural, educational and archaeological places of Bihar shall give their report.
- (b) The Committee shall consider about publishing books as historical literature as well as glorious history of great persons and give their report.
- (c) The Committee shall perform such functions as may be assigned to it by the House or the Speaker from time to time.

(4) The General Rules of Procedure of the Committees of Vidhan Sabha as mentioned in the Rules of Procedure and Conduct of Business in the Bihar Vidhan Sabha not provided in the Rules of this Committee, shall apply.

#### PART XVI

#### Communication from and to the Governor

293. *Communication from the Governor:-* Communication from the Governor to the Assembly may be made-

- (a) by an address to the Assembly as provided under the Constitution; or
- (b) by written message through the Speaker.

294. *Communication to the Governor:-* Communication from the Assembly to the Governor shall be made-

- (a) by formal address, after motion made and carried in the Assembly; and
- (b) through the Speaker.

#### PART XVII

#### Report of Proceedings of House

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

**296. Printing and publication of parliamentary papers:-**

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

## PART XVIII

## General Powers of Speaker

**297. Power of interpretation of rules:-** All questions relating to the interpretation of these rules shall be determined by the Speaker whose decision shall be final.

**298. Power of Speaker to regulate conduct of business in matters not provided for in Constitution or rules:-**

- (1) The Speaker shall have power, subject to the provisions of the Constitution, to regulate the conduct of business in the Assembly in all matters not provided for in the Constitution or in these rules.
- (2) The Speaker may, by orders not inconsistent with these rules, provide for matters for which no provision is made, and may give such directions as may be necessary for giving effect to these rules and such orders.

**299. Power of Speaker to control and direct printing of matters relating to the business of the Assembly:-**The Speaker shall have the control and direction of the printing of all matters relating to the business and proceedings of the House.

**300. Speaker to make regulations for election by single transferable vote:-**The Speaker shall make regulations governing the method of election according to the principle of proportional representation by means of the single transferable vote.

## PART XIX

## Miscellaneous

**301. Duties of Secretary of the Assembly:**-In addition to the other duties specially assigned to him under these rules it shall be the duty of the Secretary-

- (i) as far as may be, to attend meetings of all the Committees constituted or appointed under these rules;
- (ii) to keep the proceedings and records of the Assembly and other Committees of the House.

**302. Election of representatives for a public body by a section of the House:**-When in pursuance of an Act of Parliament or of the State Legislature a section of members of the Assembly has to elect its representatives, for a public body, the Secretary shall, when requested by the body concerned, arrange to hold an election in accordance with the directions of and regulations made by the Speaker in this behalf.

**303. Custody of papers:**-The Secretary shall have custody of all records, documents and papers belonging to the House or any of its Committee or Vidhan Sabha Secretariat and he shall not permit any such records, documents or papers to be taken from the Vidhan-Sabha without the permission of the Speaker.

**304. Papers quoted to be laid on the Table:**-If a Minister quotes in the House a record 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 if the House considers that the production of the document is necessary, the matter may be referred to the Speaker whose decision shall be final.

**305. Authentication of papers laid on the Table:**-

- (1) A paper or documents to be laid on the Table of the House shall be duly authenticated by the member presenting it.
- (2) All papers and document laid on the Table shall be considered public.

**306.** *Procedure when a Minister discloses source of advice or opinion given to him:*-If in answer to a question or during debate, a Minister discloses the advice or opinion given to him by any officer of the Government or by any other person or authority, he shall ordinarily lay the relevant documents or parts of documents containing that opinion or advice or a summary thereof on the Table.

**307.** *Use of the chamber of the House restricted to the sittings of the House:*-The Chamber of the House shall not be used for any purpose other than the sittings of the House.

**SCHEDULES**

**First Schedule**

**Form of communication regarding arrest, detention,  
release, as the case may be, of a Member.**

(See Rules 253 and 254)

Place .....

Date .....

**To**

THE SPEAKER,  
BIHAR LEGISLATIVE ASSEMBLY, PATNA.  
DEAR MR. SPEAKER,

**A**

I have the honour to inform you that I have found it my duty, in exercise of my powers under section ..... of the ..... (Act) to direct that Shri ....., Member of the Bihar Legislative Assembly, be arrested/detained for ..... (reason 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).

**B**

I have the honour to inform you that Shri ..... Member of the Bihar 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 for consideration). \*Name of Court.

**C**

I have the honour to inform you that Shri ..... Member of the Bihar Legislative Assembly, who was convicted on ..... (date) and imprisoned for ..... (period) for ..... (reasons for conviction) was released on bail during pending of appeal (or as the case may be, released, on the sentence being set aside, on appeal) on the ..... (date).

Yours faithfully,  
(Judge, Magistrate, or Executive Authority)

**Second Schedule**FORM OF PETITION  
(See Rule 262)

To

THE BIHAR LEGISLATIVE ASSEMBLY.

Whereas a Bill entitled ..... (**Here insert title of Bill**) is now under the consideration of the Bihar Legislature the humble petition of ..... (**Here insert name and designation or description of petitioner or petitioners in concise form, e.g., "Ram Lal and others" or "the inhabitants of" or "the municipality of-", etc.)** about ..... (**Here insert concise statement of case.**) and accordingly your petitioner (or petitioners) pray that ..... (**Here insert "that the Bill be or be not proceeded with" or "that special provision be made in the Bill to meet the case of your petitioner" or any other appropriate prayer regarding the Bill.**) and your petitioner(s) as in duty bound will ever pray.

Name of petitioner	Address	Signature or thumb impression
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Countersignature of the member presenting

**Third Schedule**FORM OF REPORT ON PETITION BY THE SECRETARY  
(See Rule 267)

Sir,

Under rule ..... of the Rules of procedure and conduct of Business in Bihar Vidhan Sabha, I have to report that ..... petitions as per statement laid on the Table have been received relating to ..... (**in case of Bills**) the Bill to provide for ..... which was introduced in the House on ..... by Shri .....

**Statement**

Petitions relating to ..... (in case of Bills) the Bill to provide for..... which was introduced in the House on the 20....

Name of Signatories	District or Town	State
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**APPENDIX 1**

Rules of the procedure with respect to communications between the two Houses of the State Legislature framed by the Governor under clause (3) of Article 208 of the Constitution of India.

**Rules**

1. These Rules may be called the Bihar Legislature (Communications) Rules, 1950.
2. The method of communication between the two Houses of the State Legislature shall be by messages.
3. Every message from the Legislative Assembly to the Legislative Council and *vice versa* shall be in writing or in print and shall be signed by the Secretary of the originating House and conveyed to the Secretary of the other House.
4. Every message shall be reported to the House by its Secretary if it is in session, but if the House is not in session, a copy of the message shall, as soon as it is received, be forwarded to every member of the House.
5. The subject-matter of the message shall be dealt with by the House to which it is communicated according to its rules of business.

**APPENDIX 2****PART I****PRELIMINARY****CODE OF CONDUCT FOR MEMBERS OF PARLIAMENT AND  
LEGISLATURES OF STATES AND UNION TERRITORIES**

1. This Code may be called the Code of Conduct for members of Parliament and Legislatures of States and Union Territories.
2. Words and expressions used in the Code shall, unless the context otherwise requires, have the meaning assigned to them in the Constitution of India and the Rules of Procedure and Conduct of Business of Houses of Parliament and Legislatures of States and Union Territories.

**PART II****CODE OF CONDUCT FOR MEMBERS INSIDE THE HOUSE**

## General Rules

3. A Member, whilst the House is sitting, shall—
  - (i) bow to the Chair while entering or leaving the House and also when taking or leaving his seat;
  - (ii) always address the Chair;
  - (iii) keep to his usual seat while addressing the House;
  - (iv) maintain silence when not speaking in the House;
  - (v) avoid talking or laughing in Lobby loud enough to be heard in the House;
  - (vi) maintain the inviolability of the Question Hour;
  - (vii) refrain from transgressing into the well of the House;
  - (viii) resume his seat as soon as the Speaker rises to speak;
4. A member whilst the House is sitting, shall not-
  - (i) read any book, newspaper or letter except in connection with the business of the House;
  - (ii) interrupt any member while speaking by disorderly expression or noises or in any other disorderly manner;
  - (iii) pass between the Chair and any member who is speaking;

- (iv) leave the House when the Speaker/Chairman is addressing the House;
- (v) obstruct proceedings, blow whistle or interrupt and shall avoid making running commentaries when another member is speaking;
- (vi) applaud when a stranger enters any of the Galleries or the Special Box;
- (vii) shouts slogans in the House;
- (viii) sit or stand with his back towards the Chair;
- (ix) approach the Chair personally in the House. He may send chits to the officers at the Table, if necessary;
- (x) wear or display badges of any kind in the House;
- (xi) bring or display arms in the House;
- (xii) display flags, emblems or any exhibits in the House;
- (xiii) leave the House immediately after delivering his speech;
- (xiv) distribute within the precincts of Parliament House any literature, questionnaire, pamphlets, press notes, leaflets etc. not connected with the business of the House;
- (xv) Place his 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 his coat hanging on the arms;
- (xvi) carry walking stick into the House unless permitted by the Speaker on health grounds;
- (xvii) tear documents in the House in protest;
- (xviii) bring or play cassette or tape recorder in the House;
- (xix) sit on *Satyagrah* or *Dharna* inside the House or anywhere within the precincts of parliament or legislatures of States and Union Territories.
- (xx) bring cellular phones or pagers in the House.

5. (1) If a private member desires to lay a paper or document on the Table of the House, he shall supply a copy thereof to the Speaker in advance so as to enable him to decide whether permission should be given to lay the paper or document on the Table. If the Speaker/Chairman permits the member to lay the paper or document on the Table, the member may at the appropriate time lay it on the Table.

(2) If a private member, in the course of his speech wishes to quote from a secret Government document, paper or report, he shall supply a copy thereof in advance to the speaker and also indicate the portions thereof which he wishes to quote in order to enable the Speaker to decide whether permission should be given. If the Speaker/Chairman permits the member to quote from the document, the member may do so at the appropriate time. If the Speaker/Chairman does not accord the necessary permission, the member shall not quote from the document nor refer to its contents.

6. (1) A member wishing to point out any mistake or inaccuracy in a statement made by a Minister or any other member shall, before referring to the matter in the House, write to the Speaker/Chairman pointing out the particulars of the mistake or inaccuracy and seek his permission to raise the matter in the House.

(2) A member may place before the Speaker/Chairman such evidence as he may have in support of his allegation.

7. No allegation of a defamatory or incriminatory nature shall be made by a member against any person unless the member has given adequate advance notice to the Speaker/Chairman and also to the Minister concerned so that the Minister may be able to make an investigation into the matter for the purpose of a reply:

Provided that the Speaker/Chairman may at any time prohibit any member from making any such allegation if he is of opinion that such allegation is derogatory to the dignity of the House or that no public interest is served by making such allegation.

8. Members shall not give any advance publicity to various notices given by them.

9. A member having a personal pecuniary or direct interest in a matter before the House, while taking part in the proceedings on that matter shall declare the nature of that interest. It is expected to the member as a matter of propriety to decide for himself whether by casting his vote in a division in the House on the matter, his judgement is likely to be deflected from the straight line of public policy by that interest.

**Rules to be observed while speaking**

10. A member while speaking shall not-

- (i) refer to any matter of fact on which a judicial decision is pending;

- (ii) make personal reference by way of making an allegation imputing a motive to or questioning the *bona fides* of any other member of the House unless it be imperatively necessary for the purpose of the debate being itself a matter in issue or relevant thereto;
- (iii) use offensive expressions about the conduct or proceedings of Parliament or any Legislature of State/Union Territory;
- (iv) object on any determination of the House except on a motion for rescinding it;
- (v) object on the conduct of persons in high authority unless the discussion is based on a substantive motion drawn in proper terms;
- (vi) use the President's/Governor's/Lieutenant Governor'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;
- (ix) make any reference to the strangers in any of the galleries;
- (x) refer to Government Officials by name;
- (xi) read a written speech except with the previous permission of the Chair;
- (xii) question or comment on the ruling of the Speaker/Chairman;
- (xiii) use insinuation or offensive and unparliamentary expressions while addressing the Chair;
- (xiv) speak unless called by the Speaker/Chairman;
- (xv) speak unparliamentary words.

**PART III**

**CODE OF CONDUCT FOR MEMBERS DURING PRESIDENTS/  
GOVERNORS/LIEUTENANT GOVERNOR'S ADDRESS**

11. It is imperative for each and every member or any other Person present on the occasion of the President's Address to observe solemnity, dignity and decorum.

12. If any member or other person interrupts or obstructs the President's Address to either House of Parliament or both Houses of Parliament assembled together, either before or during or after the address, while the President is in the Hall, with any speech or point of order or walkout or in any other manner such interruption, obstruction or show of disrespect shall tantamount to an act of disorder and disrespect to the President and may be considered as a grossly disorderly conduct on the part of the concerned member or other person and a contempt for the House which may be dealt with by the House subsequently on a motion moved by a member.

13. If any member or other person interrupts or obstructs the President's Address or mars the dignity of the occasion in any other manner, the President, who is in charge of the proceedings and fully competent to preserve order on the occasion may give such directions as he may consider necessary to preserve order, solemnity and dignity of the occasion.

14. The provisions of clauses 11 to 13 of the Code would be applicable *mutatis mutandis* to the Addresses by Governors of States and Lieutenant Governors of Union Territories to members of both Houses of State Legislatures and respective Legislative Assemblies.

**PART IV**

**CODE OF CONDUCT FOR MEMBERS IN PARLIAMENTARY  
COMMITTEES/ COMMITTEES OF LEGISLATURES OF STATE AND  
UNION TERRITORIES**

**Code of Conduct for Members in Parliamentary Committees**

15. Where a member of a Committee has a personal, pecuniary or direct interest in any matter which is to be considered by the Committee, he shall state his interest therein to the Speaker through the Chairman of the committee.

16. Since the proceedings of a Committee are treated as confidential, it is not permissible for a member of the Committee or anyone who has access to its proceedings to communicate directly or indirectly to the press any information regarding the proceedings including its report or any conclusions arrived at, finally or tentatively, before the report has been presented to the House.

17. Whenever a paper or document, marked 'secret' or 'confidential' is circulated to the members of the committee, the contents of such paper or document shall not be divulged by any member either in the dissent note or on the floor of the House or otherwise, without the permission of the Speaker/Chairman, and where such permission has been obtained, any restriction imposed by the Speaker in regard to the manner in which, or the extent to which the information contained in the document may be divulged, shall be strictly observed.

18. 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.

**Guidelines for Parliamentary Committees and Code of Conduct for Members during study tours of Parliamentary Committees.**

19. Committees should not normally undertake tours unless it is absolutely necessary to undertake an on-the-spot study tour for proper examination of the subject before the Committee.

20. Where a Committee proposes to undertake a tour, prior permission of the Speaker/Chairman should be taken in all cases.

21. Tours should not be undertaken merely because something has to be seen or discussions have to be held with local authorities. Discussions can always usefully be held in the Parliament House/Assembly/Council Houses and the Officers concerned with the subject-matter can be specifically called before the Committee.

22. The whole Committee should not undertake a tour. A sub-Committee or Study Group consisting of five or six members may be formed for the purpose who may report back to the whole Committee after its study tour. In cases where the Committee consist of more than 30 members, the sub-Committee or Study Group may have a maximum of 10 members.

23. During the tours, Committee should avoid visits to places not include in the official tour programme, except local sight seeing.

24. It is necessary that the expenditure on tours and the strain on the local administration and transport Authorities should be kept to the minimum.

25. Terms of reference of the Study Groups or sub-Committees who are sent on study tours should be precise and laid down in writing.

26. A study tour should be undertaken before the official evidence on the subject is taken by the Committee and not after the evidence.

27. A study tour should be undertaken for the absolutely minimum necessary period, not exceeding a week at a time.

28. Sufficient notice of the tour programme should be given to the State Governments/other Departments or Undertakings concerned.

29. There should be no last minute changes in the tour programme by study Groups as these result in considerable difficulties to the railways, Airlines, Concerned Government Departments and Officers.

30. Members shall avoid intermediate journeys during the tours, 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.

31. Members during tours, shall take particular care to maintain proper dignity and decorum so that no criticism is made of the Committee in any manner.

32. During the tour, if a member falls ill and the doctor advises him not to undertake further tour, he shall follow the doctor's advice.

33. No member shall 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.

34. Members shall not accept any costly gifts during the tour. Members can, however, accept inexpensive mementos connected with the organization visited.

35. The Committee or Sub-committee or study Group, while on tour, shall not accept any invitation for lunch or dinner or other hospitality that might be extended by any private party. At the official lunches or dinners, if any, that might be accepted by the Committee or Sub-Committee or Study Group, no liquor should be allowed to be served.

36. No member shall 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 Chairman of the



Committee. In such cases, the member shall bear all expenses including hotel charges in respect of his/her spouse or attendant. In case, a member is found having any accompanying person without prior permission, he/she would not only bear all the expenses of such a person but would also stand automatically debarred from undertaking any committee tour thereafter.

37. The spouse or attendant of a member in no case, shall accompany Committee members during official visit to any installation, undertaking, office or the establishment and during the informal discussions with officers of the concerned establishment, undertaking, etc.

38. The provisions of clauses 15 to 37 shall be applicable *mutatis mutandis* to Committees of Legislatures of States and Union Territories and their members.

#### PART V

### CODE OF CONDUCT DURING DELEGATIONS TO FOREIGN COUNTRIES

39. (i) Members should adhere to protocol norms during the visits to foreign countries.

(ii) While participating in the international Conferences, members should follow rules, guidelines, conditions etc. as may be provided for in the Statutes/Rules and/or as may be fixed by the organisers.

(iii) During visit of Parliamentary delegations to other countries, no member shall give press statements regarding visit. Whenever any briefing of the press is required to be done, the same shall be done by the leader of the delegation.

#### PART VI

### CODE OF CONDUCT FOR MEMBERS OUTSIDE PARLIAMENT' AND LEGISLATURES OF STATES AND UNION TERRITORIES AND GENERAL ETHICAL PRINCIPLES

**Code of Conduct for Members outside the Parliament and Legislatures of States and Union Territories.**

40. Information given to members in confidence or by virtue of their being members of the committees of parliament/Legislatures of

States and Union Territories Shall not be divulged to anyone 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 newspapers or proprietors of business firm and so on.

41. A member shall not try to secure business from Government for a firm, company or organisation with which he is directly or indirectly concerned.

42. A member shall not give certificates which are not based on facts.

43. A member shall not make profit out of Government residence allotted to him by sub-letting the premises.

44. A member shall not unduly influence the Government Officials or the Ministers in a case in which he is interested financially either directly or indirectly.

45. A member shall not receive hospitality of any kind for any work that he desires or proposes to do from a person or organisation on whose behalf the work is to be done by him.

46. A member shall not in his capacity as a lawyer or a legal adviser or a counsel or a solicitor appear before a Minister or an Executive Officer exercising quasi-judicial powers.

47. A member shall not proceed to take action on behalf of his constituents on some insufficient or baseless facts.

48. A member shall not permit himself to be used as a ready supporter of anybody's grievances or complaints without verifying facts.

49. A member shall not endorse incorrect certificates on bills claiming amounts due to him.

50. A member shall not elicit information from Government in an unauthorised manner by inducing a subordinate official to give information which in the course of his normal functions he should not do. Nor shall he encourage any such person to speak to him against his senior officials on matters of public importance and policy.

51. A member shall not write recommendatory letter or speak to Government Officials for employment or business contacts for any of his relations or other persons in whom he is directly or indirectly interested.

**General ethical principles with which members should abide**

52. Members must utilise their position to progress general well being of the people.

53. In case of conflict between the personal interest of members and public interest, they must resolve the conflict so that personal interests are subordinated to the duty of their public office.

54. Members shall resolve conflict between private financial interests/family interests and public interests in a manner that the public interest is not jeopardised.

55. Members holding public offices shall use public resources in such a manner as may lead to public advantage.

56. Members shall keep uppermost in their mind the fundamental duties listed in part-IVA of the Constitution.

57. Members shall maintain high standards of morality, dignity, decency and values in public life.

**PART VII**

**PROCEDURE FOR DEALING WITH COMPLAINTS REGARDING  
BREACH OF CODE OF CONDUCT**

58. The Presiding Officer or the House, as the case may be; may *suo motu* take up for consideration cases of breach of the Code that have taken place in the House.

59. In other cases the Speaker/Chairman may refer complaints regarding violation of Code of Conduct to Committee on Ethics or in its absence to the Committee of Privileges for examination and report.

**PART VIII**

**PUNISHMENT FOR BREACH OF CODE OF CONDUCT**

60. In case of violation of the Code of Conduct, the Presiding Officer or the House, as the case may be, can impose any of the following punishments/penalties: (a) Admonition;

(b) Reprimand;

- (c) Censure;
- (d) Withdrawal from the House;
- (e) Suspension from the service of the House for a specific period; and
- (f) Any other penal action considered appropriate by the House.

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