



सत्यमेव जयते

# **GUJARAT LEGISLATIVE ASSEMBLY RULES**

**TENTH EDITION ♦ JUNE, 2008**

**GUJARAT LEGISLATURE SECRETARIAT**  
**Viththalbhai Patel Bhavan,**  
**Sector - 10, Gandhinagar**

- **First Edition, 1960**
- **Second Edition, 1966**
- **Third Edition, 1968**
- **Fourth Edition, 1970**
- **Fifth Edition, 1971**
- **Sixth Edition, 1973**
- **Seventh Edition, 1977**
- **Eighth Edition, 1988**
- **(Reprint), 1993**
- **Ninth Edition, 1998**
- **Tenth Edition, 2008**

## PREFACE

After independence, our founding fathers have adopted the Westminster model of parliamentary democracy and for that purpose made elaborate provisions in our constitution. Article-208 of the Constitution delegates power to the Legislature to frame its own rules of procedure for ensuring its smooth and orderly functioning. At the time of formation of the Gujarat State, the rules of procedure and practices prevailing in the former Mumbai State were adopted by the Speaker with suitable modifications and alterations keeping in view the emergent requirements. Since the formation of the State of Gujarat on the 1st May, 1960, the Gujarat Legislative Assembly Rules have been amended sixteen times and its nine editions have been published uptill now, this would be the Tenth Edition. It would be worthwhile to mention here briefly the nature of various amendments made in the Rules so far when the new edition of Rules is brought out.

2. Under Section 18 of the Bombay Reorganization Act, 1960, the rules in force in the Former Bombay Legislative Assembly were applied to the Gujarat Legislative Assembly with suitable modification and adaptations made by the Speaker. The First Edition of the Gujarat Legislative Assembly Rules was brought out on 2nd June, 1960.

3. These rules were amended for the first time on the recommendations of the Rules Committee contained in its First Report presented to the House on 23rd December, 1963. The amendments were in relation to the composition of the Public Accounts Committee and the Estimates Committee and the Ministers were debarred from being members of the said committees. The said amendments were given effect from 3rd January, 1964.

4. Second time, overall revision of the rules was undertaken in 1965 and suggestions for the amendments to the rules were invited from the members in the light of working of the then rules. The Rules Committee had considered the suggestions and amendments received from members and also from the Gujarat Legislature Secretariat and presented its report to the House on the 5th May, 1965. After considerable discussion for about five days, the rules were approved by the House. The attempt was to bring the rules in line with certain rules of the Lok Sabha and also in line with the important decisions pronounced by the Speaker from time to time. These rules were brought into force from the 1st January, 1966.

5. Third time, the rules were amended on the recommendations of the Rules Committee contained in its Third Report presented to the House on 17th February, 1966. By this amendment, allotment of days for discussion and voting on demands for grants was raised from 12 to 14. This amendment was published in the Gazette on 21st March, 1966.

6. Fourth time, certain further amendments to the rules relating to the question procedure were made on the recommendations of the Rules Committee contained in its First Report presented to the House on the 2nd September, 1968. The amendments were published on the 10th September, 1968. By these amendments, the rotation system for answering the starred Questions on the floor of the House was introduced and the notice period for the starred questions was fixed at not less than 21 days and not more than 28 days. The entire rules were reprinted as Third Edition in 1968 along with these amendments.

7. Fifth time, certain further amendments to the rules with effect from the 8th September, 1969 were made on the recommendations made by the Rules Committee in its Second Report (Preliminary) presented to the House on 25th March, 1969 and Third Report (Final) presented to the House on 27th August, 1969. These amendments provide for joint notices by not more than 3 members for certain items of business such as questions, calling attention notices, etc.

8. Sixth time, on the recommendations of the Rules Committee contained in its Fourth Report presented to the House on 27th August, 1969, certain further amendments to the rules were made with effect from 8th September, 1969. These amendments provide for new procedure for moving non-official resolutions. The entire rules incorporating all these amendments were reprinted as Fourth Edition in 1970.

9. Seventh time, on the recommendations of the Rules Committee contained in its Fifth Report (Preliminary) presented to the House on 10th June, 1970 and Sixth Report (Final) presented to the House on 3rd December, 1970, certain further amendments to the rules were made with effect from the 1st May, 1971. The rules were again reprinted in 1971 incorporating these amendments.

10. Eighth time, on the recommendations of the Rules Committee in its First Report presented to the House on the 12th April, 1973, the rules were practically revised and a large number of amendments to the rules were made and the same was published in the Gazette on the 6th June, 1973

making it effective from 18th June, 1973. These amendments inter-alia included the amendment providing for discontinuing the practice of supplying to the members copies of the list of starred questions and answers thereto in advance and for introducing the practice of answering the starred questions orally by the Ministers. The rules were again reprinted in 1973 incorporating these amendments.

11. Ninth time, on the recommendations of the Rules Committee contained in its Second Report presented to the House on the 15th November, 1973, certain further amendments to the rules were made with effect from 7th December, 1973. These amendments inter-alia included amendment to the rules relating to the question procedure providing for reverting to the old practice of supplying to the members copies of the list of starred questions and answers thereto in advance. During the 10th, 11th and 12th occasions, the third Schedule to the Rules were amended by adding certain statutory corporations to the third schedule and thereby, bringing them within the purview of the Public undertakings committee.

12. Thirteenth time, on the recommendations of the Rules Committee contained in its First Report presented to the House on 17th July, 1987, certain further amendments to the Rules were made with effect from 1st September, 1987. These amendments inter-alia included amendments to the Rules relating to the timings of the recess of the House and provision for morning sessions on the last working day of the week. Moreover, certain directions issued by the Speaker under rule 56 were also incorporated in the Rules and provisions relating to the Panchayati Raj Committee, the Committee on welfare of Scheduled Castes. The Committee on Welfare of Scheduled Tribes, the Committee on Welfare of Socially and Educationally Backward Classes, the MLA's Hostel Committee and the Committee on Papers laid on the Table of the House were also incorporated in the Rules.

13. Fourteenth time, on the recommendation of the Rules Committee contained in its Second Report presented to the House on 25th February, 1988, rule 218B pertaining to MLA's Hostel Committee was further amended with effect from 9th March, 1988.

14. Fifteenth time, on the recommendation of Rules Committee in its Third Report presented to the House on 28th July, 1988 rule 9(2) was amended to empower the Speaker to call a sitting of the House at any earlier time when it was adjourned sine die or to a named day. As per the recommendation contained in the Third Report of the Rules Committee, the strength of all the Financial Committees was increased from 11 to 15 members.

15. Sixteenth time, on the recommendation of the Rules Committee in its Forth Report presented to the House on 16th March, 1989, recommended for substitution of the Rules 244 and 248 relating to the Petition Committee and accordingly, these rules were substituted for enlarging the function of the Petition Committee. After 1989, the Rules Committee has not recommended any major amendments to the Rules. However, the Speaker in exercise of the powers delegated to him under the proviso to rule 212 amended the Third Schedule to the Rules on 12th February, 1999 by adding more Statutory Bodies within the purview of the Public Undertaking Committee.

16. Lastly, the Third Schedule to the rule was again amended by the Speaker under rule 212 with effect from 6th December, 2007 by rescinding the names of the two Statutory Bodies and also modifying the name of one Statutory Body. Since the copies of the Rule Book have been exhausted and anticipating its demand from newly elected Members of 12th Assembly, it is decided to bring out an up-to-date Tenth Edition by incorporating all amendments made in the Rules upto December, 2007.

Gujarat Legislature Secretariat,  
Gandhinagar.  
Dated the 4<sup>th</sup> June, 2008.

**D. M. Patel,**  
Secretary,  
Gujarat Legislative Assembly

# GUJARAT LEGISLATIVE ASSEMBLY RULES

## C O N T E N T S

<b>RULE</b>	<b>PARTICULARS</b>	<b>PAGE</b>
<b>PRELIMINARY</b>		
1	Short title and commencement	1
2	Definitions	2
<b>PART - I</b>		
<b>SITTINGS OF HOUSE</b>		
3	Summons to members	3
4	Sitting of House	3
5	When is sitting of House duly constituted	4
6	Deleted	4
7	Roll of members	4
8	Seating of members	4
9	Power to adjourn sittings	4
<b>PART - II</b>		
<b>OFFICERS OF ASSEMBLY</b>		
10	Election of Speaker by House	5
11	Election of Deputy Speaker by House	6
12	Panel of Chairmen	6
13	Power of person presiding	6
14	Deleted	6
<b>PART - III</b>		
<b>ARRANGEMENT OF BUSINESS, LIST OF BUSINESS AND NOTICES</b>		
15	Arrangement of Government business	6
16	Allotment of time for private members' business	7
16-A	Introduction of unopposed private members' Bills on day allotted for private members' resolutions.	7

<b>RULE</b>	<b>PARTICULARS</b>	<b>PAGE</b>
17	Relative precedence of private members' Bills...	7
18	List of business for the day	8
19	Notices by members	8
20	Circulation of notice and other papers to members	8
20-A	Copies of Notices to be sent to minister and Department concerned	9
21	Lapse of Notices on prorogation	10
21-A	Lapsing of motion not moved	10
21-B	Lapsing of Notices when member becomes Minister	10
22	Copy of motion which has lapsed not to be sent with fresh notice	10
22-A	Restrictions on giving publicity to notices in advance	10

#### **PART - IV**

#### **GENERAL RULES OF PROCEDURE**

23	Language of Assembly	11
24	Anticipating discussion	11
25	Deleted	11
26	Deleted	11
27	Deleted	11
28	Member to speak only when called by Speaker	11
29	Mode of addressing House	11
30	Procedure when Speaker rises or speaks	11
31	Interrupting member speaking	12
32	Right of speech and reply	12
33	Time limit for speeches	12
34	Limitations on debate	12
35	Report of proceedings of House	14
36	Expunction of words from debates	14



<b>RULE</b>	<b>PARTICULARS</b>	<b>PAGE</b>
37	Procedure regarding allegation against a person	15
38	Speech not to be read	15
39	Dilatory motions	15
40	Procedure for consideration of motion or Bill which is adjourned sine die	16
41	Closure	16
42	Putting question, Order of amendments and motion, Division of motion	16
43	Mode of taking decisions by division, etc.	16
44	Statement by Minister	18
45	Personal explanation	19
46	Adjournment for want of quorum	19
47	Preservation of order in House	19
48	Deleted	20
49	Deleted	20
50	Irrelevance or repetition	20
51	Withdrawal of member	20
52	Naming member	21
53	Power to dispense with notice	21
54	Deleted	21
55	Suspension of rules	21
56	General powers of speaker	21
57	Rules to be observed by member while present in House	21
58	No speech after voices collected	22
59	Papers quoted to be laid on Table	22
60	Papers laid on Assembly Table	22
61	Papers laid on Assembly Table to be public	23

<b>RULE</b>	<b>PARTICULARS</b>	<b>PAGE</b>
62	Clubbing of notices	23

**PART - V**

**GOVERNOR'S ADDRESS AND MESSAGES TO ASSEMBLY**

63	Secretary to obtain authenticated copy of Governor's Address	23
64	Copy of Governor's Address to be laid on Table	23
64-A	Motion of thanks for Governor's Address	24
65	Allotment of time for discussion on Governor's Address	24
66	Scope of discussion on Governor's Address	24
67	Amendments to motion of thanks	24
68	Other business that may be taken up	24
69	Government's right of reply	25
70	Allotment of time for discussion on Governor's Address under article 175	25
70-A	Messages by Governor	25
70-B	Address by Governor while proroguing House	25

**PART - VI  
QUESTIONS**

71	Question hour	26
72	Starred questions and unstarred questions	26
73	Notices of starred questions	26
74	Form of notice of question	26
75	Placing of question in list of starred questions for later date	26
76	Maximum number of starred questions member entitled to ask on a day	26
77	Allotment of days for answers to starred questions	27
78	Conditions of admissibility of questions	27
79	Questions regarding discussion or correspondence with other Governments	29

<b>RULE</b>	<b>PARTICULARS</b>	<b>PAGE</b>
80	Questions on statutory bodies	30
81	Speaker to decide admissibility of questions	30
82	Speaker to decide if question be treated as starred or unstarred	30
83	Printing of list of starred questions and answers thereto and placing of questions in such list in rounds	30
83-A	Deleted	30
84	Withdrawal of questions	30
85	Mode of asking starred questions	31
86	Answers to questions not asked or to questions of absent members	31
87	Unstarred questions	31
87-A	Laying of answers to unstarred questions on last day of session	32
87-B	Postponing questions	32
88	Dropping of question hour on any day	32
89	Supplementary question	32
90	Short notice questions	32
91	Questions to private members	33
<b>PART - VII</b>		
<b>HALF AN HOUR DISCUSSION</b>		
92	Discussion on a matter of public importance arising out of answers to questions	33
<b>PART - VIII</b>		
<b>MOTIONS</b>		
93	Discussion on motion	34
94	Conditions of admissibility of motions	34
95	Speaker to decide admissibility of motions	35
96	Moving of motions	35

<b>RULE</b>	<b>PARTICULARS</b>	<b>PAGE</b>
97	Amendments	35
98	Withdrawal of motions	36
99	Copy of motion passed to be sent to Minister and Department concerned	36

**STATUTORY MOTIONS**

100	Statutory motions	37
-----	-------------------	----

**NO DAY YET NAMED MOTIONS**

101	No day yet named motions	37
-----	--------------------------	----

**LAST DAY MOTION**

102	Last day motion	37
-----	-----------------	----

**MOTION FOR REMOVAL OF SPEAKER OR DEPUTY SPEAKER**

103	Motions for removal of Speaker or Deputy Speaker	38
104	Deleted	38
105	Deleted	38

**PART - IX**

**MOTION EXPRESSING WANT OF CONFIDENCE IN THE MINISTRY  
AND EXPLANATION BY A MINISTER WHO HAS RESIGNED**

106	Motion expressing want of confidence in Ministry	39
107	Minister's resignation	39

**PART - X**

**MOTION FOR ADJOURNMENT FOR PURPOSE OF DEBATE**

108	Adjournment motion for purpose of discussing definite matter of urgent public importance	40
109	Restrictions on powers to move motion	40
110	Time for asking leave and procedure	41
111	Limit of discussion	41

**PART - XI**

<b>RULE</b>	<b>PARTICULARS</b>	<b>PAGE</b>
<b>DISCUSSION FOR SHORT DURATION OF MATTERS OF URGENT PUBLIC IMPORTANCE</b>		
112	Notice of raising discussion	42
113	Speaker to decide admissibility	42
114	No formal motion	42
115	One matter to be raised at one sitting	42
<b>PART - XII</b>		
<b>CALLING ATTENTION TO MATTERS OF URGENT PUBLIC IMPORTANCE</b>		
116	Calling attention to matters of urgent public importance	43
<b>PART - XIII</b>		
<b>RESOLUTIONS</b>		
117	Notice of resolution	43
118	Form and contents	44
119	Repetition of resolution	44
120	Government resolution	44
<b>PART - XIV</b>		
<b>LEGISLATION</b>		
121	Notice of motion for leave to introduce private members' Bills	45
121-A	Notice of Motion for leave to introduce Government Bills	45
121-B	Distribution of copies of Bills to be Introduced	45
122	Introduction of Bill dependent on another Bill pending before House	46
123	Financial memorandum	46
124	Explanatory memorandum to Bills delegating legislative powers	46
124-A	Signature of member in charge of Bill on Memoranda	46

<b>RULE</b>	<b>PARTICULARS</b>	<b>PAGE</b>
124-B	Statement regarding Ordinances	46
125	Motion for leave to introduce Bill and its introduction	47
126	Bills or amendments requiring previous sanction of President	47
127	Bills or amendments requiring recommendation of Governor	47
127-A	Publication of Bills in Gazette	48
128	Translation of Bills and their publication in Gazette	48
129	Bills to be read three times	48
130	First reading	48
131	Deleted	49
132	Motions after first reading	49
133	Motions after eliciting opinion	49
134	Composition and powers of Select Committee	50
135	Minute of dissent	50
136	Presentation of report and motions after presentation.	51
137	Procedure in case of Bills re-referred to Select Committee	52
138	Scope of amendments to amending Bills	52
139	Reading of Bill clause by clause	52
140	Third Reading	54
140-A	Authority to move motion in respect of Bill	55
141	Rejection of Bills	55
142	Power of Speaker to correct patent errors and make consequential changes in Bill as passed	55
143	Authentication of Bills and submission thereof to governor	56
144	Authentication of Money Bills and submission thereof to Governor	56
145	Preservation of copy of Bill assented to by Governor or President	56
146	Deleted	56

<b>RULE</b>	<b>PARTICULARS</b>	<b>PAGE</b>
147	Bills returned for reconsideration	57
148	Withdrawal of Bills	57
149	Deleted	58
150	Substantially similar Bill not to be introduced or moved after rejection or withdrawal of Bills	58
151	Secretary to keep list of Bills	58
152	Discussion of governor's Ordinances	58
<b>PART - XV</b>		
<b>COMMITTEES</b>		
<b>GENERAL</b>		
153	Appointment of Committees	58
154	Term of office of Committee nominated by Speaker	59
155	Resignation from Committee	59
156	Chairman of Committee and his powers	59
157	Quorum	59
158	Discharge of members absent from sitting of Committee	60
159	Voting in Committee	60
160	Casting vote of Chairman	60
161	Power to appoint sub-Committees	60
162	Sitting of Committee	60
163	Committee may sit whilst House is sitting	61
164	Sitting of Committee in private	61
165	Venue of sittings	61
166	All strangers to withdraw when Committee deliberates	61
167	Power to send for persons, papers and records	61
168	Summoning witness and treatment of evidence	61
169	Counsel for witness	62
170	Evidence on oath	62

<b>RULE</b>	<b>PARTICULARS</b>	<b>PAGE</b>
171	Procedure for examining witnesses	62
172	Record of decisions of Committee	63
173	Evidence, report and proceedings treated as confidential	63
174	Special report	63
175	Time limit for presenting reports of Committee	63
176	Sending copy of draft report to department concerned for factual verification	64
177	Presentation of report	64
178	Departments of Governments to send statement of action taken on recommendations of Committee	64
179	Publication or circulation of reports prior to its presentation to House	64
180	Deleted	65
181	Deleted	65
182	Power of Committee to make detailed rules	65
183	Power of Speaker to give directions	65
184	Business before Committee not to lapse on prorogation of House	65
185	Unfinished work of Committee	65
186	Applicability of general rules to all Committees	65
187	Deleted	66
188	Deleted	66
189	Deleted	66
<b>BUSINESS ADVISORY COMMITTEE</b>		
190	Constitution of Business advisory Committee	66
191	Functions of Committee	66
192	Report of Committee	66
193	Decision of House	66



<b>RULE</b>	<b>PARTICULARS</b>	<b>PAGE</b>
194	Disposal of outstanding matters at appointed hour	67
195	Variation in decision of house	67
195A	Deleted	67
<b>PUBLIC ACCOUNTS COMMITTEE</b>		
196	Constitution of Committee on public Accounts	67
197	Functions of Committee	68
<b>PANCHAYATI RAJ COMMITTEE</b>		
197-A	Constitution of Panchayati Raj Committee	69
197-B	Functions of Panchayati Raj Committee	70
197-C	Power of Committee to examine Secretaries, Heads of Departments and District Development officers	70
<b>COMMITTEE ON ESTIMATES</b>		
198	Constitution of Committee on Estimates	70
199	Function of Committee	71
200	Deleted	71
<b>COMMITTEE ON PUBLIC UNDERTAKINGS</b>		
200-A	Constitution of Committee on Public Undertakings	71
200-B	Functions of Committee	72
200-C	Deleted	72
200-D	Deleted	72
<b>COMMITTEE ON PRIVATE MEMBERS' BUSINESS</b>		
201	Constitution of Committee on Private Members' Business	73
202	Functions of Committee	73
203	Allocation of time order	73
204	Deleted	73
205	Disposal of outstanding matters at appointed hour	73

<b>RULE</b>	<b>PARTICULARS</b>	<b>PAGE</b>
<b>COMMITTEE ON SUBORDINATE LEGISLATION</b>		
206	Constitution of Committee on Subordinate Legislation	74
207	Deleted	74
208	Functions of Committee	74
209	Deleted	75
210	Minute of dissent	75
<b>COMMITTEE ON RULES</b>		
211	Constitution of Rules Committee	75
212	Functions of Committee	75
213	Amendments to rules	75
<b>COMMITTEE ON GOVERNMENT ASSURANCES</b>		
214	Constitution of Committee on Government Assurances	76
215	Functions of Committee	76
<b>COMMITTEE ON WELFARE OF SCHEDULED CASTES</b>		
215-A	Constitution of Committee on Welfare of Scheduled Castes	77
215-B	Functions of Committee	77
<b>COMMITTEE ON WELFARE OF SCHEDULED TRIBES</b>		
215-C	Constitution of Committee on Welfare of Scheduled Tribes	78
215-D	Functions of Committee	78
<b>COMMITTEE ON WELFARE OF SOCIALLY &amp; EDUCATIONALLY BACKWARD CLASSES</b>		
215-E	Constitution of committee on Welfare of Socially and Educationally Backward Classes	79
215-F	Functions of Committee	80

<b>RULE</b>	<b>PARTICULARS</b>	<b>PAGE</b>
<b>COMMITTEE ON ABSENCE OF MEMBERS</b>		
216	Constitution of Committee on Absence of members	80
217	Functions of Committee	80
218	Decision of House	81
<b>M.L.A'S HOSTEL COMMITTEE</b>		
218-A	Constitution of MLA's Hostel Committee	81
218-B	Functions of Committee	81
218-BB	Proceedings and report of Committee	81
<b>COMMITTEE ON PAPERS LAID ON THE TABLE OF THE HOUSE</b>		
218-C	Constitution of the committee on papers laid on the Table of the House	82
218-D	Functions of Committee	82
218-E	Restrictions on raising matters in the House about papers laid	83
219	Deleted	83
<b>PART - XVI FINANCIAL BUSINESS</b>		
220	Presentation of Budget	83
221	General discussion	83
222	Discussion on Budget	83
223	Form in which Budget may be presented	83
224	New service or new instrument of service or grant-in-aid or loan	84
225	Deleted	84
226	Allotment of days for discussion and voting of demands for grants and order of discussion	84
227	Cut-motions	84
228	Discussion and voting of demands for grants	85

<b>RULE</b>	<b>PARTICULARS</b>	<b>PAGE</b>
229	Demands for grants may be made for reduced amounts	86
230	On day of Voting of Demands for grants no other business allowed	86
231	Deleted	86
232	Further statement of expenditure	86
233	Excess demands	87
234	Supplementary demands	87
235	Token demands	88
236	Vote on account	88
237	Vote of credit or exceptional grant	89
238	Appropriation Bill	89
239	Time limit for disposal of financial business	90

**PART - XVII**  
**PETITIONS**

240	Scope of petitions	90
241	Form and contents	91
242	Documents not to be attached to petitions	91
243	To be presented by member	91
244	Presentation	91
245	Member presenting may take brief statement	91
246	Reference to Committee on Petitions	91

**COMMITTEE ON PETITIONS**

247	Constitution of Committee on Petitions	92
248	Functions of Committee	92

<b>RULE</b>	<b>PARTICULARS</b>	<b>PAGE</b>
<b>PART - XVIII</b>		
<b>PRIVILEGES</b>		
<b>Questions of Privilege</b>		
249	Bringing question of breach of privilege or contempt to notice of House	92
250	Notice by member	93
251	Conditions for admissibility	93
252	Mode of raising question of privilege	93
253	Procedure after leave is granted	94
<b>COMMITTEE OF PRIVILEGES</b>		
254	Constitution of Committee of Privileges	94
255	Examination of question by Committee	94
256	Minute of dissent	95
257	Consideration of report	95
258	Substantive motion	95
259	Opportunity of being heard to person charged	95
260	Summons to be signed by Secretary	96
260 A	Warrant of arrest to be signed by Speaker	96
261	Execution of order	96
262	Regulation of procedure	96
263	Power of Speaker to refer question of privilege to committee	96
<b>Intimation to Speaker of arrest, detention etc. and release of a member</b>		
264	Intimation to Speaker of arrest, detention etc. of member	96
265	Intimation to Speaker on release of member	96
266	Treatment of communications received	97

<b>RULE</b>	<b>PARTICULARS</b>	<b>PAGE</b>
	<b>Procedure regarding service of a legal process and arrest within the precincts of the House</b>	
267	Arrest within precincts of House	97
268	Service of legal process	97
	<b>PART - XIX</b>	
	<b>RESIGNATION OF SEATS IN ASSEMBLY</b>	
269	Resignation of seats in Assembly	97
	<b>PART - XX</b>	
	<b>SUBORDINATE LEGISLATION</b>	
270	Computing period for which rule, regulations, bye-law-notification laid on Assembly Table	99
271	Deleted	99
272	Deleted	99
273	Deleted	99
	<b>PART - XXI</b>	
	<b>LEAVE OF ABSENCE FROM THE SITTINGS OF THE HOUSE</b>	
274	Application for leave of absence	99
275	Application to be referred to Committee	99
276	Decision of House Communicated to member	100
277	Deleted	100
278	Declaring seat vacant under Article 190(4)	100
279	Attendance Book of members	100
	<b>PART - XXII</b>	
	<b>MISCELLANEOUS</b>	
280	Custody of documents and supply of certified copies thereof	100
281	Papers to be distributed to members	101
282	Admission to precincts of House	101

<b>RULE</b>	<b>PARTICULARS</b>	<b>PAGE</b>
283	Power to order withdrawal of strangers	101
284	Duties of Secretary	101
<b>PART - XXIII</b>		
<b>SECRET SITTINGS OF THE HOUSE</b>		
285	Secret sitting	102
286	Report of proceedings	102
287	Procedure in other respects	102
288	Lifting ban of secrecy	102
<b>PART - XXIV</b>		
<b>REPEALS AND SAVINGS</b>		
289	Repeal and savings	103
<b>SCHEDULES</b>		
	First Schedule (deleted)	<b>103</b>
	Second Schedule	<b>104-105</b>
	Third Schedule	<b>106-107</b>
	Statement showing various stages of Bills in the Legislative Assembly of the State of Gujarat	<b>108</b>
<b>I N D E X ...</b>	... ..	<b>110-132</b>

# GUJARAT LEGISLATIVE ASSEMBLY RULES

## PRELIMINARY

1. (1) These rules may be called the Gujarat Legislative Assembly Rules **Short title and commencement.**

(2) They shall come into force on and from 1<sup>st</sup> January, 1966.

2. In these rules, unless the context otherwise requires,- **Definitions.**

(a) “Assembly” means the Legislative Assembly of the State of Gujarat constituted under the Constitutions:

<sup>1</sup>[(b) “Bulletin” means the Bulletin of the House Published under the Speaker’s authority in three parts, (a) Part-I containing a brief record of the proceedings of the House at each of its sittings:

(b) Part II 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; and (c) Part III containing information regarding committees.]

<sup>2</sup>[(c) “Committee” means a committee of the members of the House appointed or elected by the House or nominated by the Speaker and which works under the directions of the Speaker.]

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

(e) “Finance Minister” includes any Minister;

(f) “Gazette” means the Gujarat Government Gazette,

(g) <sup>3</sup>[Deleted.]

(h) “House” means the Assembly;

---

<sup>1</sup> Substituted by Notification dated 28<sup>th</sup> May, 1973

<sup>2</sup> Substituted ibid

<sup>3</sup> Deleted by Notification, dated 28<sup>th</sup> May, 1973.



<sup>1</sup>[(i) “Leader of the House” means the Chief Minister or a Minister nominated by the Chief Minister to function as the Leader of the House.]

(j) “Member” means a member of the assembly.

<sup>2</sup>[(Proviso Deleted)]

<sup>3</sup>[(k) “Member-in-charge of the Bill” means - a member who has introduced the Bill and any Minister in the case of a government Bill.]

(l) “Minister” means a member of the Council of Ministers and includes <sup>4</sup>[a Minister of State], a Deputy Minister and a Parliamentary Secretary,

(m) “Motion” means a proposal made by a member for the consideration of the House and includes a resolution, cut motion and an amendment to a motion;

(n) “Precincts of the House” means and includes the Chamber, the Lobbies, the Galleries and such other places as the speaker may from time to time specify;

(o) “Private Member” means a member other than a Minister. <sup>5</sup>[x x x x ];

(p) <sup>6</sup>[Deleted.]

(q) <sup>7</sup>[Deleted.]

(r) “Resolution” means a motion other than a statutory motion for the purpose of discussing <sup>8</sup>[a matter of general public interest] which may be in the form of a declaration of opinion or recommendation or may be in the form so as to record either approval or disapproval by the House of an act or policy of government, or convey a message or command, urge or request an action; or call attention to a matter or situation for consideration by Government; or in such other form as the Speaker may consider appropriate;

---

<sup>1</sup> Substituted by Notification dated 28th May, 1973.

<sup>2</sup> Proviso deleted *ibid*.

<sup>3</sup> Substituted *ibid*.

<sup>4</sup> Inserted *vide* Notification dated 17<sup>th</sup> December, 1973.

<sup>5</sup> the words “or the Advocate General” deleted by Notification, dated 28<sup>th</sup> May, 1973.

<sup>6</sup> Deleted *ibid*.

<sup>7</sup> Deleted *ibid*.

<sup>8</sup> Substituted for the words “a matter of public importance” by Notification dated 1<sup>st</sup> September, 1987.

(s) “Rules” means the Gujarat Legislative Assembly Rules;

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

<sup>1</sup>[(u) “Statutory motion” means a motion which is moved to comply with any provision of a statute or in exercise of a right conferred by a statute.]

(v) <sup>2</sup>[Deleted]

## **PART - I SITTINGS OF HOUSE**

<sup>3</sup>[3. On the Governor summoning the House on the date, time and place appointed by him, the Secretary shall publish a notification to that effect in the Gazette and shall issue a summons to each member specifying the date, time and place for the session of the House: **Summon to members.**

Provided that when a session is called at short notice or emergently, summons may not be issued to each member separately, but an announcement of the date, time and place of the session shall be made in the Press and members may be informed by telegram.

4. (1)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. **Sittings of House.**

<sup>4</sup>[(2)Unless the Speaker otherwise directs, sittings of the House on the days other than the last working day of the week, shall commence at 12.00 hours and conclude at 17.15 hours with a recess of forty-five minutes from 14.30 hours to 15.15 hours and the sitting on the last working day of the week shall commence at 8.00 hours and conclude at 12.30 hours with a recess of thirty minutes from 10.00 hours to 10.30 hours.]

---

<sup>1</sup> Substituted by Notification dated 28<sup>th</sup> May,1973.

<sup>2</sup> Deleted, *ibid*.

<sup>3</sup> Substituted *ibid*.

<sup>4</sup> Substituted by Notification dated 1<sup>st</sup> September,1987.

**When is sitting of house duly constituted.** 5. A sitting of the House is duly constituted when it is presided over by the Speaker or any another member competent to preside over a sitting of the house under the Constitution or these rules.

6. <sup>1</sup>[Deleted.]

**Roll of members.** 7. There shall be a roll of members of the House which shall be signed in the presence of the Secretary by every member before taking his seat.

**Seating of members.** 8. The members shall sit in such order as the Speaker may determine.

**Power to adjourn Sittings.** <sup>2</sup>9. (1) The Speaker may adjourn any sitting of the House sine die or to any particular day and hour or to any part of the same day to be named by him without discussion or vote.

<sup>3</sup>[(2)Whenever the house stands adjourned to a named day or sine die, the speaker may, suo motu or on the representation made by the Leader of the House that public interest requires that the house should meet at any earlier time, call a sitting of the House before the date or time to which it has been adjourned or at anytime after the House has been adjourned sine die.]

## PART - II OFFICERS OF ASSEMBLY

**Election of Speaker by House.** <sup>4</sup>10.(1) The election of 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 <sup>5</sup>[before 12.00 noon] 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,

---

<sup>1</sup> Deleted by Notification dated 17<sup>th</sup> December 1973.

<sup>2</sup> Substituted by Notification dated 28<sup>th</sup> May,1973.

<sup>3</sup> Substituted vide Notification dated the 1<sup>st</sup> April 1989.

<sup>4</sup> Substituted by Notification dated 28<sup>th</sup> May,1973.

<sup>5</sup> Substituted for the words "before noon" by Notification dated 1<sup>st</sup> September 1987.

or second a motion proposing his own name, or propose or second more than one motion:

<sup>1</sup>[[Provided further that a member shall not be deemed to have been duly proposed if he or his proposer or seconder has not made and subscribed an oath or affirmation as a member of the assembly before the motion, proposing his name, is moved in the House.]

(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.

(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.

<sup>2</sup>[**11.** The election of Deputy Speaker shall be on such date as the Speaker may fix, and the Secretary shall send to every member notice of this date. The provisions of rule 10, shall so far as may be, apply to such election.] **Election of Deputy Speaker by House.**

<sup>3</sup>[**12.**(1) At the Commencement of the Assembly and from time to time, the Speaker may nominate a Panel of Chairmen consisting of not more than five members to act as Chairman as required by clause (2) of article 180 of the Constitution. **Panel of Chairmen.**

(2) The Speaker or the Deputy Speaker, as the case may be may call upon one member from the Panel to preside at a sitting of the House in the absence of the Speaker and the Deputy Speaker, and such member shall preside at such sitting till such time as the Speaker and the Deputy Speaker, are absent from such sitting.

(3) The members on the Panel of Chairmen shall continue on the Panel until a new Panel is formed.]

---

<sup>1</sup> Added--by Notification dated 1st September, 1987.

<sup>2</sup> Substituted by Notification dated 28<sup>th</sup> May, 1973.

<sup>3</sup> Substituted *ibid*.

**Power of person Presiding.**

**13.** The Deputy Speaker and any Chairman of the assembly shall, when presiding over the Assembly, have the same powers as the Speaker when so presiding, and all references to the Speaker in the rules shall, in the circumstances, be deemed to be references to any such person so presiding.

**14.** <sup>1</sup>[Deleted.]

## <sup>2</sup>[PART- III

### **ARRANGEMENT OF BUSINESS, LIST OF BUSINESS AND NOTICES**

**Arrangement of Govt. Business.**

**15.** (1) Government may arrange Government business in any order it deems fit.

(2) On the day allotted for the transaction of Government business, such business shall have precedence and the Secretary shall arrange that business in such order as the Speaker may, in consultation with the Leader of the House, determine:

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

**Allotment of time for Private member's business.**

**16.** The <sup>3</sup>[ last two hours] of a sitting on the last but one working day every week shall be allotted for the transaction of private member's business:

Provided that the Speaker may, in consultation with the leader of the House, allot the <sup>1</sup>[ last two hours] of a sitting on any other day for the transaction of private members' business:

Provided further that the Speaker may allot different days for the disposal of different classes of private members' business and on the day allotted for any particular class of business, the business of that class shall have precedence.

---

<sup>1</sup> Delete by Notification dated 28th May, 1973.

<sup>2</sup> This part substituted by Notification dated 28<sup>th</sup> May ,1973

<sup>3</sup> These words were substituted for the original words "last two and half hours" by Notification dated 17<sup>th</sup> December,1973

**16.A.(1)** Notwithstanding anything contained in rule 16, a private member's Bill, motion for leave to introduce which is not opposed, may be introduced on a day allotted for private members' Resolutions.

**Introduction of unopposed private members' Bills on day allotted for Private members' resolutions.**

(2) If a motion for leave to introduce a bill is opposed, the bill may be introduced on a day allotted for private member' bills.

**17. (1)** On a day allotted for the disposal of private members' Bills, such Bills shall be taken up in the following order:--

**Relative Precedence of Private members' bills.**

- (i) Bills to be introduced;
- (ii) Motions under rule 40 for making a special order for the discussion of bills, the consideration of which has been adjourned sine die.
- (iii) bills returned by the Governor under article 200 or 201 of the Constitution.
- (iv) Other bills excluding those referred to in sub clause (v)
- (v) Bills for the discussion of which a special order is made under rule 40 in that session.

(2) Bills for which notices of motions for leave to introduce the Bills have been given, shall be entered in the list of business for the day in the order in which such notices have been received in point of time.

(3) Bills which have been introduced shall be so arranged as to give priority to the Bills which are most advanced.

(4) The relative precedence of Bills which are introduced and which are at the same stage shall be determined by ballot held on such day and in accordance with such procedure as the Speaker may prescribe.

<sup>1</sup>[(5) The first four bills only shall be set down in the List of Business for the day:

Provided that no motion in respect of the fourth bill shall be allowed to be moved unless for any reason any of the first three Bills, is not taken up.]

**List of  
business  
for the day.**

**18.** (1) The Secretary shall prepare a List of Business for the day and a copy thereof shall be sent to every member.

(2) Business not included in the List of Business for the day shall not be transacted without the permission of the Speaker.

(3) Business requiring notice shall not, without the permission of the Speaker, be included in the List of Business for the day, until the notice period has expired.

**Notices by  
Members.**

**19.** (1) Every notice required by these rules shall be given in writing addressed to the Secretary and shall be left at the Gujarat Legislature Secretariat during the scheduled office hours as notified in the Bulletin from time to time.

(2) If any notice is left or received when the office is closed, it shall be treated as having been received on the next working day.

(3) period of every notice shall be counted from the day immediately following the date on which it is received in the Gujarat Legislature Secretariat. In counting the period of notice holidays shall not be taken into account.

**Circulation  
of  
notice and  
other  
papers  
to  
members.**

**20.** (1) A copy of every notice shall be circulated to every member after it is admitted by the Speaker:

Provided that the notices of –

(1) Questions;

(2) <sup>2</sup>[Deleted. ];

---

<sup>1</sup> Added by Notification dated 1<sup>st</sup> September 1987

<sup>2</sup> Deleted by notification dated 17<sup>th</sup> December 1973

(3) Motion regarding want of confidence in the Ministry under rule 106;

(4) Adjournment motion under rule 108;

(5) Calling attention to matters of urgent public importance under rule 116; and

(6) Questions of breaches of privilege or contempt under rule 249,

Shall not be required to be circulated to the members.

(2) Every notice or other paper which is required by this rule to be given or sent to members shall be deemed to have been duly given or sent if a copy thereof is dispatched to the address of every member as registered in the Gujarat Legislature Secretariat:

Provided that when the House is in session and for three days before the commencement of a session, such notices or papers shall be deemed to have been despatched to each member if it is deposited in such place within the precincts of the House as the Speaker may from time to time direct, unless a member has notified to the Secretary that it should be despatched to his address as registered in the Gujarat Legislature Secretariat, in which case, it shall be dispatched to that address.

**20.A** A copy of every notices admitted by the Speaker shall be sent to the Minister and the Department concerned:

**Copies of notices to be sent to ministers and Department concerned.**

Provided that a copy of notice of --

(1) Motion regarding want of confidence in the Ministry under rule 106;

(2) Adjournment motion under rule 108; and

(3) Question of breach of privilege or contempt under rule 249.

Shall not be required to be sent to the Minister and the Department concerned:



Provided further that in the case of any notice or a class of notices, if the Speaker directs, an advance copy of such notices may be sent to the Minister and the Department concerned.

**Lapse of notice on prorogation.**

**21.** On the prorogation of the House, all pending notices except notices in respect of Statutory motions, unstarred questions, motions the consideration of which has been adjourned to the next session under rule 39 and bills shall lapse.

**Lapsing of motion not moved.**

<sup>1</sup>[**21.A.** If a motion other than a motion relating to a Bill is not moved when it is called out, it shall lapse.

**Lapsing of notices when member becomes Minister.**

**21.B** When a member becomes a Minister, all notices standing in his name shall lapse.]

**Copy of motion which has lapsed not to be sent with fresh notice.**

**22.** Notwithstanding anything contained in these rules, if a fresh notice is given in respect of a motion which has lapsed on the prorogation of the house, it shall not be necessary to send a copy of such motion along with such notice.

**Restrictions on giving publicity to notice in advance.**

**22.A.(1)** Subject to sub-rules (2) and (3), a notice shall not be given publicity by any member or other person until it has been admitted or consented to by the Speaker and circulated to members.

(2) No notice of a question or answer thereto shall be given publicity by any member or other person until the question has been answered or deemed to have been answered.

(3) No notice of a Bill shall be given publicity by any member or other person until the Bill has been introduced except in a case where a bill has been published in pursuance of the order of the Speaker under the proviso to rule 127A

---

<sup>1</sup> Inserted by Notification dated 1<sup>st</sup> September, 1987

**PART-IV**  
**GENERAL RULES OF PROCEDURE**

**23.** The business of the Assembly shall be transacted in the official languages of the State or in English : **Language of assembly.**

Provided that the Speaker may permit any member, who cannot adequately express himself in any of the languages aforesaid, to address the Assembly in his mother tongue.

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

**25.** <sup>1</sup>[Deleted ]

**26.** <sup>1</sup> [Deleted ]

**27.** <sup>1</sup> [Deleted ]

**28.** A member desiring to speak on any matter before the House, shall rise in his seat and shall speak if called upon by the Speaker. If more members than one rise at the same time, member who is called upon by the Speaker shall be entitled to speak and the other members shall resume their seats. **Member to speak only when called by Speaker.**

<sup>2</sup>[**29.** A member shall speak from his place, shall stand while speaking and shall address the Speaker: **Mode of addressing House.**

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

**30.** (1) Whenever the Speaker rises or speaks, the members speaking shall resume his seat, no member shall rise in his seat or speak and the Speaker shall be heard in silence. **Procedure when speaker rises or speaks.**

(2) While the Speaker is addressing the House, no member shall leave his seat or take his seat.

---

<sup>1</sup> Rule 25,26 and 27 deleted by Notification dated 28<sup>th</sup> May,1973

<sup>2</sup> Substituted by Notification dated 28<sup>th</sup> May,1973

**Interrupting member speaking.** <sup>1</sup>[**31.** (1) If at any time while a member is speaking another member rise on a point of order, the member speaking shall resume his seat.

(2) If, while a member is speaking, another member desires to make an explanation or to ask an explanation or information from the member speaking, he shall rise in his seat and intervene only if the member then speaking yields, and the Speaker allows him to intervene.]

**Right of speech and reply.** **32.** (1) After the mover of a motion has spoken, other members may, save as otherwise provided, speak on the motion in the order in which they are called upon by the Speaker. If any member who is called upon does not speak he shall not be entitled, except with the permission of the Speaker, to speak on the motion at any later stage of the debate.

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

(3) The mover of a motion <sup>2</sup>[(except a motion under rule 102)] or an amendment to a Bill, may speak a second time on the conclusion of the debate by way of reply. The mover of an amendment to an amendment to a Bill shall have no right of reply. If a motion is moved by a private member, the Minister concerned may, with the permission of the Speaker, speak after the mover of the motion <sup>2</sup>[(except a motion under rule 102)] has replied irrespective of whether he has previously spoken in the debate or not.

**Time limit for speeches.** **33.** The Speaker may, if he thinks fit, prescribe a time limit for speeches.

**Limitations on debate.** **34.** (1) The matter of every speech must be relevant to the motion on which it is made.

(2) A member while speaking must not -

---

<sup>1</sup> Substituted by Notification dated 28<sup>th</sup> May, 1973

<sup>2</sup> and 2, Inserted by Notification dated 1<sup>st</sup> September 1987.

- (i) refer to any matter <sup>1</sup>(xxx) which is under adjudication by a Court of Law having jurisdiction in any part of India;
- (ii) refer to any matter pending before any tribunal or authority appointed under any law to perform any judicial or quasi-judicial functions or before any commission or court of inquiry appointed to inquire into or investigate any matter;
- (iii) refer to any matter which is the subject matter of pending departmental proceedings against any Government servant;
- (iv) Use offensive expressions about the <sup>2</sup>[conduct or proceedings of Parliament] or any State Legislature;
- (v) Reflect upon the conduct of any person in high authority unless a discussion is based on a substantive motion drawn in proper terms;

**Explanation.**—A person in high authority means a person whose conduct can only be discussed under the Constitution on a substantive motion drawn in proper terms, or whose conduct, in the opinion of the Speaker, should be discussed on a substantive motion drawn in proper terms.

- (vi) use the name of the President, or the Governor for the purpose of influencing the debate;
- (vii) utter treasonable, seditious, offensive or defamatory words;
- (viii) make a personal charge against another member;
- (ix) make any allegation against any private individual;
- (x) reflect upon the conduct of the President or any Governor,
- (xi) reflect upon the conduct of any judge having jurisdiction in any part of India in the discharge of his duties or upon any Court of Law having jurisdiction in any part of India;

---

<sup>1</sup> The word “of fact” deleted by Notification dated 28<sup>th</sup> May, 1972.

<sup>2</sup> These words substituted for original words “Proceedings of Parliament” by Notification dated 28<sup>th</sup> May, 1973

- (xii) reflect upon any decision arrived at by the Assembly on any matter except on a fresh motion relating to such matter,
- (xiii) use his right of speech for the purpose of obstructing the business of the Assembly;
- (xiv) disclose the proceedings of any committee appointed by the Assembly;
- (xv) discuss any ruling, order or direction of the Speaker except on a motion for the removal of the Speaker brought under rule 103;
- (xvi) refer to any other member in second person;
- (xvii) refer to any stranger in any of the galleries; or
- (xviii) <sup>1</sup>[Deleted.]

**Report of proceedings of house.**

**35.** The Secretary shall cause to be prepared 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.

**Expunction of words from debates.**

<sup>2</sup>**[36.(1)** If the Speaker is of opinion that the words have been used in debate which are defamatory or indecent or unparliamentary or undignified, he may, in his discretion, order that such words be expunged from the proceedings of the House.

(2) If any words are ordered to be expunged by the Speaker on any day subsequent to the day on which they were spoken, an announcement to that effect shall be made in the House if it is in session and if it is not in session that fact shall be communicated to the members by a Bulletin.

(3) The portion of the proceedings of the House so expunged shall be marked by an asterisk and an explanatory foot note shall be inserted in the proceedings as follows:--

“Expunged as ordered by the chair”.]

---

<sup>1</sup> Deleted by Notification dated 28<sup>th</sup> May,1973.

<sup>2</sup> Substituted *ibid*.

**37.** No allegation of a defamatory or incriminatory nature shall be made by a member against any person unless the member has given previous intimation to the Speaker and also to Minister concerned so that the Minister may be able to make an investigation in to the matter for the purpose of a reply:

**Procedure regarding allegation against a person.**

Provided that the Speaker 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:

<sup>1</sup>[Provided further that if allegations are to be made against a member, previous intimation shall be given to such member.]

<sup>2</sup>[**38.** No member shall read his speech but may refresh his memory by reference to notes:

**Speech not to be read.**

Provided that a member, while making an opening speech in respect of a Bill or motion, may read his speech:

Provided further that a Minister while making a statement, may read such statement. ]

<sup>3</sup>[**39.**(1) “Dilatory motion” includes a motion for the adjournment of a debate, or of the House, during any debate or of further consideration of a Bill.

**Dilatory motions.**

(2) At any time after a motion has been made, a member may move a dilatory motion.

(3) When a dilatory motion is moved, the debate thereon shall be confined to the matter of such motion.

(4) A motion under this rule shall not be made more than once during the debate on any question.

(5) If the Speaker is of opinion that a dilatory motion is an abuse of the rules of the House he may decline to propose the question thereupon or may, without allowing any discussions, forthwith put the question thereupon.]

---

<sup>1</sup> Added by Notification dated 28<sup>th</sup> May, 1973

<sup>2</sup> Substituted *ibid.*

<sup>3</sup> Substituted by *ibid.*

**Procedure for consideration of motion or Bill which is adjourned sine die.**

**40.(1)** A motion or a Bill, the consideration of which has been adjourned *sine die*, shall not be discussed by the House unless a fresh notice of such motion or Bill is given or unless the House on a motion by the member in charge makes a special order for the discussion of the motion or the Bill, as the case may be.

(2) The motion or the Bill in regard to which the House has made a special order under sub-rule (1) shall be continued from the stage at which it was adjourned sine die.

**Closure.**

**41.(1)** At any time after a motion has been made, a member may move “that the question be now put” and unless it appears to the Speaker that such motion would infringe the rights of reasonable debate, the Speaker shall, without any debate, forthwith put the question, ‘that the question be now put’.

(2) When the motion “that the question be now put” has been carried, the Speaker shall, after allowing such right of reply as is admissible under these rules, put the question or questions consequent thereon without further debate.

**Putting questions, Order of amendments and motion, Division of motion.**

**42.(1)** When an amendment to any motion is moved, the Speaker shall, before taking the sense of the Assembly thereon, read to the Assembly the terms of the original motion and of the amendment thereto.

(2) The Speaker shall put to vote the original motion and the amendments, if any, in such order as he deems fit:

Provided that an amendment which is inconsistent with a decision previously arrived at by the Assembly on any other amendment to the same motion shall not be put to vote.

(3) When any motion involving several points has been discussed, it shall be in the discretion of the Speaker to divide the motion and to put each or any point separately to vote as he may think fit.

**Mode of taking decisions by Division etc.**

**43.(1)** On the conclusion of the debate on a motion, the Speaker shall put the question and invite those who are in favour of the motion to say “Aye” and those against the motion to say “No”.

(2) The Speaker shall then declare “I think the ‘Ayes’ or the ‘Neos’, as the case may be, have it” and after a pause, if the opinion of the Speaker as to the decision on the question is not challenged, declare a second time “The ‘Ayes’ and ‘Noes’, as the case may be, have it” and the question before the House shall be determined accordingly.

<sup>1</sup>[(3) If any member desires to challenge the opinion of the Speaker, he may immediately after the Speaker has declared his opinion and before he commences to declare the decision of the House, rise in his seat and request the Speaker that the question be decided by a division and such request shall be granted unless the Speaker is of the opinion that the division is unnecessarily claimed.

(4) If the Speaker grants the request for a division, he shall declare whether the votes will be taken by asking the members to rise in their places or by the members going into the lobbies.

(5) If the Speaker grants the request for a division, the division bells shall be rung for five minutes.

(6) As soon as the division bells stop ringing, all the doors leading from outside to the House shall be locked.

(6A) After the doors are locked, the Speaker shall again read over the terms of the question to the House.

(6B) If votes are to be taken by the members rising in their places, the Speaker shall ask them to rise in their places and count their number themselves. On a count being taken, the Speaker shall declare the decision of the House.

(6C) If votes are to be taken by the members going into the lobbies, the Speaker shall --

- (i) announce the names of two tellers for the “Ayes” and two tellers for the “Noes”.
- (ii) direct one of the doors leading from the House to the lobby on his right and one of the doors leading from the house to the Lobby on his left to be opened, and

---

<sup>1</sup> Sub-rule (3) to (6E) substituted for original sub-rule(3) to (6) by Notification, dated 28<sup>th</sup> May,1973



(iii) direct the members to go into their respective lobbies.

(6D) The members shall accordingly proceed to their respective lobbies through these doors and as each member passes by the Division Clerk and the Tellers, the member will announce his constituency number, and the Division clerk shall find out the name of the member in the division list and call out the name and make a mark in the list.

When all the members who desire to record their votes have recorded their votes, the tellers for each of the “Ayes” and the “Noes” shall make the total on the division list, sign the list and hand over the list to the Speaker.

(6E) The Speaker shall, then declare the result of the division to the House. The result so declared shall not be challenged.]

(7) If a member by mistake goes into the wrong lobby and records his vote, his vote shall be reckoned as given in that lobby. If the member, however, brings his mistake to the notice of the Speaker before the result of the division is announced, he may be allowed to correct his mistake.

(8) A member who is unable to go to the division lobby owing to sickness or infirmity may, with the permission of the Speaker, have his vote recorded at his seat.

(9) When the tellers have brought the division lists to the Secretary’s table, a member who has not up to that time recorded his vote but who then wishes to have his vote recorded, may do so with the permission of the Speaker.

<sup>1</sup>[(10) If any error is discovered before the result of the division is announced, the Speaker shall correct the same.]

**Statement  
by  
Minister.**

**44.** With the permission of the Speaker, a Minister may make a statement on a matter of public importance. On such statement, no discussion shall be allowed but members may be permitted to ask questions for the purpose of eliciting further information in regard to the statement.

---

<sup>1</sup> Sub-rule (10) substituted for original sub-rule(10) and (11) by Notification, dated 28<sup>th</sup> May, 1973.

**45.** With the permission of the Speaker, a member may at any time make a personal explanation, although the question relating thereto is not then before the Assembly, but in doing so, he shall not bring forward any debatable matter, nor shall any debate be allowed on such explanation. **Personal explanation.**

<sup>1</sup>[**46.** If, at any time during the sitting of the House, less than one-tenth of the total number of members of the House are present, a warning bell shall be rung for five minutes and if at the end of this period, the required number of members is still not present, the Speaker shall suspend the sitting till such time as there is quorum or adjourn the House to a date to be named by him.] **Adjournment for want of quorum.**

<sup>2</sup>[**47.**(1) it shall be the duty of the Speaker to preserve order in the House and the Speaker shall have all powers necessary for the purpose. **Preservation of order in House.**

(2) If any member conceives that a breach of order has been committed by infringement of these rules or such articles of the Constitution as regulate the business of the House, he may rise in his place and interrupting any member who may be then speaking, raise a point of order and direct the attention of the Chair to the matter.

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

Provided that the Speaker may permit a member to raise a point of order during the interval between the termination of one item of business and the commencement of another, if it relates to maintenance of order in, or arrangement of business before the House.

(4) While raising a point of order, the member shall confine himself to stating the point.

(5) The Speaker shall decide whether the point raised is a point of order and, if so, give his decision thereon which shall be final.

---

<sup>1</sup> Substituted by Notification ,dated 28<sup>th</sup> May,1973

<sup>2</sup> Rule 47 substituted for original rules 47, 48 and 49 by Notification dated 28<sup>th</sup> May,1973.

(6) No debate shall be allowed on a point of order but the Speaker may, if he thinks fit, hear members before giving his decision.

(7) A question of privilege shall not be raised by way of a point of order.

(8) 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 bell did not ring or was not heard.

48. [Deleted.]

49.[Deleted.]

**Irrelevance or repetition** 50. If, after a member's attention has been drawn to it by the Speaker, he persists in making irrelevant remarks or repeating his own arguments or the arguments used by other members in debate <sup>1</sup>[x x x] the Speaker may direct him to discontinue his speech.

**Withdrawal of member** <sup>2</sup>51. The speaker may direct any member whose conduct is in his opinion grossly disorderly to withdraw immediately from the House and any member so ordered to withdraw shall withdraw from the House forthwith and shall absent himself from that day's sitting and shall also withdraw from the precincts of the House.

---

<sup>1</sup> the words "or wilfully contravenes the provisions of rule 34 or any other rule" deleted by Notification, dated 28<sup>th</sup> May 1973.

<sup>2</sup> Rules 51 and 52 substituted by Notification, dated 28<sup>th</sup> May, 1973.

**52.** (1) The Speaker may, if he deems it necessary, name a member who disregards the authority of the Chair or persistently and wilfully obstructs the business of the House by abusing the rules of the House or otherwise. **Naming member.**

(2) If a member is so named by the Speaker, the Speaker shall forthwith put the question on a motion being made “that such member be suspended from the service of the House for ... .. days” (any period not exceeding the remainder of the session):

Provided that the House may, at any time on a motion being moved, resolve that such suspension be terminated.

(3) A member suspended under this rule shall forthwith withdraw from the House and its precincts.

(4) The absence from the House of the member suspended under this rule shall be deemed to be absence with the permission of the House within the meaning of clause(4) of article 190 of the Constitution.

**53.** Notwithstanding anything contained in these rules, the Speaker may curtail the period of notice or dispense with notice in any case he deems fit. **Power to dispense with notice.**

**54.** <sup>1</sup>[deleted.]

**55.** Any member may, with the consent of the Speaker, move that any rule may be suspended in its application to any item of business before the House; and if the motion is carried, the rule in question shall be suspended for the time being. **Suspension of rules.**

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

**57.** While the House is sitting, a member – **Rules to be observed by members while present in House.**  
<sup>2</sup>[shall not read any book, newspaper or letter except in connection with the business then before the House:]  
(i) Shall bow to the Chair while taking or leaving his seat;  
(ii) Shall not pass between the Chair and any member who is speaking;

<sup>1</sup> Deleted by Notification dated 28<sup>th</sup> May, 1973.

<sup>2</sup> Substituted by Notification, dated 28<sup>th</sup> May, 1973.

- (iii) Shall not leave his seat or take his seat when the Speaker is addressing the House;
- (iv) Shall maintain silence when not addressing the House;
- (v) Shall not obstruct proceedings, hiss or interrupt and <sup>1</sup>[shall not make] running commentaries when speeches are being made in the House;
- (vi) Shall not applaud when a stranger enters any of the Galleries;
- (vii) Shall not smoke or take water or any drink or chew pan or any other thing in the House;
- (viii) Shall not bring a stick or umbrella inside the House;
- (ix) Shall enter or leave the House with decorum;
- (x) Shall not sleep in the House.

**No Speech after voices collected.**

**58.** No member shall speak on a question before the House after the Speaker has collected the voices both of the Ayes and of the Noes on the question.

**Papers quoted to be laid on table**

**59.** <sup>2</sup>[If a Minister quotes in the House from a despatch] or other State paper which has not been presented to the House, he shall lay the relevant paper on the Table:

Provided that this rule shall not apply to any documents which are stated by the Minister to be of such a nature that their production would be inconsistent with public interest:

Provided further that where a Minister gives in his own words a summary or gist of such despatch or State paper, it shall not be necessary to lay the relevant paper on the Table.

**Papers laid on assembly Table.**

**60.** Papers which under any law or these rules are required to be laid on the Table of the Assembly shall be kept in the office of the Secretary and intimation thereof shall be given to every member. Such papers shall be open to inspection by any member during office hours.

<sup>1</sup> These words substituted for original words 'shall avoid making' by Notification dated 28th May, 1973.

<sup>2</sup> These words substituted for original words 'If a Minister quotes in the House a despatch' by Notification, dated 28th May, 1973.

**61.** All papers laid on the Table of the Assembly shall be considered to be public.

**Papers laid on Assembly Table to be Public.**

**62.** (1) Subject to the provisions of sub-rule(2) where two or more members give notices under the same rule and dealing substantially with the same matter and one of them is admitted or consented to by the Speaker, the names of the other members may be bracketted with the name of the member whose notice has been admitted or consented to:

**Clubbing of notices.**

<sup>1</sup>[Provided that the names of not more than first three other members shall be bracketted, notices of the other members being disallowed:]

Provided further that where the names of members are so bracketted <sup>2</sup>[x x x], the names of the members concerned shall be shown against the notice in the order in which their notices were received in point of time.

(2) Notices of amendments to Bills which are not identical, <sup>3</sup>[notices of questions] and notices of resolutions shall not be clubbed.

#### **<sup>4</sup>[PART - V**

### **GOVERNOR'S ADDRESS AND MESSAGES TO ASSEMBLY**

**63.** As soon as may be, after the Governor has addressed the Assembly under article 175 or 176 of the Constitution, the Secretary shall obtain from the Governor's Secretary an authenticated copy of the Governor's Address.

**Secretary to obtain authenticated copy of Governor's Address.**

**64.** At the first sitting of the House after the Governor's address, the Secretary shall lay the authenticated copy of the Address on the Table of the House.

**Copy of Governor's Address to be laid on Table.**

---

<sup>1</sup> Substituted by Notification ,dated 28<sup>th</sup> May,1973

<sup>2</sup> The words "or several notices are so consolidated into a single notice" deleted ibid

<sup>3</sup> These words inserted ibid

<sup>4</sup> This part substituted by Notification dated 28th May, 1973

**Motion of Thanks for Governor's Address.**

**64.A.(1)** Immediately after the authenticated copy of the Governor's Address has been laid on the Table of the House, any member selected by the Chief Minister may move a motion expressing thanks to the Governor for his Address in the following terms:--

"That an Address be presented to the Governor in the following terms:--

"That we, the members of the Gujarat Legislative Assembly, assembled in this session are grateful to the Governor for the Address which he has been pleased to deliver to this House".

The motion shall be seconded by another member selected by the Chief Minister.

(2) The notice of such motion shall be signed by the mover and the seconder and shall be sent to the Secretary through the Minister for Parliamentary Affairs.

**Allotment of time for discussion on Governor's Address.**

**65.** The Speaker, in consultation with the Leader of the House, shall allot time for discussion of the matters referred to in the Governor's Address under clause (1) of Article 176 of the Constitution.

**Scope of discussion on Governor's address.**

**66.** During the discussion on the Governor's Address the Assembly shall be at liberty to discuss the matters referred to in the Address.

Provided that the discussion shall be restricted to the matters of broad Policies of the State Government.

**Amendment to motion of thanks.**

**67.** Subject to the provision of rule 97, amendments may be moved to the motion of thanks in such form as may be considered proper by the Speaker.

**Other business that may be taken up.**

**68.(1)** Notwithstanding that a day has been allotted for discussion on the Governor's Address,--

(a) any motion for leave to introduce any Bill may be made and any Bill may be introduced on such day,

(b) an adjournment motion under rule 110 may be discussed on such day, and

(c) other business of a formal character may be transacted on such day before the Assembly commences or continues the discussion on the Address.

(2) The discussion on the Address may be postponed in favour of Government Bill or other Government Business on motion being made that the discussion on the Address be adjourned to a subsequent day to be appointed by the Speaker. The speaker shall forthwith put the question, no amendment or debate being allowed.

**69.** 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 the Government before them over of the motion replies.

**Government's right of reply.**

**70.** The Speaker may, in consultation with the Leader of the House, allot time for the discussion of the matters referred to in the Governor's Address under clause (1) of article 175 of the Constitution.

**Allotment of time for discussion on Governor's Address under article 175.**

**70.A.** Where a message from the Governor under clause (2) of article 175 of the Constitution is received by the Speaker, he shall read the message to the Assembly, and subject to the provision of rule 147 give the necessary directions in regard to the procedure that shall be followed for the consideration of the matter referred to in the message. In giving these directions, the Speaker may vary the rules to such extent as he may think fit.

**Message by Governor.**

**70.B.** When the Governor prorogues the House, he may address the House.]

**Address by Governor while proroguing house.**



## <sup>1</sup>[PART - VI QUESTIONS

**Question hour.** 71. Unless the speaker otherwise directs, the first hour at every sitting shall be available for asking and answering of questions, short notice questions and postponed questions having precedence over the questions.

**Starred questions and unstarred questions.** 72. A member who desires an oral answer to his question shall distinguish it by an asterisk. Such a question is called a starred question. If the member does not distinguish his question by an asterisk, the question is called an unstarred question and no oral answer to such question is required to be given and no supplementary questions can be asked in respect thereof.

**Notice of starred questions.** 73. Not less than 21 and not more than 28 days' notice of a starred question shall be given.

**Form of notice of questions.** 74. Notice of a question shall be given in writing to the Secretary and shall specify --

(a) the official designation of the Minister to whom the question is addressed; and

(b) in the case of a starred question, the date on which the question is proposed to be placed on the list of starred questions.

**Placing of questions in <sup>1</sup>[list of starred questions and answers] for later date.** 75. Subject to the provisions of rule 77, the Speaker may direct that a question be placed on the <sup>2</sup>[list of starred questions and answers] on a date later than that specified by the member in his notice if a request to that effect is made by the Minister concerned or if the Speaker is of the opinion that it is necessary to do so in order to decide the admissibility of the question.

**Maximum number of starred questions member entitled to ask on a day.** 76.(1) A member shall be entitled to ask not more than 3 starred questions on a day.

---

<sup>1</sup> This part substitute by Notification dated 28th May, 1973.

<sup>2</sup> These words were substituted for the original words 'List of Questions' by Notification dated 17th December, 1973

(2) Unless the member giving notice of more than one starred question indicates priority amongst his questions, the questions will be placed on the List in the first, second or third round in the order in which notices are received by the Gujarat Legislature Secretariat in point of time.

**77.** Before the commencement of every session, the Speaker shall allot different days in rotation for the answering of starred questions by different Ministers and unless the Speaker, with the consent of the Minister concerned otherwise directs, only starred questions to be answered by the Minister for whom a day has been allotted shall be placed on the <sup>1</sup>[list of starred questions and answers] for that day: **Allotment of days for answers to starred questions.**

Provided that a day may be allotted for answers to be given by more than one Minister:

Provided further that more than one day may be allotted for answers to be given by one Minister.

**78.(1)** Subject to the provisions of sub-rule (2), a question may be asked for the purpose of obtaining information on a matter of public importance with which a Minister is officially connected or on a matter of administration for which he is responsible. **Condition of admissibility of questions**

(2) The right to ask a question shall be subject to the following conditions, namely:-

<sup>2</sup>(a-i) It shall be clearly and precisely expressed and shall be restricted to one definite matter.]

- (i) it shall not bring in any name or statement not strictly necessary to make the question intelligible;
- (ii) if it contains a statement, the member asking the question must make himself responsible for the accuracy of the statement,
- (iii) It may ask for an explanation of the intention of Government in respect of a matter of public importance, provided that the question is not in

---

<sup>1</sup> Substituted ibid

<sup>2</sup> Inserted by Notification dated 1st September, 1987

- substance a suggestion for any particular action in a matter raised by the member asking the question;
- (iv) It shall not contain any arguments, inferences, imputations, ironical expressions, epithets or defamatory statements;
  - (v) It shall not ask for an expression of opinion or for the interpretation of a statute;
  - (vi) It shall not ask for solution of a hypothetical proposition;
  - (vii) It shall not refer to the character or conduct of any person except in his official or public capacity;
  - (viii) It shall not ask about proceedings in a Committee which have not been placed before the House by a report from the Committee;
  - (ix) it shall not ordinarily exceed 150 words.
  - (x) it shall not reflect on the character or conduct of any person whose conduct can only be challenged on a substantive motion;
  - (xi) it shall not raise questions of policy too large to be dealt with within the limits of an answer to a question;
  - (xii) it shall not repeat in substance question already answered or to which answer has been refused;
  - (xiii) it shall not ask for information on trivial matters;
  - (xiv) it shall not ordinarily seek information on matters of past history;
  - (xv) it shall not require information set forth in accessible documents or in ordinary works of reference;
  - (xvi) it shall not raise matters under the control of bodies or persons not primarily responsible to the State Government;
  - (xvii) it shall not seek information about matters which

- are in their nature secret;
- (xviii) it shall not refer discourteously to any Government in India;
  - (xix) it shall not ask for information on matters which are under consideration before a committee of the House;
  - (xx) it shall not relate to an individual case unless raises a question of principle or policy;
  - (xxi) it shall not ask for too many details;
  - (xxii) it shall not relate to any matter under the control of the Speaker
  - (xxiii) it shall not seek merely to give information or to suggest its own answer or convey a particular point of view;
  - (xxiv) it shall not reflect on the decision of a court of law;
  - (xxv) it shall not relate to any matter which is under adjudication by a Court of law having jurisdiction in any part of India;
  - (xxvi) it shall not relate to the conduct in the exercise of his or its judicial functions of any judge or a court of law having jurisdiction in any part of India;
  - (xxvii) it shall not ask for information with slight variation on the same point on which information has already been supplied.

**79.** In any matter which is or has been the subject of discussion or correspondence between the State Government and other Government, a question shall not ask for details of discussion or contents of the correspondence, but a question may be asked as to whether a specific matter was or was not the subject matter of discussion or correspondence and the answer shall be confined to the statement of fact whether discussion or correspondence on that matter has taken place or not.

**Questions regarding discussion or correspondence with other Government**

**Questions on statutory bodies.** **80.** Questions on a statutory body shall be restricted to the matters for which a Minister is made responsible by the statute concerned.

**Speaker to decide admissibility of questions.** **81.** The Speaker shall decide whether a question or a part thereof is or is not admissible under these rules and may disallow any question or a part thereof when in his opinion.

(1) it is an abuse of the right of questioning; or

(2) is calculated to obstruct or prejudicially affect the procedure of the House; or is in contravention of the rules.

**Speaker to decide if question be treated as starred or unstarred.** **82.** If in the opinion of the Speaker, any question put down for oral answer is of such a nature that a written answer would be more appropriate, he may direct that such question be placed on the list of questions for written answer,

**Printing of list of starred questions and answers thereto and placing of questions in such list in rounds.** **83.** <sup>1</sup>[(1)] A list of starred questions and proposed answers thereto for a day shall be printed and placed on the table of each member one hour before the commencement of the sitting on the day on which the question included in the list are to be answered.

(1A) Questions in the name of a member in such list shall be printed in three rounds or less according to the number of questions admitted in his name for that day.

(2) No member shall have more than one question in one round.

(3) Priority of questions *inter-se* in each round shall be determined in such a manner as may be determined by the Speaker.

**83A.** <sup>2</sup>[Deleted.]

**Withdrawal of questions.** **84.** A member may, by notice given at anytime before the commencement of the sitting for which his question has been placed on the list, withdraw his question.

---

<sup>1</sup> Substituted by Notification dated 17th December, 1973.

<sup>2</sup> Deleted *ibid*.

**85.**(1) When the time for asking questions arrives, the Speaker shall call the questions in the order in which they appear in the list of starred questions. **Mode of asking starred questions.**

<sup>1</sup>(2) The member in whose name the question stands <sup>2</sup>[may rise in his seat] and ask the question by reference to its number in the list of starred questions and answers. The Minister concerned will then answer the question by saying “as printed”]

(3) After all the questions have been called, the Speaker may, if time permits, call again any question which has not been asked by reason of the absence of the member at the time when it was first called.

<sup>3</sup>[(4) Questions which are not orally answered for any reason shall be treated as unstarred:

Provided that if a member who is called upon to ask his question says that he does not want to ask his question then that question shall be deemed to have been withdrawn and it shall not be printed in the proceedings of the House.]

**86.** The Speaker may, at the request of the Minister concerned, direct that an answer to a question which has been called may be given on the ground of public interest even though the question is not asked or the member in whose name it stands is absent. **Answers to questions not asked or to questions of absent member.**

**87.**(1) Unstarred questions shall be answered within 45 days from the date of receipt thereof by Government. **Unstarred Questions.**

<sup>4</sup>[Provided that the Speaker may, on a request being made by the Minister concerned extend the time limit for answering any question:

Provided further that when the period of 45 days expires on the last day of a session or during an inter session period, it shall not be necessary for Minister to ask for extension of the time limit if the Government send the reply to a question on or before the commencement of the next session.]

---

<sup>1</sup> Substituted by Notification dated 17th December, 1973.

<sup>2</sup> For the words “shall rise in his seat” these words were substituted by Notification dated, 1st September, 1987.

<sup>3</sup> 3 And 4 Substituted *ibid*.

(2) Answers to such questions shall be placed on the Table of the House and copies thereof shall be circulated to members and shall also be printed in the official report of proceedings for the day under the heading “Written Answers”.

**Laying of answers to unstarred questions on last day of session.**

**87.A.** Answer to unstarred questions which are received by the Secretary during the Session but which could not be circulated to the members as required under Sub-rule (2) of rule 87 for want of time, shall be laid on the Table of the House by the Secretary on the last day of the session, and copies thereof shall be circulated to members as early as possible and shall also be printed in the official report of proceedings for the day under the heading ‘Written Answers’.

**Postponing questions.**

**87.B** The Speaker may in his discretion or at the request of any Minister or member, postpone a question for reply on any subsequent day.

**Dropping of question hour on any day.**

**88.** If for any reason question hour is dropped on any day, written answers to starred as well as unstarred questions placed in the list of starred questions and the list of unstarred questions for that day shall be deemed to have been laid on the Table of the House before the end of the sitting and such questions and answers thereto shall be printed in the official report of the proceedings for the day under the heading “written Answers”.

**Supplementary questions.**

**89.** After a starred question has been answered, any member, if called by the Speaker, may ask a supplementary question for the purpose for elucidating any matter of fact regarding on which an answer has been given:

Provided that the Speaker may disallow any supplementary question, if in his opinion, it is in the nature of cross-examination or it infringes the rules regarding questions:

Provided further that the Speaker shall not allow supplementary questions to be asked for more than five minutes on any question.

**Short notice questions.**

**90.(1)** A member who desires an immediate answer to a question of an urgent nature shall give notice of it to the Secretary which shall not be earlier than 7 days prior to the commencement of the session or an adjourned session.

(2) After the Speaker has admitted the question, the Secretary shall ascertain from the Minister concerned whether he agrees to give an immediate reply to the question. If the Minister agrees then the question may be asked and answered on the day allotted for answering of starred questions by that Minister:

Provided that the Secretary shall not include in the List of Business for the day, more than one question to be answered by the same Minister.

(3) If the Minister does not agree to give an immediate reply to the question, he shall communicate to the Speaker reasons why the question cannot be replied at short notice and the Speaker may convey the reasons to the member concerned.

(4) In other respects provisions regarding starred questions shall Mutatis Mutandis apply to short notice questions.

**91.** (1) A question may be addressed to a private member for the purpose of obtaining information on a matter relating to a bill or a motion of which such member has given notice. **Questions to private Members.**

(2) Such question shall be asked and answered in such manner as the Speaker may direct ]

## **PART- VII**

### **HALF-AN-HOUR DISCUSSION**

<sup>1</sup>[**92.**(1) On Monday and Wednesday every week, the speaker may allot half an hour after the conclusion of the other business set down for the day, for raising discussion on a matter of sufficient public importance which has been the subject of a question, oral or written, recently answered in the house and the answer to which needs elucidation on a matter of fact : **Discussion on a matter of Public importance arising out of answer to questions.**

Provided that the Speaker may allot any other day instead of Monday or Wednesday.

(2) A member wishing to raise a matter shall give three days' notice and shall briefly specify the point or points that he wishes to get elucidated.

---

<sup>1</sup> Substituted by Notification, dated 28<sup>th</sup> May, 1973



(3) The Speaker shall decide whether the answer needs elucidation on a matter of fact and whether the matter is of sufficient public importance to be put down for discussion.

(4) If two or more notices are admitted by the Speaker, the Secretary shall hold a ballot with a view to determining their priority and the first two notices which get priority at the ballot shall be put down in the list of business for the day :

Provided that the second notice shall be taken up for discussion only if the first notice is, for any reason, not taken up for discussion:

Provided further that the matter not disposed of on the day shall be included in the ballot for the next available day on the request of the member concerned.

(5) There shall be no formal motion before the House nor voting. The member who has given notice may make a short statement and the Minister concerned shall reply briefly. Any other member may be permitted to ask question for the purpose of further elucidation of any matter of fact.]

## <sup>1</sup>[PART - VIII MOTIONS

**Discussions on motions.** **93.** Save in so far as otherwise provided in the Constitution or in these rules, no discussion on any matter shall take place except on a motion moved with the consent of the Speaker.

**Conditions of admissibility of motion.** **94.** In order that motion may be admissible it shall satisfy the following conditions, namely:--

- (i) It shall be clearly and precisely expressed and shall raise one definite issue.
- (ii) It shall not contain a arguments, inferences, ironical expressions, imputations or defamatory statements.
- (iii) It shall not refer to the conduct or character of any person except in his official or public capacity.
- (iv) It shall not revive discussion of a matter which has been discussed in the same session.

---

<sup>1</sup> Parts VIII to VIII-D substituted for original Part VIII by Notification dated 28<sup>th</sup> May 1979.

- (v) It shall not relate to any matter mentioned in clauses (i), (ii), (iii), (x) and (xi) of sub-rule (2) of rule 34.

**95.**(1) The Speaker shall decide whether a motion or a part thereof is or is not admissible under these rules and may disallow any motion or part thereof which, in his opinion, is an abuse of the right of moving a motion or is calculated to obstruct or prejudicially affect the procedure of the House or is in contravention of these rules. **Speaker to decide admissibility of motion.**

(2) The speaker may disallow any motion or a part thereof on the ground that it relates to a matter which is not primarily the concern of the State Government.

**96.** (1) A member who has given notice of a motion may move the motion in terms appearing in the List of Business for the day: **Moving of motions.**

Provided that with the permission of the Speaker, he may omit any portion of the motion or make a minor or verbal alteration in the terms of the motion.

(2) When a motion has been moved, the Speaker shall propose the question for the consideration of the House.

(3) After the Speaker has proposed the question, the mover of the motion shall commence his speech.

(4) <sup>1</sup>[Deleted]

**97.** (1) Subject to the provisions of this rule, a member may move an amendment to a motion <sup>2</sup>[except a motion under rule 102] after giving two days' notice in that behalf. **Amendments**

(2) An amendment must be relevant to and within the scope of the motion to which it is proposed.

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

(4) (a) An amendment to an amendment may be moved with the permission of the Speaker.

(b) When an amendment to an amendment is moved, the main amendment shall be deemed to be the substantive proposition before the House.

---

<sup>1</sup> Deleted by Notification dated 1<sup>st</sup> September, 1987.

<sup>2</sup> Inserted *ibid*.

(5) The Speaker may disallow any amendment which is, in his opinion, frivolous.

(6) No notice of an amendment to an amendment shall be necessary but a copy thereof shall be given to the Speaker before it is moved.

(7) The speaker shall have power to select the amendments to be proposed in respect of any motion and may, if he thinks fit, call upon any member who has given notice of an amendment, to give such explanation of the object of the amendment as may enable him to form a judgement upon it. The amendments not selected by the Speaker shall not be allowed to be moved.

(8) The Speaker may put amendments in such order as he may think fit.

**Withdrawal of motions.** 98. (1) A member who has moved a motion or an amendment to a motions shall not withdraw the same except by leave of the Assembly:

Provided that if notice of the same motion or amendment has also been given by another member, it shall not be allowed to be withdrawn, if such other member objects to the withdrawal.

(2) Leave to withdraw a motion may be asked for at any time before the question on the motion is put or if a division is asked for, before the division takes place.

(3) No discussion shall be permitted on a motion for the leave to withdraw except with the permission of the Speaker.

(4) If leave is granted to a member to withdraw his motion, the amendments if any, which have been proposed to the motion shall also be deemed to have been withdrawn.

**Copy of motion passed to be sent to Minister and Department concerned.** 99. A copy of every motion which has been passed by the House shall be forwarded to the Minister and the department concerned.

## STATUTORY MOTIONS

**100.** (1) A member who wishes to move a statutory motion shall give 7 days' notice unless it is otherwise expressly provided by the statute under which the notice is given.<sup>1</sup> **Statutory motions.**

(2) If the notice is admitted by the Speaker, he shall, in consultation with the Leader of the House, fix a date in the same session and allot such time as he thinks fit for the discussion on the motion.

## NO-DAY-YET-NAMED MOTIONS

**101.** (1) No-day-yet-named motion means a motion other than a statutory motion<sup>1</sup> [notice of which has been given by a private member or, in case of Government business, by a Minister] for discussion on a matter of sufficient public importance and for the discussion of which no date is fixed. **No-day-yet named motions.**

<sup>2</sup>[(2) 5 days' notice shall be required for such motion:

Provided that such notice shall not be given earlier than 5 days' prior to the commencement of the session or adjourned session.

(3) If the notice has been given by a private member and if it is admitted by the Speaker, he may, after considering the state of business in the House and in consultation with the Leader of the House allot a day or days or part of a day for the discussion of any such motion.

(4) Such motion and amendments, if any, shall be disposed of before the expiry of the time allotted for the purpose.

## LAST DAY MOTION

**102.** (1) A member other than a Minister who wishes to move a last day motion shall give notice to that effect at least two working days before the date of ballot fixed for the purpose by the Speaker. **Last Day Motion**

(2) The date of ballot fixed by the Speaker shall be notified in the Bulletin.

---

<sup>1</sup> & <sup>2</sup> Substituted by Notification dated 1st September, 1987.

(3) The names of all members from whom notices referred to in sub-rule (1) are received shall be balloted and the name of the member who secures the first place in the ballot shall be notified in the Bulletin.

(4) The member who secures the first place in the ballot shall be entitled to give notice of one motion within two working days from the date of the ballot.

(5) The motion, if admitted, shall be set down in the List of Business for the day.

(6) The Speaker may allot not more than two hours for discussion on such motion.

(7) Such motion shall not be submitted to the vote of the House.

## **MOTION FOR REMOVAL OF SPEAKER OR DEPUTY SPEAKER**

**Motion for  
removal of  
Speaker or  
Deputy  
Speaker.**

**103.** Motion to remove the Speaker or Deputy Speaker from office for which 14 days' notice as required under article 179 of the Constitution has been given, shall, as soon as may be, after the expiry of the notice period, be read to the House by the Speaker, who shall then request the members, who are in favour of leave being granted to move the motion, to rise in their seats and if not less than 17 members rise accordingly, the Speaker shall declare that leave is granted and fix a day not later than 7 days from the expiry of 14 days on which discussion on the motion shall take place. If less than 17 members rise, the Speaker shall declare that leave is not granted.]

<sup>1</sup>[**104.** Deleted.]

<sup>1</sup>[**105.** Deleted.]

---

<sup>1</sup> Deleted by Notification , dated 28th May, 1973.

**PART - IX**  
**MOTION EXPRESSING WANT OF CONFIDENCE**  
**IN THE MINISTRY AND EXPLANATION**  
**BY A MINISTER WHO HAS RESIGNED.**

<sup>1</sup>[106. (1) A member who desires to move for leave to make a motion expressing want of confidence in the Council of Ministers, shall give written notice of such motion. **Motion expressing want of confidence in Ministry.**

(2) If the motion is found to be in order, the Speaker may permit the member to ask for leave of the House to make the motion on such day not later than two days, as the Speaker may appoint after questions and before the list of business is entered upon.

(3) After the member has asked for leave of the House to make the motion, the Speaker shall read the motion to the House and request those members, who are in favour of leave being granted, to rise in their seats and if not less than 17 members rise accordingly, the Speaker shall declare that leave is granted.

(4) If leave is granted, the Speaker shall fix a day for discussion of the motion which shall not be earlier than 3 days and later than 7 days from the day on which leave is granted:]

Provided that on a request being made by the Leader of the House, the Speaker may fix a day earlier than three days.

(5) If less than 17 members rise, the Speaker shall declare that leave is not granted.

**107.** (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. **Minister's resignation.**

(2) Such statement shall be made after questions and before the List of Business for the day is entered upon.

(3) On such statement, no debate shall be allowed:

Provided that a Minister shall be entitled, after the member has made his statement, to make a statement pertinent thereto.

---

<sup>1</sup> Substituted by Notification dated 28th May, 1973.

**PART - X**  
**MOTION FOR ADJOURNMENT**  
**FOR PURPOSE OF DEBATE**

**Adjournment motion for purpose of discussing definite matter of urgent public importance.**

<sup>1</sup>[**108.**(1) A member who desires to move a motion for adjournment of the House for the purpose of discussing a definite matter of urgent public importance, shall give written notice of such motion not later than one hour before the commencement of the sitting of the House at which he proposes to ask for the leave of the House to move his motion.

(2) The member shall also give a copy of such notice to the Speaker and the Minister concerned.]

**Restrictions on right to move motion.**

**109.** The right to move <sup>2</sup>[a motion for adjournment of the House] for the purpose of discussing a definite matter of urgent public importance shall be subject to the following restrictions, namely :-

(i) not more than one such motion shall be made at the same sitting;

(ii) not more than one matter can be discussed on the same motion, and the motion must be restricted to a specific matter of recent occurrence;

(iii) the motion shall not revive discussion on a matter which has been discussed in the same session;

(iv) the motion shall not raise a question of privilege;

(v) the motion shall not anticipate a matter which has been previously appointed for consideration, or with reference to which a notice of motion has been previously given. 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; and

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

---

<sup>1</sup> Substituted by Notification dated 28th May, 1973

<sup>2</sup> These words substituted for original words "a motion for an adjournment of the Assembly" by Notification dated 28<sup>th</sup> May, 1973.

<sup>1</sup>[110.(1) If the motion is found to be in order, the Speaker may permit the member to ask for leave of the House to move the motion after questions and before the list of business is entered upon. **Time for asking leave and procedure.**

(2) After the member has asked for leave of the House to move the motion, the Speaker shall read the motion to the House and ask whether the member has the leave of the House.

(3) If no objection is taken by any member, the Speaker shall declare that leave is granted.

(4) If objection is taken, the Speaker shall request those members who are in favour of leave being granted to rise in their seats, and if not less than 10 members rise accordingly, the Speaker shall declare that the leave is granted.

(5) If leave is granted, the Speaker shall declare the time when the motion will be taken up.

(6) If less than 10 members rise, the Speaker shall declare that the leave is not granted.]

<sup>2</sup>[111.(1) The motion, "That the House do now adjourn", shall be taken up at the time fixed by the Speaker and the debate on the motion, if not earlier concluded shall terminate at the expiry of two hours and the Speaker shall forthwith put the question. **Limit of discussion**

(2) The House may proceed to transact other business for the day after the debate on the motion is concluded.]

---

<sup>1</sup> Substituted by Notification dated 28<sup>th</sup> May, 1973

<sup>2</sup> Substituted by Notification, dated 28th May, 1973



**PART - XI**  
**DISCUSSION FOR SHORT DURATION ON MATTERS**  
**OF URGENT PUBLIC IMPORTANCE**

**Notice of raising discussion**

<sup>1</sup>[112. Any member who desires to raise discussion on a matter of urgent public importance, may give <sup>2</sup>[five days] 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.]

<sup>3</sup>[Provided further that such notice shall not be given earlier than five days prior to the commencement of the session or adjourned session.]

**Speaker to decide admissibility.**

**113.** If the Speaker is satisfied, after calling such information from the member who has given notice and from the minister as he may consider necessary, that the matter is urgent and is of sufficient importance to be raised in the Assembly at an early date, he may admit the notice and in consultation with the Leader of the House fix the date on which such matter may be taken up for discussion <sup>4</sup>[and allow <sup>5</sup>[not more than one and half hour] for discussion of the matter.]:

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

**No formal motion.**

<sup>6</sup>[114. There shall be no formal motion before House nor voting. The member who has given notice will open the debate and the Speaker may, having reserved reasonable time for the Minister to reply, allow other members to speak.]  
<sup>7</sup>[The member who has given notice shall have no right of reply.]

**One matter to be raised at one sitting.**

**115.** Unless the Speaker otherwise directs not more than one matter shall be raised at the same sitting.

---

<sup>1</sup> Substituted by Notification, dated 28th May, 1973

<sup>2</sup> Inserted by Notification dated 1st September, 1987

<sup>3</sup> Added by Notification, dated 1st September, 1987

<sup>4</sup> These words substituted for original words "and allow such time for discussion not exceeding two and half hours as he may consider appropriate in the circumstances" by Notification, dated 28th May, 1973

<sup>5</sup> Substituted by Notification, dated 1st September, 1987

<sup>6</sup> Substituted by Notification, dated 28th May, 1973

<sup>7</sup> Added by Notification, dated 1st September, 1987

**PART - XII**  
**CALLING ATTENTION TO MATTERS OF**  
**URGENT PUBLIC IMPORTANCE**

**116.**(1) <sup>1</sup>[A member may by giving two days' notice and] **Calling attention to matters of urgent public importance** with the previous permission of the Speaker, call the attention of a Minister to any matter of urgent public importance and the Minister may make a brief statement or ask for time to make a statement at later hour or date :

<sup>2</sup>[Provided that notice for the purpose shall not be given earlier than five days prior to the commencement of the session or adjourned session.]

(2) On such statement, no discussion shall be allowed, but any member may be permitted to ask a question or two for the purpose of eliciting further information in regard to the statement.

(3) Unless the Speaker otherwise directs, not more than one such matter shall be raised at the same sitting.

(4) Unless the Speaker otherwise directs, the proposed matter shall be raised after questions and before the List of Business is entered upon and at no other time during the sitting of the Assembly.

**PART - XIII**  
**RESOLUTIONS**

<sup>3</sup>[**117.**(1) A member other than a Minister who wishes to **Notice of resolution.** move a resolution on a day allotted for private member's resolution, shall give notice to that effect <sup>4</sup>[two working days] before the date of ballot fixed by the Speaker.

(2) The date of ballot fixed by the Speaker shall be notified in the Bulletin.

(3) The names of all members from whom notices referred to in sub-rule (1) are received shall be balloted and

---

<sup>1</sup> Substituted by Notification, dated 1st September, 1987.

<sup>2</sup> Added by Notification, dated 1st September, 1987.

<sup>3</sup> Substituted vide Notification dated 3rd September, 1969.

<sup>4</sup> These words substituted for original words and figures "at least 2 days" by Notification dated 28th May, 1973.

the names of those members who secure the first <sup>1</sup>[three] places in the ballot shall be notified in the Bulletin.

(4) <sup>2</sup>[Each of the members who have secured first three places in the ballot shall be entitled to give notice of one resolution within two working days from the date of the ballot.]

(5) <sup>3</sup>[The three resolutions, if admitted, shall be set down in the List of Business for the day :

Provided that the third resolution shall be allowed to be moved only if, for any reason, any of the first two resolutions is not moved.]

**Form and contents**

**118.** Subject to the restrictions contained in these rules, a resolution may be moved on a matter of general public interest:

Provided that 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;

(b) it shall not contain arguments, inferences, ironical expressions or defamatory statements;

(c) it shall not refer to the conduct or character of any person except in his official or public capacity; and

(d) it shall not relate to any matter such as is mentioned in clauses (i), (x) and (xi) of sub-rule (2) of rule 34.

**Repetition of resolution**

**119.(1)** When the House has taken a decision on a resolution, no resolution or amendment of a resolution raising substantially similar question shall be moved within one year from the date on which, the decision is taken.

(2) When a resolution has been withdrawn with the leave of the House, no resolution or amendment of a resolution raising substantially similar question shall be moved during the same session.

**Government resolution.**

**120.** Seven days' notice shall be necessary for a resolution notice of which is given by a Minister.]

---

<sup>1</sup> This word substituted for original words "Six" by notification, dated 28th May, 1973.

<sup>2</sup> Substituted by Notification *ibid*

<sup>3</sup> Substituted *ibid*.

<sup>4</sup> Substituted by Notification dated 28th May, 1973.

**PART - XIV**  
**LEGISLATION**

<sup>1</sup>[**121.(1)** Any private 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 an explanatory Statement of Objects and Reasons.

**Notice of Motion for leave to introduce private members' Bill.**

(2) The Statement of Objects and Reasons shall be brief and shall not contain any offensive, defamatory or irrelevant matter. The Speaker may, if he thinks fit, revise Statement of Objects and Reasons.

(3) Fifteen days' notice shall be necessary in respect of a motion for leave to introduce a Bill under this rule.

(4) The Speaker may disallow a notice of a Bill if it does not comply with the requirements of rule 123 or 124.

<sup>2</sup>[**121-A.(1)** Any Minister desiring to move for leave to introduce a Bill shall give notice of his intention and shall together with the notice, submit a copy of the Bill and an explanatory Statement of Objects and Reasons.

**Notice of motion for leave to introduce Government Bills.**

(2) Four days' notice shall be necessary in respect of a motion for leave to introduce a Bill under this rule unless the Speaker allows the motion to be made at shorter notice.

(3) After the notice is admitted by the Speaker, the Minister-in-charge of the Bill shall be informed of it and he shall send 350 copies of the Bill to be circulated amongst the members at least two working days before the day on which the Bill is proposed to be introduced.

**121-B.** A copy of a Bill to be introduced shall be placed, in a separate closed cover and be sent to each member along with the List of Business for the day in which it is shown for introduction with instruction that the member shall take, special care to see that the Bill does not get publicity before its introduction in the House.]

**Distribution of copies of Bills to be introduced.**

---

<sup>1</sup> Rules 121 to 130 substituted for original rules 121 to 131 by Notification dated 28th May, 1973.

<sup>2</sup> Inserted by Notification dated 1st September, 1987.

**Introduction of Bill dependent on another Bill pending before House.** **122.** A Bill which is dependent wholly or partly on another Bill pending before the House may be introduced in anticipation of the passing of the Bill on which it is dependent:

Provided that the former Bill shall be proceeded with only after the latter Bill has been passed by the House and assented to by the Governor or the President, as the case may be.

**Financial Memorandum.** **123.(1)** A Bill which, if enacted and brought into operation, would involve expenditure from the Consolidated Fund of the State shall be accompanied by a Financial Memorandum which would invite particular attention to the clauses involving such expenditure and shall also give an estimate of the recurring and non-recurring expenditure.

(2) Clauses or provisions in Bills involving expenditure from the Consolidated Fund of the State shall be side-lined or underlined:

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

**Explanatory memorandum to Bills delegating legislative powers.** **124.** A Bill involving proposals for the delegation of legislative power shall be accompanied by a Memorandum explaining such proposals and drawing attention to their scope and stating also whether they are of normal or exceptional character.

**Signature of member-in-charge of Bill on Memoranda.** <sup>1</sup>**124-A.** If a Bill is accompanied by a Financial Memorandum or a Memorandum regarding Delegated Legislation or both, the Member-in-charge of the Bill shall sign the Statement of objects and Reasons as well as the Memorandum or each of the two Memoranda, as the case may be.

**Statement regarding ordinance.** **124-B.** Before a Bill seeking to replace an ordinance with or without modification is introduced in the House, a statement explaining the circumstances which had necessitated immediate legislation by ordinance shall be laid on the Table of the House by the Minister-in-charge of the Bill.]

---

<sup>1</sup> Inserted by Notification dated 1st September, 1987.

<sup>1</sup>[125.(1) 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 :

**Motion for leave to introduce Bill and its introduction.**

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

(2) If leave to introduce a Bill is granted, the mover shall forthwith introduce the Bill.]

**126.** If notice is given to introduce a Bill or to move an amendment which, in the opinion of the Speaker, cannot be introduced or moved, save with the previous sanction of the President under article 304 of the Constitution, Government shall, as soon as may be, after receiving communication to that effect, refer the Bill or the amendment to the President and the Bill or the amendment shall not be introduced or moved unless the President's sanction has been communicated to the Secretary by the Minister concerned in writing :

**Bills or amendment requiring previous sanction of President.**

Provided that the Bill or the amendment may be introduced or moved if the Minister concerned announces to the House that the President's sanction to the introduction of the Bill or moving of the amendment has been received.

**127.(1)** A Bill or amendment to which the provisions of clause (1) of article 207 of the Constitution apply shall not be introduced or moved unless the Governor's recommendation has been communicated to the Secretary by the Minister concerned in writing :

**Bills or amendments requiring Recommendation of Governor.**

Provided that the Bill or amendment may be introduced or moved if the Minister concerned announces to the House that the Governor's recommendation to the introduction of the Bill or moving of the amendment has been received.

(2) A motion that a Bill to which the provisions of clause (3) of article 207 of the Constitution apply be read first time shall

---

<sup>1</sup> Substituted by Notification dated 1st September, 1987.

not be allowed to be moved unless the Governor's recommendation for the consideration of the Bill has been communicated to the Secretary by the Minister concerned in writing :

Provided that the motion may be allowed to be moved if the Minister concerned announces to the House that the Governor's recommendation for the consideration of the Bill has been received.

**Publication of Bills in Gazette.**

**127-A.** As soon as may be, after a Bill has been introduced, the Bill together with the Statement of Objects and Reasons, the Financial Memorandum, if any, and the Memorandum regarding delegation of legislative powers, if any, shall be published in the Gazette :

Provided that the Speaker may, on a request being made to him, give consent for the publication of any Bill together with the Statement of Objects and Reasons, the Financial Memorandum, if any, and the Memorandum regarding delegation of the legislative powers, if any, in the Gazette although no motion has been made for the leave to introduce the Bill and in that case it shall not be necessary to move for leave to introduce the Bill and to publish the Bill again in the Gazette after it is introduced.

**Translation of Bills and their publication in Gazette.**

**128.** Every Bill shall be translated into Gujarati and such translation shall be published in the Gazette.

**Bills to be read three times.**

**129.** A Bill shall be read three times.

**First reading.**

**130.(1)** When a Bill is introduced or on some subsequent occasion the member in charge may move that the Bill be read a first time :

Provided that no such motion shall be made unless a copy of the Bill together with the translation thereof has been despatched to each member four working days before the date on which such motion is made unless the Speaker allows the motion to be made earlier.

(2) On the first reading of a Bill the principle of the Bill and its general provisions may be discussed, but the detailed provisions of the Bill shall not be discussed further than is necessary to explain its principle nor shall any amendment to the Bill be moved at this stage.]

<sup>1</sup>[131. Deleted.]

**132.(1)** After a Bill has been read for the first time, the member in charge may make one of the following motions in regard to the Bill, namely :- **Motions after first reading.**

(a) that it be read a second time either at once or on some future day to be then stated; or

(b) that it be referred to a Select Committee composed of such members of the Assembly, and with instruction to report before such date, as may be specified in the motion; or

(c) that it may be circulated for the purpose of eliciting opinion thereon, within such period as may be specified in the motion.

(2) Any member may make a motion as aforesaid by way of amendment :

Provided that when any of the motions referred to in clauses (b) or (c) of sub-rule (1) of this rule is moved by the member in charge the motion referred to in clause (a) of that sub-rule shall not be moved by way of an amendment.

**133.(1)** Where a motion that a Bill be circulated for the purpose of eliciting opinion is carried and the Bill is circulated in accordance with the direction and opinions have been received thereon within the period specified, the member in charge if he wishes to proceed with the Bill may make any of the following two motions, namely :- **Motions after eliciting opinions.**

(a) that the Bill be read a second time; or

(b) that the Bill be referred to a Select Committee composed of such members of the Assembly and with instruction to report before such date as may be specified in the motion.

---

<sup>1</sup> deleted by Notification, dated 28th May, 1973.



(2) If a motion made under sub-rule (1) is not carried, the Bill shall be deemed to have been rejected.

(3) On a motion made under this rule, the general provisions of the Bill may be discussed in the light of the opinion received on the Bill.

**Composition and powers of Select Committee.**

**134.(1)** The Select Committee shall consist of such members as may be determined by the House.

(2) The member in charge of the Bill shall be a member of the Select Committee.

(3) A Select Committee shall have power to make such amendments in the Bill referred to it as are relevant to the subject matter and within the scope of the Bill.

(4) When a Bill is referred or re-referred to a Select Committee, all amendments of which notice is given before it is so referred or re-referred shall stand referred to the committee.

**Minute of dissent.**

**135.(1)** Any member of the Select Committee may record a minute of dissent and shall submit it within the time fixed by the committee in that behalf.

(2) A minute of dissent shall be couched in temperate and decorous language and shall not refer to any discussion in the Select Committee nor cast any aspersion on the committee.

(3) <sup>1</sup>[A member shall be entitled to give a minute of dissent only in respect of such clauses as were considered in his presence.]

(4) A minute of dissent shall not refer to any point not discussed by the committee.

(5) If, in the opinion of the Speaker, minute of dissent contains words, phrases or expressions which are unparliamentary or are otherwise inappropriate, he may order such words, phrases or expressions to be expunged from the minute of dissent.

---

1. Inserted by Notification dated 28th May, 1973.

<sup>1</sup>[136.(1) The report of the Select Committee on a Bill together with translation thereof in Gujarati shall be presented to the House by the member in charge of the Bill. There shall be no discussion of the report at this stage.

**Presentation  
of Report  
and motion  
after  
presenta-  
tion.**

(2) After the report is presented to the House, the report together with such minute of dissent, if any, as are received within the time fixed by the committee in that behalf and the Bill, if amended, shall be published in the Gazette in the language in which the Bill was published in the Gazette.

(3) After the presentation of the report, the member in-charge may move -

(a) that the Bill as reported by the Select Committee be read a second time, or

(b) that the Bill as reported by the Select Committee be re-referred to the Select Committee either -

(i) as a whole, or

(ii) with respect to particular clauses or amendments only, or

(iii) with instructions to the Select Committee to make some particular provisions in the Bill :

Provided that no such motion shall be made until the expiry of four working days from the date of the presentation of the report to the House unless the Speaker allows the motion to be made earlier.

(4) If the member in-charge moves the motion referred to in clause (a) of sub-rule (3) of this rule, any member may move a motion referred to in clause (b) of that sub-rule by way of amendment.

(5) The debate on a motion that the Bill as reported by the Select Committee be read a second time shall be confined to 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.

(6) The debate on the amendment moved under sub-rule (4) shall be confined to the question whether the Bill as reported be re-referred to the Select Committee or not.].

---

1. Substituted by Notification dated 28th May, 1973.

**Procedure in case of Bills re-referred to Select Committee.**

**137.** The provision of rules 134, 135 and 136 shall, so far as may be, apply to a Bill which is referred to a Select Committee, except that after the presentation of the further report of the Select Committee, no motion shall be made that the Bill should again be re-referred to the Select Committee.

**Scope of Amendments to amending Bills.**

**138.(1)** Subject to the provisions of sub-rule (2) and (3), an amendment to an amending Bill shall be restricted to the sections of the Act which are proposed to be amended by the Bill.

<sup>1</sup>[(2) Amendment may be moved to a section which is not proposed to be amended by the Bill if that section is connected with any section which is proposed to be amended by the Bill and the amendment is consequential to the amendment proposed to be made by the Bill.].

(3) When an amending Bill proposed to amend a heterogeneous section, an amendment to the Bill shall be restricted to that part of the section only which is proposed to be amended by the Bill and the other parts of the section shall not be open to amendment.

**Reading of Bills clause-by-clause.**

**139.(1)** After a motion has been agreed to by the Assembly that a Bill be read a second time, the Speaker shall submit the Bill to the Assembly clause-by-clause.

(2) Subject to the provisions of rule 97, any member may, at this stage, move an amendment to the Bill.

(3) The Speaker shall have power to select the new clauses or amendments to be proposed, and may, if he thinks fit, call upon any member who has given notice of an amendment to give such explanation of the subject of the amendment as may enable him to form a judgment upon it. <sup>2</sup>[The amendments not selected by the Speaker shall not be allowed to be moved.]

---

1. Substituted by Notification, dated 28th May, 1973.

2. These words added by Notification, dated 28th May, 1973.

(4) Amendments shall be arranged in the order of clauses to which they relate except that the amendments to clause 1, <sup>1</sup>[the enacting formula, the preamble, if any, and the long title] shall come after the amendments to other clauses and schedules, if any.

(5) Among the amendments to the same clause, amendments shall be arranged according to the place at which they come in the clause.

(6) Among the amendments which come at the same place in a clause, amendment for deletion shall be given priority over the amendment for substitution and the amendment for substitution shall be given priority over any other amendment.

(7) Among the amendments which according to the foregoing sub-rules come at the same place, the amendment notice of which has been received earlier shall be given priority :

Provided that the Government amendment shall be given priority over the amendment given by a private member even though the former might have been received late in point of time.

(8) Where two or more members give notices of identical amendments and if one of them is admitted by the Speaker, the name or names of the other member or members shall be bracketted with the name of the member whose notice has been admitted.

(9) 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".

(10) Notwithstanding anything contained in sub-rule (1) and (9) of this rule, the Speaker may, in the case of uncontested clauses put the question on group of clauses and not on each clause separately :

Provided that if any member request that any clause be placed before the House separately, the Speaker shall place such clause separately.

---

1. These words substituted for the original words "long title and the preamble, if any," by Notification dated 28th May, 1973.

(11) When any clause is under consideration, the discussion shall be confined to that clause and other clauses of the Bill may not be discussed except with the permission of the Speaker.

(12) The Schedules, if any, shall be submitted to the Assembly for its consideration and shall be dealt with in the same manner as the clauses are dealt with.

(13) Clause 1, the enacting formula, the preamble, if any, and the long title of the Bill shall be put to the House after all other clauses and Schedules (including new clauses and new Schedules, if any) of the Bill have been dealt with.

**Third  
reading.**

**140.** (1) If no amendment be made when a Bill is submitted clause-by-clause, the Bill may at once be read a third time.

(2) The discussion on a motion that the Bill be read a third time shall be confined to the submission of arguments either in support of the Bill or for the rejection of the Bill. In making his speech a member shall not refer to the details of the Bill further than is necessary for the purpose of his arguments which shall be of a general character.

(3) (a) If any amendment be made when a Bill is submitted clause-by-clause, any member may object to the Bill being read a third time at the same sitting; and such objection shall prevail, unless the Speaker, <sup>1</sup>[x x x x x] disallows the objection.

(b) Where the objection prevails, the Bill shall be brought forward again at a future sitting and may then be read a third time.

(4) (a) On the motion for the third reading of a Bill only verbal amendments or amendments consequential to the amendments made in the Bill when the Bill was read clause-by-clause, may be moved.

(b) No notice of such amendments shall be required.

---

<sup>1</sup> The words "in the exercise of his power to suspend this provision" deleted by Notification, dated 28th May, 1973

<sup>1</sup>[(5) The Bill is passed when the motion for the third reading is carried.]

<sup>1</sup>[**140-A.** Notwithstanding anything contained in rules 130, 132, 133, 136 and 140 if after a Bill is introduced, the member-in-charge of the Bill is unable, for the reasons which the Speaker considers adequate to move any subsequent motion in regard to the Bill, he may, with the approval of the Speaker authorise in writing another member to move that particular motion:

**Authority to move motion in respect of Bill.**

Provided that the member who has introduced the Bill shall continue to be the member-in-charge of the Bill and for the purpose of rule 141 the motion shall be deemed to have been moved by the member-in-charge.]

**141.** Where any of the following motion made by the member-in-charge of the Bill is rejected by the House, the Bill shall be deemed to have been rejected and no further motion shall be made with reference to the Bill :-

**Rejection of Bills.**

- (i) that leave be granted to introduce the Bill;
- (ii) that the Bill be read a first time;
- (iii) that the Bill be read a second time;
- (iv) that the Bill be referred or re-referred to a Select Committee;
- (v) that the Bill be circulated for the purpose of eliciting opinion thereon;
- (vi) that the Bill, as reported by the Select Committee, be read a second time;
- (vii) that the Bill be read a third time and passed.

**142.** When a Bill is passed by the Assembly, the Speaker shall have power to correct patent errors and make such other changes in the Bill as are consequential on the amendments accepted by the Assembly.

**Powers of Speaker to correct patent errors and make consequential changes in Bills as passed.**

---

<sup>1</sup> Substituted by Notification, dated 25th May, 1973.

<sup>2</sup> Inserted by Notification dated 1st September, 1987

Authenticat  
ion  
of Bills and  
submission  
thereof to  
Governor.

<sup>1</sup>[143.(1) When a Bill is passed by the Assembly, the Speaker shall sign a certificate at the foot of four copies of the Bill in the following form :-

"I certify that this Bill was read for a third time and passed by the Legislative Assembly of the State of Gujarat on the .....day of .....20.....

Speaker."

(2) Out of the four copies of the Bill with such a certificate signed by the Speaker, the Secretary shall send three copies to the Secretary to the Government of Gujarat, Legislative and Parliamentary affairs Department, for submission to the Governor.

Authen-  
tication  
of Money  
Bills  
and  
submission  
thereof to  
Governor.

144.(1) When a Money Bill is passed by the Assembly, the Speaker shall sign a certificate at the foot of the four copies of the Bill in the following form :-

"I certify that this Bill was read for a third time and passed by the Legislative Assembly of the State of Gujarat on the .....day of .....20..... and that it is a Money Bill.

Speaker."

(2) Out of the four copies with such a certificate signed by the Speaker, the Secretary shall send three copies to the Secretary to the Government of Gujarat, Legislative and Parliamentary affairs Department, for submission to the Governor.

Preserva-  
tion of copy  
of Bill  
assented to  
by  
Governor  
or  
President.

145. The copy of the Bill assented to by the Governor or the President, as the case may be, shall be preserved by the Secretary for permanent record.]

146. <sup>2</sup>[Deleted.]

---

<sup>1</sup> Rules 143 to 145 substituted for original rules 143 to 146 by Notification, dated 28th May, 1973.

<sup>2</sup> Deleted by Notification, dated 28th May, 1973.

**147.** (1) Where a Bill is returned to the Assembly under article 200 or 201 of the Constitution with a message requesting that the Assembly will re-consider the Bill or any specific provision thereof or will consider the desirability of introducing such amendments as may be recommended in the message, the Speaker shall endorse the message on the Bill and shall communicate it to the Assembly.

**Bills  
returned  
for  
Recon-  
sideration.**

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

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

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

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

<sup>1</sup>[**148.**(1) The member-in-charge may at any stage of a Bill, withdraw the Bill by leave of the House :

**Withdrawal  
of Bills.**

Provided that if notice of a substantially similar Bill has been given by another member, the Bill shall not be allowed to be withdrawn if such other member objects to the withdrawal.

(2) No discussion shall be permitted on a motion for leave to withdraw a Bill.]

---

<sup>1</sup> Substituted by Notification, dated 28th May, 1973



149<sup>1</sup>[Deleted.]

Substantially similar Bill not to be introduced or moved after rejection or withdrawal of Bill.

**150.** (1) When a Bill is rejected by the House, a substantially similar Bill shall not be introduced or moved within a period of six months from the date of its rejection.

(2) When a Bill is withdrawn with the leave of the House, a substantially similar Bill shall not be introduced or moved during the same session.

Secretary to keep list of Bills.

**151.** The Secretary shall keep a list of Bills in the form appended to these rules.

Discussion on Governor's ordinances.

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

(2) Within six weeks from the re-assembly of the Assembly but before the Bill replacing the ordinance is passed, any member may, after giving three days' notice to the Secretary to the Assembly, move a motion disapproving the ordinance.

## PART - XV COMMITTEES GENERAL

Appointment of Committee.

**153.**(1) The members of a committee may be appointed by the House on a motion made in that behalf or elected by the House or nominated by the Speaker as provided in the rules.

(2) Casual vacancies in a committee shall be filled by appointment by the House on a motion made in that behalf or by election by the House or, as the case may be, by nomination by the Speaker, 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.

---

<sup>1</sup> Deleted by Notification, dated 28th May, 1973.

(3) During any vacancy in the committee, the continuing members may act as if no vacancy has occurred.

**154.** A committee nominated by the Speaker shall, unless otherwise specified in the rules contained in this part, hold office for the period specified by him or until a new committee is nominated.

**Term of office of Committee nominated by Speaker.**

**155.** A member may resign his seat from a committee by writing under his hand addressed to the Speaker.

**Resignation from Committee.**

**156.** (1) The Chairman of a committee shall be appointed by the Speaker from amongst the members of the committee :

**Chairman of Committee and his powers.**

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.

(4) The procedure in a committee shall, subject to these rules and to the supplementary rules and resolutions, if any, made by the committee and to the directions or other instructions issued by the Speaker from time to time, be regulated by its Chairman and the Chairman shall have all the powers necessary to regulate the procedure and the conduct of business in the committee and to maintain order in the committee.

**157.** (1) The quorum to constitute a sitting of a committee shall be, as near as may be, one-fourth of the total number of members of the committee.

**Quorum**

(2) If at any time fixed for any sitting of the committee, or if at any time during any 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 sitting of the committee, the Chairman shall report the fact to the House :

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

**Discharge of members absent from sitting of committee**

**158.** 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 member may be discharged by the Speaker.

**Voting in Committee.**

**159.** All questions at any sitting of a committee shall be determined by a majority of votes of the members present and voting.

**Casting vote of Chairman.**

**160.** 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.

**Power to appoint sub-committees.**

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

**Sittings of Committee.**

**162.** The sitting of a committee shall be held on such days and at such hour 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 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.

**163.** A committee may sit whilst 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 well in his opinion enable the members to vote in the division.

**Committee may sit whilst House is sitting.**

**164.** The sitting of a committee shall be held in private.

**Sitting of committee in private.**

<sup>1</sup>**165.** The sitting shall be held within the precincts of the House or its Estate :

**Venue of sittings.**

Provided that a sitting of a committee may be held elsewhere with the previous permission of the Speaker.]

**166.** All persons (other than the members of the committee and officers of the Gujarat Legislature Secretariat) shall withdraw whenever the Committee is deliberating.

**All strangers to withdraw when Committee deliberates.**

**167.** A Committee shall have power to send for persons, papers and records :

**Power to send for persons, papers and records.**

Provided that if any question arises whether the evidence of a person or the production of a document is relevant for the purposes of the committee, the question shall be referred to the Speaker whose decision shall be final :

Provided further that Government may decline to produce a document on the ground that its disclosure would be prejudicial to the safety or interest of the State.

**168.** <sup>2</sup>[(1) A summons calling a witness for oral evidence or for production of any papers or records shall be signed by the Secretary.]

**Summoning witness and treatment of evidence.**

(2) It shall be in the discretion of the committee to treat any <sup>3</sup>[evidence given] before it as secret or confidential.

(3) No document submitted to the committee shall be withdrawn or altered <sup>4</sup>[without the approval of the Chairman].

---

<sup>1</sup> Substituted by Notification, dated 28th May, 1973.

<sup>2</sup> Substituted by Notification, dated 28th May, 1973.

<sup>3</sup> These words substituted for original words "evidence tendered" *ibid*.

<sup>4</sup> These words substituted for the original words "without the knowledge and approval of the Committee" *ibid*.

**Counsel for witness.**      **169.** A committee may, under the direction of the Speaker, permit a witness to be heard by a counsel.

**Evidence on oath.**              **170.** (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.

**Procedure for examining witness.**      **171.** The examination of witness before committee shall be conducted as follows :-

(i) The committee shall, before a witness is called for examination, decide the mode of procedure and the nature of questions that may be asked to the witness.

(ii) The Chairman of the committee may first ask the witness such question or questions as he may consider necessary with reference to the subject matter under consideration or any subject connected therewith according to the mode of procedure mentioned in clause (i) of this rule.

(iii) The Chairman may call other members of the Committee one by one to ask any other questions.

(iv) A witness may be asked to place before the Committee any other relevant points that have not been covered and which a witness thinks are essential to be placed before the Committee.

(v) A verbatim record of proceedings of the committee shall, when a witness is summoned to give evidence, be kept.

(vi) The <sup>1</sup>[evidence given] before the committee may be made available to all members of the committee.

---

<sup>1</sup> These words substituted for the original words "evidence tendered" by notification, dated 28th May, 1973

**172.** The Chairman of a committee shall cause each decision of the committee to be recorded immediately after it is taken by the committee and a record of such decision shall be maintained and circulated to the members of the committee.

**Record of decisions of Committee.**

**173. (1)** A committee may direct that the whole or a part of the evidence or as a summary thereof may be laid on the Table.

**Evidence, report and proceedings treated as confidential**

(2) No part of the evidence, oral or written, report or proceedings of a committee which has not been laid on the Table shall be open to inspection by any one except under the authority of the Speaker.

(3) The evidence given before a committee shall not be published by any member of the committee or any other person until it has been laid on the Table:

Provided that Speaker may, in his discretion, direct that such evidence be confidentially made available to any member of the House before it is formally laid on the Table.

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

**Special reports.**

**175. (1)** When any matter has been referred to any committee by the House or the Speaker and the time for the presentation of the report by the committee has been fixed, the committee shall present the report within the time fixed and where no time for the presentation of a report by the committee is fixed, the report shall be presented within fifteen days from the commencement of the session next following:

**<sup>1</sup>[Time limit for presenting reports of Committees**

Provided that the Speaker may at any time extend the time for the presentation of the report.

(2) Reports may be either preliminary or final.

(3) The report of a committee shall be signed by the Chairman on behalf of the committee :

---

<sup>1</sup> Substituted by Notification, dated 28th May, 1973.

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.

**Sending copy of draft report to department concerned for factual verification.**

<sup>1</sup>[176. (1) A committee may, if it thinks fit, send a copy of the draft report as approved by the committee to the department concerned for verification of factual details.

(2) On receipt of the copy of the report from the department concerned, the Chairman may make such modifications in the report to correct factual inaccuracies, if any, as he may consider necessary or may direct that the matter be placed before the committee for consideration.]

**Presentation of report.**

<sup>2</sup>[177. The report of a committee shall be presented to the House by the Chairman or in his absence by a member of the committee.]

**Departments of Government to send statements of action taken on recommendations of committee.**

178. (1) The departments of Government concerned with the recommendations made by any committee shall furnish, from time to time to the Gujarat Legislature Secretariat, statement of final action taken by Government on the recommendations.

(2) Where it is considered by any department of Government that the final action is likely to take long time, it shall give an interim reply stating the position at that time and the approximate time likely to be taken in taking the final action.

(3) The Statement of action taken shall be accompanied by a copy of the order, if any, issued by Government to implement the recommendation of the committee.

**Publication or circulation of report prior to its presentation to House.**

179. The Speaker may, on a request being made to him and when the House is not in session, order the <sup>3</sup>[x x x] 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.

---

<sup>1</sup> Substituted by Notification, dated 28th May, 1973.

<sup>2</sup> Substituted by Notification, dated 28th May, 1973.

<sup>3</sup> The word "printing" deleted *ibid*.

**180.** <sup>1</sup>[Deleted.]

**181.** <sup>2</sup>[Deleted.]

**182.** 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.

**Power of Committee to make detailed rules.**

<sup>3</sup>[**183.** (1) A committee shall function under the general control and supervision of the Speaker and subject to these rules the Speaker may, from time to time issue such directions as he may consider necessary, for the efficient working of the committee or for regulating its procedure and organisation of its work.

**Power of Speaker to give directions.**

(2) If any doubt arises on any point of procedure or otherwise, the Chairman may refer the point to the Speaker whose decision shall be final.]

**184.** 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.

**Business before committee not to lapse on prorogation of House.**

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

**Unfinished work of committee.**

<sup>4</sup>[**186.** Subject to the special provisions made in these rules in respect of any committee, the general rules in this part shall apply to all committees.]

---

<sup>1</sup> Deleted by Notification, dated 28th May, 1973.

<sup>2</sup> Deleted *ibid*.

<sup>3</sup> Substituted by Notification, dated 28th May, 1973

<sup>4</sup> Substituted *ibid*



187. }  
188. } <sup>1</sup>[Deleted]  
189.

## BUSINESS ADVISORY COMMITTEE

**Constitution of Business Advisory Committee.**

**190.** At the commencement of the Assembly or from time to time, the Speaker shall constitute a committee called the Business Advisory Committee consisting of the Speaker and not more than ten other members representing <sup>2</sup>[the parties and groups recognised by the Speaker] and other interests, if any, in the Assembly nominated by the Speaker. The Speaker shall be Chairman of the Committee.

**Functions of Committee.**

<sup>3</sup>[**191.(I)** Subject to rule 15, the committee may recommend :-

(a) the days on which and the order in which Government Bills or other Government business may be taken,

(b) the time that should be allocated for the discussion of stage or stages of Government Bills and other Government business.

(2) The Committee shall have such other functions as may be assigned to it by the Speaker, from time to time.

**Report of Committee.**

**192.** The Report of the committee shall be presented to the House by the Chairman of the Committee.

**Decision of House.**

**193. (I)** As soon as may be, after the report of the committee has been presented to the House, the Minister for Parliamentary Affairs or in his absence any other Minister may move a motion that the House do agree with the recommendations of the committee.

(2) Any member may move an amendment to the motion moved under sub-rule (I).

---

<sup>1</sup> Rule 187, 188 and 189 deleted by Notification, dated 28th May, 1973.

<sup>2</sup> The words substituted for the original words "all recognised parties and groups" by Notification, dated 28th May, 1973

<sup>3</sup> Rules 191, 192 and 193 substituted by Notification, dated 28th May, 1973

(3) Not more than half an hour shall be allotted to the discussion of the motion and the amendment and no member shall be allowed to speak for more than five minutes.

(4) When a motion with or without amendment is passed by the House, the recommendations of the committee as approved by the House shall be the orders of the House and shall be notified by the Bulletin.]

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

<sup>1</sup>[**195.** No variation in the decision of the House on the recommendations of the committee shall be made except on a motion made with the consent of the Speaker by the Leader of the House or in his absence by any other Minister and accepted by the House. **Variation in decision of House.**

**195-A.** <sup>2</sup>[Deleted.]

## **PUBLIC ACCOUNTS COMMITTEE**

**196.** (1) As soon as may be, after the commencement of the first session of the Assembly in every year, a Committee on Public Accounts shall be constituted. **Constitution of Committee on Public Accounts**

(2) The Committee on Public Accounts shall consist of not more than 15\* members, who shall be elected by the Assembly from amongst its members according to the principle of proportional representation by means of the single transferable vote:

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

---

<sup>1</sup> Rules 195 and 195-A substituted for the rule 195 by Notification, dated 28th May, 1973.

<sup>2</sup> Deleted by Notification, dated 1st September, 1987.

\* Figure "15" substituted for figure "11" vide Notification dated 24th February, 1989

(3) The members of the committee shall hold office until a new committee is elected. They shall be eligible for re-election.

Functions  
of  
Committee  
on Public  
Accounts.

197. (1) The committee shall consider the Appropriation Accounts and the Finance Accounts of the State and the Reports of the Comptroller and Auditor General of India thereon <sup>1</sup>[x x x]. The committee may also consider -

(i) such other Accounts laid before the House as the committee may think fit;

(ii) such matter as is specially referred to it by the House or the Speaker.

(2) In considering the Appropriation Accounts of the State and the Report of the Comptroller and Auditor General thereon, it shall be the duty of the Public Accounts Committee to satisfy itself:-

(a) that the moneys shown in the accounts as having been disbursed were legally available for and applicable to the service or purpose to which they have been applied or charged,

(b) that the expenditure conforms to the authority which governs it, and

(c) that every re-appropriation has been made in accordance with such rules as have been prescribed by the competent authority.

<sup>2</sup>[(3) It shall also be the duty of the Public Accounts Committee -

(a) to examine the statements of accounts showing the income and expenditure of State Corporations, trading and manufacturing schemes, concerns and projects together with the balance sheet and statement of profit and loss accounts which the Governor may have required to be prepared or are prepared under the provisions of the statutory rules regulating the financing of a particular corporation, trading scheme, concern or project and the Report of the Comptroller and Auditor General of India thereon;

---

<sup>1</sup> Deleted by Notification, dated 1st September, 1987.

<sup>2</sup> Substituted by Notification, dated 28th May, 1973

(b) to examine the Statement of accounts showing the income and expenditure of such bodies the audit of which may be conducted by the Comptroller and Auditor General of India under any statute or under the directions of the Governor;

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

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

(4) 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.]

(5) <sup>1</sup>[Deleted]

### **PANCHAYATI RAJ COMMITTEE**

<sup>2</sup> [197-A. (1) As soon as may be, after the commencement of the first session of the Assembly in every year, a Panchayati Raj Committee shall be constituted.

**Constitution  
of  
Panchayati  
Raj  
Committee**

(2) The Panchayati Raj Committee shall consist of not more than \*15 members, who shall be elected by the Assembly from amongst its members according to the principle of proportional representation by means of the single transferable vote :

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

(3) The members of the committee shall hold office until a new committee is elected. They shall be eligible for re-election.

---

<sup>1</sup> Deleted by Notification, dated 28<sup>th</sup> May, 1973.

<sup>2</sup> Inserted by Notification dated 1<sup>st</sup> September, 1987.

\* Figure "15" substituted for figure "11" vide Notification dated the 24<sup>th</sup> February, 1989.

**Functions of Panchayati Raj Committee**

**197-B.** The committee shall consider the Report of the Examiner of Local Fund Accounts on the District and Taluka Panchayat Accounts :

Provided that the committee shall not consider-

- (1) matters of major Government policy,
- (2) matters of day to day administration of District and Taluka Panchayats, and
- (3) matters for the consideration of which a special machinery is established.

**Power of Committee to examine Secretaries, Heads of Department and District Development Officers.**

**197-C.** Subject to the provisions contained in the rules,-

(1) The committee may examine the Secretary to the Government, Head of the Department and District Development Officers concerned in relation to any matter coming within the purview of the committee.

(2) It shall be the duty of the Department of the Secretariat concerned to call for the necessary information and material from the panchayat concerned and supply them to the committee.]

### **COMMITTEE ON ESTIMATES**

**Constitution of Committee on Estimates.**

**198.** (1) As soon as may be, after the commencement of the first session of the Assembly in every year, a Committee on Estimates shall be constituted.

(2) The committee shall consist of not more than \* 15 members who shall be elected by the Assembly from amongst its members according to the principle of proportional representation by means of the single transferable vote :

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

(3) The members of the committee shall hold office until a new committee is elected. They shall be eligible for re-election.

---

\* Figure "15" substituted for figure "11" vide Notification dated the 24<sup>th</sup> February, 1989.

<sup>1</sup>[199. The functions of the Committee on Estimates shall be –

**Functions  
of  
Committee  
on  
Estimates.**

(a) to examine such of the estimates as may deem fit to it or as are specially referred to it by the House or the Speaker;

(b) to report what economies, improvements in organization, efficiency or administrative reforms consistent with the policy underlying the estimates may be effected and suggest measures for effecting them;

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

(d) to suggest the form in which the estimates shall be presented to the Legislature :

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

**200.** <sup>2</sup>[Deleted]

## **COMMITTEE ON PUBLIC UNDERTAKINGS**

<sup>3</sup>[200-A. (1) As soon as may be after the commencement of the first session of the Assembly in every year, a Committee on Public Undertakings shall be constituted.

**Constitution  
of  
Committee  
on Public  
Undertakings.**

(2) The committee on Public undertakings shall consist of \*15 members who shall be elected by the Assembly from amongst its members according to the principle of proportional representation by means of the single transferable vote :

Provided that a Minister shall not be a member of the committee, and that if a member, after his election to the

---

<sup>1</sup> Substituted by Notification dated the 28th May, 1973.

<sup>2</sup> Deleted by Notification dated 28<sup>th</sup> May, 1973.

<sup>3</sup> Inserted by Notification dated 10<sup>th</sup> September, 1968.

\* Figure "15" substituted for figure "11" vide G.L.S. Notification No. GVS/270/6452 dated the 24<sup>th</sup> February, 1989.

4. Deleted by Notification, dated 28<sup>th</sup> May, 1973.

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

(3) The members of the committee shall hold office until a new committee is elected. They shall be eligible for re-election.

**Functions of Committee on Public Undertakings.**

**200B.** The functions of the committee shall be-

(a) to examine the reports and accounts of the public undertakings specified in the third Schedule and such other undertakings as may be decided by the House from time to time;

(b) to examine the reports, if any, of the Comptroller and Auditor General of India on the said undertakings;

(c) to examine, in the context of the autonomy and efficiency of the public undertakings, whether the affairs of the public undertakings, are being managed in accordance with sound business principles and prudent commercial practices, and

(d) to perform such other functions vested in the Public Accounts Committee and the Estimates Committee in relation to the public undertakings specified in the Third Schedule as are not covered by clauses (a), (b) and (c) above and as may be assigned to it by 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 undertakings;

(ii) matters of day to day administration,

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

**200-C.** <sup>1</sup>[Deleted.]

**200-D.** <sup>1</sup>[Deleted.]

## COMMITTEE ON PRIVATE MEMBERS' BUSINESS

**201.** As soon as may be, after the commencement of the first session of the Assembly in every year, there shall be constituted a Committee on Private Members' Business consisting of not more than 8 members nominated by the Speaker.

Constitution  
of  
Committee  
on  
Private  
Members'  
Business.

<sup>1</sup>[**202.** (1) The functions of the committee shall be –

Functions  
of  
Committee.

(a) to recommend the time that should be allocated for the discussion of the stage or stages of each Private Members' Bill.

(b) to recommend the time that should be allocated for the discussion of the Private Members' Resolutions.

(2) The committee shall perform such other functions in respect of Private Member's Business as may be assigned to it by the Speaker from time to time.]

<sup>2</sup>[**203.** (1) As soon as may be, after the report has been presented to the House, the Chairman or any other member of the committee, may move a motion "that this House do agree with the report of the Committee."

Allocation  
of Time  
order.

(2) Any member may move an amendment to the motion moved under sub-rule (1).

(3) Not more than half an hour shall be allotted for the discussion of the motion and the amendment and no member shall be allowed to speak for more than 5 minutes.

(4) When a motion with or without amendment is passed by the House, the recommendations of the committee as approved by the House, shall be the orders of the House and shall be notified in the Bulletin.]

**204.** <sup>3</sup>[Deleted.]

**205.** At the appointed hour in accordance with the Allocation of Time Order, the Speaker shall forthwith put every question necessary to dispose of all the outstanding matters in connection with a particular stage of the Bill or in connection with the resolution <sup>4</sup>[x x x x].

Disposal of  
outstanding  
matters at  
appointed  
hour.

---

1 . Substituted by Notification, dated 28th May, 1973.

2. Substituted *ibid*.

3. Deleted by Notification, dated the 28<sup>th</sup> May, 1973.

4. The words "or other Business" deleted *ibid*.



## COMMITTEE ON SUBORDINATE LEGISLATION

**Constitution of Committee on Subordinate Legislation.** **206.** As soon as may be, after the commencement of the first session of the Assembly in every year, a Committee on Subordinate Legislation shall be constituted. The committee, shall consist of the Minister of Law, who shall be the ex-officio member, and not more than 9 other members nominated by the Speaker.

**207.** <sup>1</sup>[Deleted.]

**Functions of Committee.** **208.** <sup>2</sup>[(1) It shall be the duty of the committee to scrutinise and report to the House whether the powers to make rules, regulations, bye-laws, notifications and orders made by the State Government, in exercise of the delegated legislative powers conferred on it by the Constitution or delegated to it by the State Legislature under any law for the time being in force, have been properly exercised.]

(2) In particular and without prejudice to the generality of the foregoing powers, the committee shall consider--

- (i) whether the rules, regulations, bye-laws etc. are in accordance with the general objects of the Constitution or the Act pursuant to which they are made;
- (ii) whether they contain any matter which, in the opinion of the committee, should more properly be dealt with in an Act of Parliament or of the State Legislature;
- (iii) whether they give retrospective effect to any of the provisions in respect of which the Constitution or the Act does not expressly give any such powers;
- (iv) whether they appear to make some unusual or unexpected use of the powers conferred by the Constitution or the Act pursuant to which they are made;
- (v) whether there appears to have been unjustifiable delay in their publication. <sup>3</sup>[x x x x x]

---

1. Deleted by Notification, dated the 28<sup>th</sup> May, 1973.

2. Substituted *ibid.*

3 The words or in laying them before the Committee deleted by Notification , dated 28th May, 1973.

(vi) whether for any reason their form or purport calls for any elucidation.

**209.** <sup>1</sup>[Deleted]

**210.** Any member of the Committee on Subordinate Legislation may record a minute of dissent and the provisions of rule 135 shall apply to it.

**Minutes of dissent.**

## **COMMITTEE ON RULES**

**211.** At the commencement of the Assembly or from time to time there shall be constituted a committee called the Rules Committee consisting of the Speaker and not more than 14 other members nominated by the Speaker. The Speaker shall be the Chairman of the committee.

**Constitution of Rules Committee.**

**212.** The Rules Committee shall consider, either of its own motion or on a notice given by a member, matters of procedure and conduct of business in the House and recommend any amendments or additions to these rules that it may consider necessary :

**Functions of Rules Committee.**

<sup>2</sup>[Provided that an amendment to the Third Schedule adding a name of any public undertaking therein may be made by the Speaker on a request made in that behalf by a Minister and such amendment shall come into force on its publication in the Gazette.]

<sup>3</sup>[**213.** (1) After the report of the committee has been presented to the House, any member may, within a period of five working days from the date on which the report is presented to the House, give notice of amendment to any of the recommendations made by the committee.

**Amendments to Rules.**

(2) The recommendation in respect of which no notice of amendment is received within the prescribed time shall be deemed to have been approved by the House and the Speaker shall cause it to be published in the Gazette as amendment to the rules.

---

1. Deleted by Notification, dated the 28<sup>th</sup> May, 1973.

2. Proviso added by Notification, dated 28<sup>th</sup> May, 1973.

3. Substituted by Notification, dated 28<sup>th</sup> May, 1973.

(3) If notice of any amendment to any of the recommendations has been received within the prescribed time, such amendment may be taken up for discussion in the House on such day as the Speaker, in consultation with the Leader of the House, may appoint. If the House agrees with the amendment, the recommendation shall stand amended accordingly and the Speaker shall cause it to be published in the Gazette as amendment to the rules. If the House does not agree with the amendment, the recommendation in question shall be deemed to have been approved by the House and the Speaker shall cause it to be published in the Gazette as amendment to the rules.

(4) The amendments to the rules shall come into force on their publication in the Gazette unless otherwise specified by the House or the committee or the Speaker.]

### **COMMITTEE ON GOVERNMENT ASSURANCES**

**Constitution  
of  
Committee  
on  
Government  
Assurances.**

**214.** (1) As soon as may be, after the commencement of the first session of the Assembly in every year, there shall be constituted a Committee on Government Assurances.

(2) The committee shall consist of not more than 10 members nominated by the Speaker :

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

**Functions  
of  
Committee  
on  
Government  
Assurances.**

**215.** The Committee on Government Assurances shall scrutinise the assurances, promises and undertakings, given by Ministers, from time to time on the floor of the House and shall report-

- (a) on the extent to which such assurances, promises and undertakings have been implemented; and;
- (b) where implemented, whether such implementation has taken place within the minimum time necessary for the purpose.

## **COMMITTEE ON WELFARE OF SCHEDULED CASTES**

<sup>1</sup>[**215-A.** (1) As soon as may be, after the commencement of the first session of the Assembly in every year, there shall be constituted a Committee on Welfare of Scheduled Castes.

**Consti-  
tution of  
Committee  
on  
Welfare of  
Scheduled  
Castes.**

(2) The committee shall consist of not more than 11 members nominated by the Speaker :

Provided that out of the 11 members, to be so nominated, not less than 7 members shall be from amongst the members belonging to the Scheduled Castes :

Provided further that a Minister shall not be a member of the committee and that if a member after his nomination to the committee, is appointed a Minister he shall cease to be a member of the committee from the date of such appointment.

**215-B.** The functions of the committee shall be –

**Functions  
of  
Committee  
on Welfare  
of  
Scheduled  
Castes.**

(1) to consider the Report submitted by the Commissioner for Scheduled Castes and Scheduled Tribes under article 338 (2) of the Constitution of India in so far as it relates to the State of Gujarat and to the Scheduled Castes and to report thereon to the House suggesting measures that should be taken by the State Government in respect of matters within the purview of the State Government.

(2) to examine the measures taken by the State Government and public undertakings and statutory and semi-government bodies responsible to the State Government to secure adequate representation of the Scheduled Castes in services and posts under their control having regard to the provisions of article 335 of the Constitution of India and to report thereon to the House,

---

1. Rule 215-A to 215-F were Inserted by Notification dated 1<sup>st</sup> September, 1987.

(3) to report to the House on the implementation of the programmes undertaken by the State Government for the Welfare of the Scheduled Castes.

(4) to consider all matters relating to the welfare of the Scheduled Castes and within the purview of the State Government and to report thereon to the House.

(5) to bring to the notice of the Department of the Secretariat concerned serious incidents of harassment and collective social boycott of members of the Scheduled Castes and to make necessary recommendations to the State Government regarding proper implementation of the Protection of Civil Rights Act, 1955 and rules made there under.

(6) to examine any other matter pertaining to the Scheduled Castes which may be specially referred to the committee by the House or the Speaker and to report thereon to the House.

### **COMMITTEE ON WELFARE OF SCHEDULED TRIBES**

**Constitution of Committee on Welfare of Scheduled Tribes.**

**215-C.** (1) As soon as may be, after the commencement of the first session of the Assembly in every year, there shall be constituted a Committee on Welfare of Scheduled Tribes.

(2) The committee shall consist of not more than 11 members nominated by the Speaker :

Provided that out of the 11 members to be so nominated, not less than 7 members shall be from amongst the members belonging to the Scheduled tribes :

Provided further that a Minister shall not be a member of the committee and that if a member after his nomination to the committee, is appointed a Minister, he shall cease to be a member of the committee from the date of such appointment.

**Functions of Committee on Welfare of Scheduled Tribes.**

**215-D.** The functions of the committee shall be—

(1) to consider the report submitted by the Commissioner for Scheduled Castes and Scheduled Tribes under article 338 (2) of the Constitution of India in so far as it relates to the State of Gujarat and to the Scheduled Tribes and to report thereon to the House suggesting measures that should be taken by the State Government in respect of matters within the purview of the State Government.

(2) to examine the measures taken by the State Government and public undertakings and statutory and semi-Government bodies responsible to the State Government to secure adequate representation of the Scheduled Tribes in services and posts under their control having regard to the provisions of article 335 of the Constitution of India and to report thereon to the House,

(3) to report to the House on the implementation of the programmes undertaken by the State Government for the welfare of the scheduled tribes,

(4) to consider all matters relating to the welfare of the Scheduled tribes and within the purview of the State Government and to report thereon to the House,

(5) to bring to the notice of the Department of the Secretariat concerned serious incidents of harassment and collective social boycott of members of the Scheduled Tribes,

(6) to examine any other matter pertaining to the Scheduled tribes which may be specially referred to the committee by the House or the Speaker and to report thereon to the House.

### **COMMITTEE ON WELFARE OF SOCIALLY AND EDUCATIONALLY BACKWARD CLASSES**

**215-E.** (1) As soon as may be, after the commencement of the first session of the Assembly in every year, there shall be constituted a committee on Welfare of Socially and Educationally Backward Classes.

(2) The committee shall consist of not more than 11 members nominated by the Speaker :

Provided that out of the 11 members to be so nominated not less than 7 members shall be from amongst the members belonging to the Socially and Educationally Backward Classes and Nomadic tribes and Denotified Tribes :

Provided further that a Minister shall not be a member of the committee and that if a member after his nomination to the committee is appointed a Minister, he shall cease to be a member of the committee from the date of such appointment.

**Constitution of Committee on Welfare of Socially and Educationally Backward Classes.**

**Functions of Committee on Welfare of Socially and Educationally Backward Classes.**

**215-F.** The functions of the committee shall be—

(1) to examine the measures taken by the State Government, and public undertakings and statutory and semi-Government bodies responsible to the State Government to secure adequate representation of the Socially and Educationally Backward Classes in the services and posts under their control and to report thereon to the House,

(2) to make a report to the House on the implementation of the programmes undertaken by the State Government for the welfare of the Socially and Educationally Backward Classes and Nomadic tribes and Denotified Tribes.

(3) to consider all matters relating to the welfare of the socially and educationally backward classes and Nomadic Tribes and Denotified tribes coming within the purview of the State Government and to report thereon to the House,

(4) to examine any other matters pertaining to the Socially and Educationally Backward Classes and Nomadic Tribes and Denotified Tribes which may be specially referred to the committee by the House or the Speaker and to make a report thereon to the House.]

### **COMMITTEE ON ABSENCE OF MEMBERS**

**Constitution of Committee on Absence of Members.**

**216. (1)** As soon as may be, after the commencement of the first session of the Assembly in every year, there shall be constituted a Committee on Absence of Members.

(2) The committee shall consist of not more than 8 members nominated by the Speaker.

**Functions of Committee on Absence of Members. Decision of House.**

**217. (1)** The functions of the committee shall be :--

(i) to consider all applications from members for leave of absence from the sitting of the House; and

(ii) <sup>1</sup>[to consider every application for condonation of absence] where a member has been absent

---

1. These words substituted for the original words "to examine every case" by Notification, dated 28<sup>th</sup> May, 1973.

for a period of sixty days or more, without permission, from the sittings of the House and to report whether the absence should be condoned or circumstances of the case justify that the House should declare the seat of the member vacant.

(2) The committee shall perform such other functions in respect of attendance of members in the House as may be assigned to it by the Speaker from time to time.

<sup>1</sup>[**218.** (1) As soon as may be, after the report of the committee has been presented to the House, the Chairman or any other member of the committee may move that the House agrees with the recommendation of the committee. **Decision of House.**

(2) Any member may move an amendment to the motion moved under sub-rule (1).]

### **M.L.A.'S HOSTEL COMMITTEE**

<sup>2</sup>[**218A.** (1) As soon as may be after the commencement of the first session of the Assembly in every year, there shall be constituted a M.L.A.'s Hostel Committee. **Constitution of M.L.A.'s Hostel Committee.**

(2) The Committee shall consist of not more than 15 members nominated by the Speaker.

<sup>3</sup>[**218B.** (1) The functions of the committee shall be :- **Functions of M.L.A.'s Hostel Committee.**

(i) to deal with all questions relating to residential accommodation for members in the M.L.A.'s Hostel at Gandhinagar; and

(ii) to exercise supervisions over facilities for accommodation, food, including catering arrangement at the Sadasyanivas Bhojanalaya and Vidhansabha Canteen and other amenities accorded to members in the M.L.A.'s Hostel, Gandhinagar..

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

**218BB.** (1) Proceedings in brief and the decisions taken at the sittings of the committee shall be recorded. **Proceedings and report of Committee.**

---

1. Rule 218 substituted for original rule 218 and 219 by Notification dated 28<sup>th</sup> May, 1973.

2. Rule 218-A to 218-E were Inserted by Notification dated 1<sup>st</sup> September, 1987.

3. Substituted by G.L.S. Notification, dated 9<sup>th</sup> March, 1988



(2) The report containing decisions of the committee shall be prepared by the Secretary and shall be circulated to the members of the committee after it is approved by the Chairman.

(3) The report of the committee shall be forwarded to the appropriate authority for taking necessary action.]

### **COMMITTEE ON PAPERS LAID ON THE TABLE OF THE HOUSE**

**Constitution of Committee on Papers Laid on the Table of the House.**

**218C.** (1) As soon as may be, after the commencement of the first session of the Assembly in every year, there shall be constituted a Committee on Papers laid on the Table of the House consisting of not more than 11 members nominated by the Speaker.

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

**Functions of Committee on Papers Laid on the Table of the House.**

**218D.** (1) The functions of the committee shall be to examine all papers laid on the Table of the House by Ministers and to report to the House on—

- (a) whether there has been compliance of the provisions of the Constitution, Act, rule or regulation under which the paper has been laid;
- (b) whether there has been any unreasonable delay in laying the paper;
- (c) if there has been such delay, whether a statement explaining the reasons for delay has been laid on the Table of the House and whether those reasons are satisfactory;
- (d) whether both the English and Gujarati versions of the paper have been laid on the table of the House;
- (e) whether a statement explaining the reasons for not laying the English/Gujarati version has been given and whether such reasons are satisfactory.

(2) The committee shall perform such other functions in respect of the papers laid or required to be laid on the Table of the House as may be assigned to it by the Speaker from time to time.

**218E.** A member wishing to raise any of the matters **Restrictions**

referred to in sub-rule (1) of rule 218-D shall refer it to the Committee and not raise in the House.]

on raising matters in the House about papers laid.

**219.** <sup>1</sup>[Deleted]

(For rules relating to Committee on Petitions and Privileges Committee please see Parts XVII and XVIII respectively).

**PART - XVI**  
**FINANCIAL BUSINESS**

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

Presentation of Budget, Discussion of Budget.

(2) No discussion of the Budget shall take place on the day on which it is presented.

<sup>2</sup>[**221.** (1) The Speaker, in consultation with the Leader of the House shall, not earlier than 5 days from the day on which the Budget is presented, appoint days not exceeding 4 in number and on the days so appointed, 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 submitted to the vote of the Assembly.]

General Discussion.

<sup>3</sup>[(2) The Finance Minister shall have a general right of reply at the end of the general discussion on the Budget.]

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

Discussion on Budget.

- (i) a general discussion, and
- (ii) the voting of demands for grants.

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

Form in which Budget may be presented.

Provided that Government may include in one demand

---

1. dated by Notification dated 28<sup>th</sup> May, 1973.  
2. Renumbered by Notification dated 28<sup>th</sup> May, 1973.  
3 . Sub-rule (2) added by Notification, dated 28<sup>th</sup> May, 1973.

grants proposed for two or more departments or make one demand in respect of expenditure such as famine relief and interest, which cannot readily be classified under any particular demand.

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

(3) Subject to the provisions of sub-rule (1) and (2) of this rule, the Budget shall be presented in such form as the Finance Minister may, having regard to the suggestions, if any, made by the Estimates Committee in this behalf, consider best fitted for its Consideration by the Assembly.

New service  
or  
New  
instrument  
of service  
or  
grant-in-aid  
or loan.

<sup>1</sup>[224. When a demand or any part thereof relates to any new service or new instrument of service or grant-in-aid or loan and the expenditure to be incurred on that service or instrument of service or grant-in-aid or loan exceeds the financial limit recommended by the Estimates Committee for the purpose, all material details in respect of that service or instrument of service or grant-in-aid or loan shall, save in special circumstances, be supplied to all members at least three days before the demand is made.]

225. <sup>2</sup>[Deleted.]

Allotment  
of days for  
discussion  
and voting  
of demands  
for grants  
and order  
of  
discussion.

<sup>3</sup>[226. (1) The Speaker shall, in consultation with the Leader of the House, allot not more than 18 days for the discussion and voting of demands for grants.

(2) The demands for grants shall be discussed in such order as the Speaker may direct.

Cut  
motions.

227. (1) Any of the following kinds of cut motions may be moved to any demand for grants:-

(a) "that the amount of the demand be reduced to Re.1/" representing disapproval of the policy underlying the demand. Such a cut motion shall be known as

---

1. Substituted vide .Notification dated 1<sup>st</sup> May, 1971.

2 . Deleted by Notification, dated 28<sup>th</sup> May, 1973.

3 . Rule 226, 227 and 228 substituted for original rules 226 to 228 by Notification dated 28<sup>th</sup> May, 1973.

“Disapproval of Policy Cut”. A member, by giving notice of such a cut motion shall indicate in precise terms the particulars of the policy which he proposes to discuss. The discussion shall be confined to the specific point or points mentioned in the notice and it shall be open to members to advocate an alternative policy.

(b) “that the amount of the demand be reduced by a specified amount” representing the economy that can be effected. Such specified amount may be either a lump sum reduction in the demand or omission or reduction of an item in the demand. Such a cut motion shall be known as “Economy Cut”. The notice shall indicate briefly and precisely the particular matter on which discussion is sought to be raised and speech shall be confined to the discussion as to how economy can be effected;

(c) "that the amount of the demand be reduced by Rs. 100/-" in order to ventilate a specific grievance which is within the sphere of the responsibility of the Government. Such a cut motion shall be known as “Token Cut” and the discussion thereon shall be confined to the particular grievance specified in the cut motion.

(2) Notice of cut motion shall be given three days before the demand for grant to which it relates is made.

(3) When several cut motions relating to the same demand have been proposed, they shall be discussed in such order as the Speaker may direct.

(4) The provisions of rule 97 shall mutatis mutandis apply to cut motions.

**228.** (1) On a day allotted for discussion and voting of demands for grant, at the time appointed by the Speaker for the adjournment of the House, all discussion shall terminate and the Speaker shall forthwith put every question necessary to dispose of the demand under discussion and the outstanding demands, if any, shown in the list of Business for the day. **Discussions and voting of demands for grants.**

(2) On the last day of the days allotted for discussion and

voting of demands for grants, one hour before the time appointed by the Speaker for the adjournment of the House, all discussion shall terminate and the Speaker shall forthwith put every question necessary to dispose of all the outstanding matters in connection with the demands for grants.

**Demands for grants may be made for reduced amount.**

**229.** (1) A demand for a grant may be made for the amount shown in the budget or for a reduced amount.

(2) At any time before the question upon a demand for a grant has been put, the Minister making the demand may inform the Assembly that he wishes to make the demand for the grant of an amount smaller than that originally asked for by him. In that case, the question upon the demand for a grant of the reduced amount alone shall be put.

**On day of voting of demands for grants no other business allowed.**

**230.** On a day allotted for the voting of demands for grants, no other business shall be taken up except with the consent of the Speaker :

Provided that nothing in this rule shall be deemed to prohibit the asking and answering of questions during the time allowed under these rules.

**231.** <sup>1</sup>[*Deleted.*]

**Further Statement of Expenditure.**

**232.** (1) On a day fixed by the Speaker in consultation with the Leader of the House before last day of the days allotted by them for the moving of demands for grants, further demands for grants may be moved :

Provided that they are required for the purposes which in the opinion of the Government are of a very urgent nature.

(2) Such demands shall be classified according to the original demands for grants, the details being shown by sub-heads of appropriation under each grant.

(3) The procedure as is applicable in the case of a demands for grants shall, subject to such modifications, additions or omissions as the Speaker may deem fit, apply to such further demands.

**233.** (1) If any money has been spent on any service **Excess**

---

1. Deleted by Notification dated 28<sup>th</sup> May, 1973.

during a financial year in excess of the amounts granted for demands. that service and for that year, a demand for such excess shall be presented to the Assembly on such day as the Governor may appoint.

(2) The Speaker in consultation with the Leader of the House shall allot a day not earlier than 5 days after the day allotted under sub-rule (1) for the discussion and voting of such demands.

(3) The discussion on such demand shall be confined to the items constituting the demand and no discussion shall be permitted on the original grant or on the policy underlying it.

(4) Except as otherwise provided in this rule, the procedure as is applicable in the case of demands for grants shall, subject to such modifications, additions or omissions as the Speaker may deem fit, apply to demands for such excess.

**234.** (1) A supplementary statement of expenditure, if any, Supplement ary demands. shall be laid before the Assembly on such day as the Governor may appoint.

(2) The Speaker, in consultation with the Leader of the House, shall allot one or more days not earlier than 5 days after the day allotted under sub-rule (1)--

- (a) for voting on the demands for supplementary grants, or
- (b) for discussion of the estimates of the expenditure charged upon the Consolidated Fund of the State, or
- (c) for both such voting and discussion, as the case may be.

(3) The discussion of a supplementary grant shall be confined to the items constituting the grant and no discussion shall be permitted on the original grants or on the policy underlying these grants.

(4) One Hour before the time appointed by the Speaker for the adjournment of the Assembly on the day or the last of such days, as the case may be, allotted, under sub-rule(2), all discussion shall terminate and the Speaker shall forthwith put every question necessary to dispose of all the outstanding

matters in connection with the demands for supplementary grants.

(5) Notice of motion to reduce any Supplementary grant or to omit or to reduce any item in a supplementary grant shall be given three days before the demand to which they relate is made.

(6) Except as otherwise provided in this rule, the procedure as is applicable in the case of demands for grants shall, subject to such modifications, additions or omissions as the Speaker may deem fit, apply to supplementary demands.

**Token demands.**

**235.** When funds to meet proposed expenditure on a new service can be made available by re-appropriation, a demand for the grant of a token sum may be submitted to the vote of the Assembly and if the Assembly assents to the demand, funds may be so made available.

**Vote on account.**

**236.** (1) On any day subsequent to the presentation of the budget <sup>1</sup>[x x x x x] a motion may be made for any grant in advance in respect of the estimated expenditure for a part of any financial year.

(2) Such motion shall state the total sum required and the various amounts needed for each department or item of expenditure which composed that sum shall be stated in a schedule appended to the motion.

(3) <sup>2</sup>[Deleted]

(4) Discussion of a general character shall be allowed on the motion <sup>3</sup>[x x x x x] but the details of the grants shall not be discussed further than is necessary to develop the general points.

(5) In other respects, the procedure as is applicable in the case of demands for grants shall, subject to such modifications, additions or omissions as the Speaker may deem fit, apply to such motion.

**237.** (1) At any time during the financial year, a motion **Vote of credit or**

---

1. The word "but before 31<sup>st</sup> March" deleted by Notification dated 1<sup>st</sup> September, 1987.

2. Deleted by Notification dated 28<sup>th</sup> May, 1973.

3. The words "or any amendments moved thereto" deleted by Notification dated 28<sup>th</sup> May, 1973.

may be made for a grant for meeting an unexpected demand upon the resources of the State or for an exceptional grant as contemplated in sub-clauses (b) and (c) of clause (1) of article 206 of the Constitution.

(2) The procedure as is applicable in the case of demands for grants shall, subject to such modifications, additions or omissions, as the Speaker may deem fit, apply to such exceptional grants and votes of credit.

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

(2) At any time after the introduction of an Appropriation Bill, the Speaker may allot a day or days for the completion of all or any of the stages involved in the passage of the Bill by the Assembly.

(3) One hour before the time appointed by the Speaker for the adjournment of the Assembly on the day or the last of such days, as the case may be, allotted under sub-rule (2), all discussion shall terminate and the Speaker shall forthwith put every question necessary to dispose of all outstanding matters in connection with the stage or stages for which the day or days have been allotted.

(4) The debate on an Appropriation Bill shall be restricted to matters of public importance or administrative policy implied in the grants covered by the Bill which have not already been raised while the relevant demands for grants were under consideration.

(5) The members desiring to take part in the discussion on an Appropriation Bill shall, on the day preceding the day allotted for discussion on the Appropriation Bill, give advance intimation to the Speaker of the specific points they intend to raise and the Speaker 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.

(6) If an Appropriation Bill is in pursuance of a



supplementary grant in respect of an existing service, the discussion shall be confined to the items constituting the same and no discussion shall be raised on the original grant nor the policy underlying it save in so far as it may be necessary to explain or illustrate a particular item under discussions.

**Time limit for disposal of financial business.**

<sup>1</sup>[**239.** In addition to the powers given to the Speaker under these rules, the Speaker shall have all such power as are necessary for the purpose of the timely completion of all financial business including allotment of time for the disposal of various kinds of such business and where time is so allotted, he shall, at the appointed hour, forthwith put every outstanding matter in connection with the stage or stages for which time has been allotted.]

## **PART - XVII**

### **PETITIONS**

**Scope of petitions.**

**240.** Petitions may be presented or submitted to the House with the consent of the Speaker on—

- (i) a bill which has been published under rule 127A or which has been introduced in the House,
- (ii) any matter connected with the Business pending before the House; and
- (iii) any matter of general public interest 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 statutory tribunal or authority or a quasi-judicial body or a commission,
  - (b) which relates to a matter which is not within the cognizance of the State Government,
  - (c) which can be raised on a substantive motion or substantive resolution; or
  - (d) for which remedy is available under the rules,

---

1. Substituted by Notification, dated 28<sup>th</sup> May, 1973.

regulations, bye-laws, made by the Central Government or by State Government or an authority to whom power to make such rules, regulations etc. is delegated.

**241. Petitions to the Assembly—**

**Form and contents**

- (a) must be addressed to the Assembly,
- (b) must be in respectful and temperate language;
- (c) must not contain any offensive or defamatory expressions;
- (d) must be signed by the petitioner or petitioners;
- (e) must conclude with a prayer reciting the definite object of the petition; and
- (f) must be countersigned by the member desiring to present it.

**242. No document shall be attached to a petition.**

**Documents not to be attached to the petitions.**

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

**To be presented by member.**

**244.** <sup>1</sup>[A member who desires to present a petition shall give advance intimation to the Secretary of his intention to present the petition and shall forward a copy of the petition to the Secretary. If the Speaker gives consent to the petition, the member may present it on any day after questions and before the other business for the day is entered upon.]

**Presen-tation.**

**245. A member presenting a petition shall confine himself to a statement in the following form :-**

**Member Presenting may make brief statement.**

“I present a petition signed by ..... petitioners, regarding .....”

No debate shall be permitted on such statement.

**246. Every petition, after Presentation by a member, shall be referred to the Committee on Petitions.**

**Reference to Committee on petitions.**

## **COMMITTEE ON PETITIONS**

---

<sup>1</sup> 1. For Rule 244 and 248 new rule 244 & 248 substituted vide Notification dated the 1<sup>st</sup> April, 1989.

Consti-  
tution of  
Committee  
on  
Petitions.

**247.** (1) As soon as may be, after the commencement of the first session of the Assembly in every year, a Committee on Petitions shall be constituted by the Speaker.

(2) The committee shall consist of the Deputy Speaker, who shall be the Chairman, and not more than 7 other members nominated by the Speaker.

Functions  
of  
Committee  
on  
Petitions.

**248.** <sup>1</sup>[(1) The Committee on Petitions shall examine every petition referred to it and if the petition complies with the rules, the Committee may direct that it be circulated amongst the members of the House. Where circulation of the petition has not been directed, the Speaker may, at any time, direct that the petition be circulated.

(2) Circulation of the petition shall be in extenso or in summary form as the Committee or the Speaker, as the case may be, may direct.

(3) It shall also be the duty of the Committee to report to the House on specific complaints made in the petition referred to it after taking such evidence as it deems fit and to suggest remedial measures either in a concrete form applicable to the case under review or to prevent such case in future.]

## **PART XVIII PRIVILEGES**

### *Questions of Privilege.*

Bringing  
question  
of breach of  
privilege or  
contempt to  
the notice  
of House.

**249.** An alleged breach of privilege of a member or of the House or of a committee thereof or an alleged contempt of the House may, with the consent of the Speaker, be brought to the notice of the House:--

- (a) by a complaint from a member, or
- (b) by a report from the Secretary, or
- (c) by a special report from a committee;

Provided that if a breach of privilege or a contempt is committed in the actual view of the House, the House may take action without any one formally bringing the matter to the notice of the House.

**250.** A member, desiring to bring to the notice of the **Notice by member.**

---

1. For Rule 244 and 248 new rule 244 & 248 substituted vide Notification dated the 1<sup>st</sup> April, 1989.

House a question of breach of privilege or contempt of the House, shall give notice in writing to the Secretary and if the question is based on a document and if the document is in possession or power of, or under the control of the member, the notice shall be accompanied by the document;

<sup>1</sup>[Provided that if the complaint is against a member, the member desiring to raise the question of privilege in the House shall give previous intimation to the member affected.]

**251.** The right to raise a question of breach of privilege or contempt shall be subject to the following conditions, viz.,

**Conditions  
for  
admissi-  
bility.**

- (i) the question shall be restricted to a specific matter of recent occurrence and the notice thereof shall be given at the earliest opportunity;
- (ii) there is prima facie case of breach of privilege or contempt;
- (iii) the matter requires the intervention of the House.

**252.** (1) The Speaker, if he gives consent under rule 249, and holds that the matter proposed to be discussed is in order, shall, after the questions and before the list of business is entered upon, call the member concerned, who shall rise in his seat and, while asking for leave to raise the question of privilege, make a short statement relevant thereto;

**Mode of  
raising  
question of  
privilege.**

Provided that where the Speaker has refused his consent under rule 249 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) After the member has asked for leave of the Assembly to raise the question of privilege, the Speaker shall ask whether the member has the leave of the Assembly. If

---

1. Proviso added by Notification dated 28<sup>th</sup> May, 1973.

objection is taken, the Speaker shall request those members who are in favour of leave being granted to rise in their seats, and if 10 members rise accordingly, the Speaker shall intimate that leave is granted. If less than 10 members rise, the Speaker shall inform the member that he has not the leave of the Assembly.

**Procedure after leave is granted.**

**253.** After leave is granted or after a question of breach of privilege or contempt has been brought to the notice of the House by a report from the Secretary or by a special report from a committee, the Speaker may,--

(i) if he is of the opinion that the matter is such as may be disposed of by the House, ask the member making the complaint or any other member to move a motion that the matter be taken into consideration forthwith or on some future day;

(ii) refer the matter to the Committee of Privileges;

(iii) inform the House that he will write to the party concerned asking him what he has to say in the matter and then bring the matter again before the House at the earliest opportunity <sup>1</sup>[for such action as the House may consider necessary].

## **COMMITTEE OF PRIVILEGES**

**Constitution of Committee of privileges.**

**254.** At the commencement of the Assembly or from time to time, as the case may be, the Speaker shall constitute a Committee of Privileges. The committee shall consist of not more than 7 members nominated by the Speaker.

**Examination of question by committee.**

**255.(1)** The committee shall examine every question referred to it, and after giving an opportunity to the persons concerned to explain their cases, determine with reference to the facts of each case, whether a breach of privilege is involved and, if so, the nature of the breach, the circumstances leading to it, and make a report to the Assembly.

(2) Subject to the provisions of sub-rule (1) of this rule, the

---

1. Substituted by Notification dated 1<sup>st</sup> September, 1987.

report may also state the procedure to be followed by the Assembly in giving effect to the recommendations made by the committee.

**256.** If any member of the committee desires to record a minute of dissent, he shall submit within such time as may be fixed by the committee in that behalf and the provisions of rule 135 shall apply to it. **Minute of dissent.**

**257.** (1) After 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. **Consideration of report.**

(2) Any other member may move an amendment that the question be recommitted to the committee either without limitation or with reference to any particular matter.

**258.** (1) After the motion that the report be taken into consideration is agreed to by the House, <sup>1</sup>[the Minister for Parliamentary Affairs or in his absence any other Minister] may move a motion clearly indicating whether a breach of privilege or a contempt has been committed and also indicating the action to be taken by the House. **Substantive motion.**

(2) Any other member may move an amendment to the motion moved under sub-rule (1).

**259.** The person charged to have committed breach of privilege or contempt shall ordinarily be given an opportunity of being heard before he is adjudged guilty. **Opportunity of being heard to person charged.**

Provided that if the matter has been referred to the Committee of Privileges and the person charged was given an opportunity of being heard before the committee, it shall not be necessary for the House to give him another opportunity unless the House otherwise directs.

**Summons to be signed by** <sup>2</sup>[**260.** A summons, requiring the person charged to have committed a breach of privilege or contempt of the House to

---

1. These words were substituted for the original words "the Chairman or any member of the Committee or any member" by Notification dated 28<sup>th</sup> May, 1973.

2. And 2 substituted by Notification dated 1<sup>st</sup> September, 1987.

**Secretary.** appear before the House or the Committee of Privileges at any stage of the proceedings, shall be signed by the Secretary.

**Warrant of arrest to be signed by Speaker.** **260A.** A warrant of arrest of the person charged to have committed a breach of privilege or contempt of the House shall be signed by the Speaker.]

**Execution of order.** **261.** The orders of the House shall be executed by the Speaker or any other person, authorized by him in that behalf.

**Regulation of Procedure.** **262.** 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 the question of privilege either in the Committee or in the Assembly.

**Power of Speaker to refer question of privilege to committee.** **263.** Notwithstanding anything contained in these rules, the Speaker may refer any question of privilege to the Committee of Privileges <sup>2</sup>[for examination, investigation and report.]

(b) intimation to Speaker of arrest, detention etc; and release of a member.

**Intimation to Speaker of arrest, detention etc. of member.** **264.** When a member of the Assembly is arrested on a criminal charge or for a criminal offence or is sentenced to imprisonment by a court or is detained under an executive order, the committing judge, magistrate or executive authority, as the case may be, shall immediately intimate such fact to the Speaker indicating the reasons for the arrest, conviction or detention, as the case may be, as also the place of imprisonment or detention of the member in the appropriate form set out in the Second Schedule.

**Intimation to Speaker on release of member.** **265.** When a member of the Assembly is released on bail pending his trial or pending an appeal against his conviction or otherwise, such fact shall also be intimated to the Speaker by the authority concerned in the appropriate form set out in the Second Schedule.

**266.** As soon as may be, the Speaker shall, after he has received a communication referred to in rule 264 or rule 265, deal with it in the following manner:--

**Treatment of communications received.**

(i) if the said arrest, detention or imprisonment takes place when the House is in session, the Speaker shall communicate such fact to the House. If the member is released subsequently while the House is still in session, the said fact also shall be communicated to the House,

(ii) if a member who is arrested, detained or imprisoned during the period when the House is not in session, continues to be under such arrest, detention or imprisonment after the House commences its session, the Speaker shall communicate such fact to the House. If the member is released subsequently while the House is still in session, the said fact also shall be communicated to the House.

<sup>1</sup>[(iii) Deleted.]

(c) Procedure regarding service of a legal process and arrest within the precincts of the House.

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

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

## **PART - XIX**

### **RESIGNATION OF SEATS IN ASSEMBLY**

**269.** (1) A member who desires to resign his seat in the Assembly shall intimate, in writing under his hand, addressed to the Speaker, his intention to resign his seat in the Assembly in the following form and shall not give any reason for his resignation :-- **Resignation of seats in Assembly**

“To

The Speaker,

Gujarat Legislative Assembly,

---

1. Deleted vide Notification dated 1<sup>st</sup> May, 1973.



Gandhinagar.

Sir,

I hereby tender my resignation of my seat in the Assembly with effect from ..... forenoon/afternoon.

Date .....

Place .....

Yours faithfully,

Member of the  
Legislative Assembly.”

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

(2) The Speaker shall, after he receives an intimation in accordance with sub-rule (1), satisfy himself that the document received by him is genuine and as soon as may be after he is so satisfied, inform the Assembly that such and such a member has resigned his seat in the Assembly :

Provided that when the Assembly is not in session, the Speaker shall inform the Assembly immediately after the Assembly reassembles that such and such a member has resigned his seat in the Assembly during the inter-session period.

(3) 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 Chief Electoral Officer and to the Election Commission for taking steps to fill the vacancy thus caused.

## **PART - XX**

### **SUBORDINATE LEGISLATION**

<sup>1</sup>[270. Where a rule, regulation, bye-law, notification or order made by the State Government in exercise of the powers conferred by the Constitution or delegated by Parliament or by the State Legislature under an Act is required to be laid before the House, the Minister concerned shall lay it on the Table of the House during a session and such document shall remain on the Table of the House for the period specified in the Constitution or the relevant Act. In computing the said period, no account shall be taken of any period during which the House is dissolved, prorogued or adjourned for more than 4 consecutive days.

Computing period for which rule, regulation, bye-law notification laid on the Assembly Table.

271. }  
 272. } <sup>2</sup>[Deleted.]  
 273. }

## PART-XXI

### LEAVE OF ABSENCE FROM THE SITTINGS OF THE HOUSE

**274.** (1) A member desiring permission of the House to remain absent from the sitting thereof under clause (4) of article 190 of the Constitution shall make an application in writing to the Speaker.

Application for leave of absence.

(2) An application under sub-rule (1) shall specify the period for which leave of absence is required indicating also the date of commencement and of termination of such leave of absence and the grounds for it.

**275.** All applications under rule 274 shall stand referred to the Committee on Absence of Members from the Sitting of the House.

Application to be referred to Committee.

(for Committee on Absence of Members please see Part XV)

Decision of House communicated to

**276.** The Secretary shall, as soon as may be after a decision has been signified by the House on the recommendations of the committee in respect of an

1. Substituted by Notification dated 28<sup>th</sup> May, 1973.  
 2. Rules 271 to 273 deleted *ibid*.

member. application for leave of absence, communicate it to the member.

277. <sup>1</sup>[Deleted]

Declaring  
seat vacant  
under  
article  
190(4)

278. (1) The seat of a member may be declared vacant under clause (4) of article 190 of the Constitution on a motion moved 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 is carried, the Secretary shall cause the information to be published in the Gazette and forward a copy of the notification to the member concerned and to the Chief Electoral Officer and the Election Commission for taking steps to fill the vacancy thus caused.

Attendance  
Book of  
members.

279. There shall be an Attendance Book which shall be signed every day by the members (other than the Speaker, Ministers, Deputy Ministers and Parliamentary Secretaries) who have attended the sitting of the House on the day. A member who has not signed the Attendance Book on any day shall be presumed to have been absent from the sitting of the House on that day :

Provided that a member who has attended the sitting of the House on a particular day but has not signed the Attendance Book, may be allowed to sign the Attendance Book on any subsequent day on his satisfying the Secretary about his attending the sitting of the House on that day.

## PART - XXII

### MISCELLANEOUS

Custody of  
documents  
and  
supply of  
certified  
copies  
thereof.

280. (1) The Secretary shall have the custody of all documents belonging to the House or to any of its Committees or to the Gujarat Legislature Secretariat and he shall not permit any such documents to be taken outside the Gujarat Legislature Secretariat without the permission of the Speaker.

(2) The Speaker may, if he thinks proper, on an application received from a member or any other person for a certified copy of extracts from the proceedings of the House or a copy

---

1. Deleted by Notification dated 28<sup>th</sup> May, 1973.

of any document referred to in sub-rule (1) or an extract there from, permit a copy thereof to be given to the applicant on payment of the copying charges to be prescribed by the Speaker in this behalf.

(3) If the Speaker considers that specific approval of the House is necessary for allowing any document referred to in sub-rule (1) to be taken outside the Gujarat Legislature Secretariat or for giving a certified copy of any thing referred to in sub-rule (2), he may refer the matter to the House for its approval.

**281.** If any department of Government wants to distribute any papers to the members when the House is sitting, it shall send sufficient number of copies thereof to the Gujarat Legislature Secretariat and such papers may, with the permission of the Speaker, be distributed to the members.

Papers to be distributed to members.

<sup>1</sup>[**282.** The admission to the precincts of the House and its Estate during the sitting of the House or otherwise shall be regulated in accordance with regulations or orders made by the Speaker.]

Admission to precincts of House.

**283.** The Speaker, whenever he thinks fit, may order the strangers to withdraw or any gallery to be cleared.

Powers to order withdrawal of strangers.

**284.** (1) The Secretary shall attend at every sitting of the Assembly and a Select Committee appointed under rule 132, or any committee thereof and in addition to the other duties specified in the rules, it shall be his duty :-

Duties of Secretary.

- (a) to keep the records of the Assembly;
- (b) to keep minute book in which he shall enter a summary of the proceedings of the Assembly in the order in which they occur;
- (c) to keep a minute book in which he shall enter a summary of the proceedings of the Select Committee appointed under rule 132, in the order in which they occur;
- (d) to assist the Assembly and the committees appointed by it, in all work connected with their

---

1. Substituted by Notification dated 28<sup>th</sup> May, 1973.

duties.

(2) Subject to the orders of the Speaker, the Secretary may authorize any of his assistants to perform such of his duties as he may direct.

## **PARTS - XXIII**

### **SECRET SITTINGS OF THE HOUSE**

**Secret sitting.**

**285.** The Speaker may, if he deems it expedient, and shall on a request made by the Leader of the House, fix a day or part thereof for sitting of the House in secret.

(2) When the House sits in secret, no stranger shall be permitted to be present in the House, lobby or galleries.

Provided that persons authorized by the Speaker may be present in the chamber, lobby or galleries.

**Report of proceedings.**

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

**Procedure in other respects.**

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

**Lifting ban of secrecy.**

**288.(1)** When it is considered that the necessity for maintaining secrecy in regard to the proceedings of a secret sitting has ceased to exist, the Leader of the House or any member authorized by him may, with the consent of the Speaker, move a motion that the proceedings in the House during a secret sitting be no longer treated as secret.

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

## **PART - XXIV**

## **REPEAL AND SAVINGS**

**289.** On the commencement of these rules, the Gujarat Legislative Assembly Rules in force immediately before such commencement shall stand repealed : **Repeal and savings.**

Provided that anything done or any action taken under any of the rules so repealed shall be deemed to have been done or taken under the corresponding provisions of these rules.

<sup>1</sup>[ FIRST SCHEDULE ] deleted.

### **SECOND SCHEDULE**

[ See rule 264 and 265 ]

---

<sup>1</sup> Deleted vide GLS Notification ,dated 3rd September,1969.

Form of communication regarding arrest, conviction, detention or release, as the case may be, of a member

Place \_\_\_\_\_

Date \_\_\_\_\_

To,

The Speaker,  
Gujarat Legislative Assembly,  
Gandhinagar

Dear Sir,

**A**

I have the honour to inform you that I have found it my duty, in the exercise of my powers under Section ..... of the ..... (Act), to direct that Shri ..... member of the Gujarat Legislative Assembly be @ arrested / detained for .....

(Reasons for the arrest or detention as the case may be)

Shri ..... 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 Gujarat Legislative Assembly was tried at the ..... Court [before me on a charge (or charges) of ..... reasons for the conviction.]

---

<sup>1</sup> Deleted vide Notification ,dated 3rd September,1969.

@ Strike out whichever is not applicable.

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

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

**C**

I have the honour to inform you that Shri ..... member of the Gujarat Legislative Assembly .

@ arrested and/or detained on ..... (date) who was .....

@ convicted and imprisoned for .....  
(reasons for arrest)

for ..... was  
(reasons for conviction)

@ released by Government/me.

@ released on bail pending trial,

@ released on bail pending appeal,

@ released on the sentence being set aside on appeal.

@ released on completions of his term of imprisonment.

@ discharged by the court.

@ acquitted by the court.

on ..... (date)

Yours faithfully,

(Judge,  
Magistrate or  
Executive  
Authority).

---

\$ Name of the Court  
@ Strikeout whichever is not applicable.



<sup>1</sup>[THIRD SCHEDULE]

(See rule 200-B)

- <sup>1</sup>[1 Gujarat State Electricity Board  
2 Gujarat State Road Transport Corporation  
3 Gujarat Housing board  
4 Gujarat State Financial Corporation  
5 Gujarat State Industrial Development Corporation  
6 Gujarat State Mineral Development Corporation  
7 Gujarat State Warehousing Corporation  
8 Gujarat State Khadi and Village Industries Board]  
<sup>2</sup>[9 Deleted]  
<sup>3</sup>[10 Gujarat Export Corporation Ltd.  
11 Gujarat Industrial Investment Corporation]  
<sup>4</sup>[12 Gujarat Agro-Industries Corporation Ltd.  
13 Gujarat State Textile Corporation Ltd.]  
<sup>5</sup>[14 [Deleted  
15 Deleted]  
<sup>6</sup>[16 Gujarat Fisheries Development Corporation Limited]  
<sup>7</sup>[17 Gujarat Small Industries Corporation Ltd.,  
18 Gujarat Dairy Development Corporation Ltd.  
19 Gujarat State Handicrafts and Handloom Development  
Corporation Ltd.  
20 Gujarat State Construction Corporation Ltd.  
21 Gujarat Water Resources Development Corporation Ltd.]  
<sup>8</sup>[22 Gujarat Rural Housing Board]  
<sup>2</sup>[23 Deleted]

---

<sup>1</sup> Inserted by Notification dated 10th September, 1968.

<sup>2</sup> Deleted by Notification dated 1st September, 1987

<sup>3</sup> Added by Notification dated the 3rd September, 1969.

<sup>4</sup> Added by Notification dated 28th may, 1973.

<sup>5</sup> Deleted by Notification dated 6th December, 2007

<sup>6</sup> Substituted by Notification dated 6th December, 2007

<sup>7</sup> Added by Notification dated the 28th March, 1977.

<sup>8</sup> Added by Notification dated the 6th June, 1977.

- 24 Gujarat Slum Clearance Board
- 25 Gujarat State Seeds Corporation
- 26 Tourism Corporation of Gujarat Ltd.
- 27 Gujarat Communications and Electronics Ltd.]
- <sup>1</sup>[28 Gujarat Sheep and Wool Development Corporation Ltd.]
- 29 Gujarat State Forest Development Corporation Ltd.
- 30 Gujarat State Land Development Corporation Ltd.
- 31 Gujarat State Rural Development Corporation Ltd.
- 32 Gujarat Tractor Corporation Ltd.
- 33 Gujarat State Civil Supplies Corporation Ltd.
- 34 Gujarat Maritime Board.]
- <sup>2</sup>[35 Gujarat Rural Industries Marketing Corporation Ltd.
- 36 Gujarat State Handloom Development Corporation Ltd.
- 37 Gujarat Water Supply and Sewerage Board Ltd.]
- <sup>3</sup>[38 Gujarat State Petroleum Corporation Ltd.
- 39 Gujarat State Investment Ltd.
- 40 Gujarat Women's Economics Development Corporation Ltd.
- 41 Gujarat State Leather Industries Development Corporation Ltd.
- 42 Gujarat State Financial Services Ltd.
- 43 Alcock Ashdown (Gujarat) Ltd.
- 44 Gujarat Scheduled Castes Development Corporation Ltd.
- 45 Gujarat State Police Housing Corporation Ltd.
- 46 Sardar Sarovar Narmada Nigam Ltd.]

---

<sup>1</sup> Added by Notification dated 1st August, 1983

<sup>2</sup> Added by Notification dated 23rd February, 1988;

<sup>3</sup> Added by Notification dated 12th February, 1999.

Statement showing the various stages of Bills, in / See Rule

Serial No.	Title of Bill	From what source received, with number and date of communication	Name of member in charge	Date of introduction	Date of publication in Government Gazette	Date of publication of translation of bill in the Government Gazette	Date of First Reading
1	2	3	4	5	6	7	8

Date of presentation of Report	Date of Second Reading of Bill	Date of consideration of Bill, clause by clause	Date of Third Reading and passing
15	16	17	18

**the Legislative Assembly of the State of Gujarat  
151]**

Date on which published for eliciting opinions and period of publication	Date on which referred to Select Committee if any	Date on which Report of Select Committee, is due	Name of members of Select committee	Date of publication of Report of Select Committee	Date of publication of translation of Report of Select Committee
9	10	11	12	13	14

Date on which Bill returned for reconsideration and date of recommendation	Date of assent by the Governor or the President	Date of publication and number of Act	Remarks
19	20	21	22

# INDEX

## ABSENCE OF MEMBERS -

- Committee on, See COMMITTEES
- Declaring seat vacant--Article 190(4)[278]
- From Sittings of committee [158]
- From Sittings of the House--
  - Application for leave [274]
  - Application to be referred to committee (275)
  - Decision of House to be communicated to the member (276)

## ADDRESS BY GOVERNOR--

- Allotment of time for discussion on--
  - Under Article 175(70)
  - Under Article 176(65)
- At the time of prorogation (70-B)
- Authenticated copy--
  - Secretary to obtain (63)
  - Secretary to lay on Table (64)
- Motion of thanks--
- Amendments to (67)
- Government's right of reply (69)
- Mover and Seconder to be selected by
  - Chief Minister [64-A(1)]
- Notice to be sent through Minister for
  - Parliamentary Affairs [64-A(2)]
- Notice to be signed by mover and seconder [64-A(2)]
- Other business that may be taken up (68)
- Scope of discussion on (66)

## ADJOURNMENT.--

- Of sitting of Committee for want of quorum (157)
- Of sitting of House (9)
- Of sitting of House -- for want of quorum (46)
- Of sitting of House sine-die (9)

## ADJOURNMENT MOTIONS -- See MOTIONS ADMISSION--

- To precincts of House (282)

## ALLEGATIONS AGAINST PERSONS.--

Procedure (37)

## AMENDMENT.--

Notice of, to Motion [97(1)]

Scope of [97(2)]

Selection of --by Speaker [97(7) and 139(3)]

To Bills--See BILLS

To motion of thanks for Governor's Address (67)

## ANTICIPATING DISCUSSION--

Prohibition of (24)

## APPROPRIATION BILLS--See BILLS

## ARREST OF MEMBER

Arrest within precincts of House (267)

Intimation of House re : (266)

Intimations : release (265)

Intimation to Speaker : (264)

## ASSEMBLY.--

Definition of [2(a)]

Language of (23)

Time of sitting of [4(2)]

## AUTHENTICATION--

Bills by Speaker [143(2)]

Governor's Address copy of (63)

Money Bills by Speaker (144(1))

## BALLOT--

Half an hour discussion [92(4)]

Last day motion (102)

Private Member's Bills [17(4)]

Private Member's Resolutions [17(3)]

## BILLS --

Amending Bills--

Scope of amendments to (138)

## BILLS-- (CONTD.)

### Amendments--

Arrangements of [139(4) to (7)]

Authority to move motion in respect of -- [140-A]

Distribution of Copies of [121-B]

Governor's recommendation (127)

Notice for [97 and 139(2)]

President's previous sanction (126) Scope of [97(2) and 139(2)]

Selection of, by Speaker [139(3)]

Signature of Member in-charge [124A]

Appropriation Bills (238)

Authentication of (143 and 144)

### Explanatory memorandum of Bills--

Delegating legislative powers (124)

Financial memorandum for (123)

First reading--

Introduction--

Governor's recommendation (127)

Of Bills (125)

Of Bill dependent on another Bill (122)

Scope of discussion [130(2)]

President's previous sanction (126)

List of (151)

Money Bills--

Authentication of (144)

### Motions--

Motions after eliciting opinion (133)

Motion after First reading (132)

Motions for eliciting opinion [133(1)]

Motion for First reading (130(1))

Motion for leave to introduce (125)

Motion for reference to select Committee (132, 133)

Motion for re-reference to Select Committee [136(3)(b)]

Motion for second reading (132, 133 and 136)

Motion for third reading (140)

Patent errors, power of Speaker to correct (142)

Preservation of assented copy (145)

President's sanction (126)

## BILLS-- (CONTD.)

Notice of motion for leave to introduce Government Bills (121A)

Private members' Bills--

Introduction on day allotted for resolution (16-A)

Notice of (121)

Relative precedence of Private member's Bills [17(4)]

Procedure for consideration of motion or Bill which is

Adjourned sine-die (40)

Publication before introduction prohibited (22-A)

Publication in Gazette (127-A)

Recommendation of governor (127)

Rejection of (41)

Returned for reconsideration (147)

Second reading--

Arrangement of amendments [139(4) to (7)]

Clause by clause reading [139(1)]

Select committee--

Composition and powers (134)

Minute of Dissent [135(3)]

Report--

Motion after presentation of [136(3)]

Presentation [136(1)]

Publication of in Gazette [136(2)]

Statement of Objects and Reasons [121(2)]

Submission to Governor (143, 144)

Substantially Similar--

Not to be introduced or moved during same Session if one is withdrawn [150(2)]

Not to be introduced or moved within six Months of rejection of a Bill [150(1)]

Third reading--

Scope of discussion on (140)

Three readings (129)

Translation (128)

Withdrawal of (148)

## BUDGET --

Annual Financial Statement(220)

Appropriation Bill--



Procedure regarding (238)

Cut Motions--

Disapproval of policy cut [227(1)(A)]

Economy Cut [227(1)(b)]

Token cut [227(1)(c)]

Notice for [227(2)]

Demands for grants--

Allotment of days for discussion of [226(1)]

For reduced amount (229)

Guillotine (228)

No other business on day allotted for (230)

Order to discussion [226(2)]

Discussion on, prohibited on day of presentation [220(2)]

Discussion of (222)

Exceptional Grants (237)

Excess demands (233)

Form of (223)

Further statement of expenditure (232)

General discussion--

Allotment of days for (221)

Finance Minister to have right of reply [221(2)]

New Service (224)

On day of no other business allowed (230)

Presentation of (220)

Supplementary demands (234)

Time limit of disposal of financial Business (239)

Token demands (235)

Vote of credit (237)

Vote on account (236)

BULLETIN--

Definition (2-b)

BUSINESS--

Government (15)

List of-for the day [18(1)]

Private Members See PRIVATE MEMBERS BUSINESS

BUSINESS ADVISORY COMMITTEE-- See Committees

CALLING ATTENTION NOTICE--

Minister's Statement [116(1)]

Question may be asked [116(2)]

One matter at one sitting [116(3)]

Time for [116(4)]

CASTING VOTE--

Of Chairman of Committee (160)

CHAIRMAN OF COMMITTEE--

Appointment of, by Speaker [156(1)]

Casting vote (160)

Powers of [156(4), (162)]

CIRCULATION--

Of Bills for electing opinion [132(c)]

Of notices after admission [20(1)]

CLOSURE-- (41)

COMMITTEE(S)

Chairman--

Appointment of (156)

Casting Vote (160)

Powers of--

To call sittings of committee (162)

To regulate procedure [156(4)]

Definition [2(c)]

General Provisions--

Applicability of general rules to all Committees (186)

Appointment of (153)

Business not to lapse on prorogation of House (184)

Discharge of members absent from sittings (158)

Evidence treated confidential (168, 173)

Examination of witness, procedure (171)

Quorum (157)

Record of decisions (172)

## COMMITTEE(S)--(CONTD.)

### Reports--

Draft report to be sent to Department concerned (176)

Presentation of (177)

Publication before presentation (179)

Time Limit for presentation (175)

Statement of action taken on (178)

Sittings, in private (164)

Sittings Whilst House in sitting (163)

Speaker's powers to give directions (183)

Strangers to withdraw during deliberations of (166)

Summons to be signed by Secretary (168)

Terms of office of (154)

Venue of sittings (165)

### Powers of Committees--

To administer oath to a witness (170)

To appoint sub-committee (161)

To hear counsel of witness (169)

To made detailed rule (182)

To make special report (174)

To send for persons, papers, records (167)

### Various committees--

#### ABSENCE OF MEMBERS COMMITTEE--

Constitution (216)

Decision of House on recommendation of (218)

Functions (217)

#### BUSINESS ADVISORY COMMITTEE--

Constitution (190)

Disposal of outstanding matters (194)

Functions (191)

### Recommendations --

Allocation of days [197(1)(a)]

Allocation of time [(193)(3)]

Allotment of time [(191)(1)(b)]

### Amendments (193)

Motion for decision of House (193)

Time for discussion (193)

Variation in decision of House (195)

## COMMITTEE(S)--(CONTD.)

Various Committees (Counted.)--

ESTIMATES COMMITTEE--

Constitution (198)

Functions (199)

Minister cannot be member [198(2)]

GOVERNMENT ASSURANCES COMMITTEE--

Constitution [214(1)]

Functions (215)

Minister cannot be member [214(2)]

M.L.A.'s . HOSTEL COMMITTEE--

Constitution [218-A]

Functions (218-B)

Proceedings and Report of Committee

COMMITTEE ON PAPERS LAID ON THE TABLE OF THE HOUSE--

Constitution [218-C]

Functions (218-D)

Restriction on raising matter in House [218-E]

PANCHAYATI RAJ COMMITTEE--

Constitution [197-A]

Functions (197-B)

Power to Examine Secretaries etc. [197-C]

PETITIONS COMMITTEE--

Constitution (247)

Functions (248)

PRIVATE MEMBERS BUSINESS COMMITTEE--

Constitution [201]

Functions (202)

Recommendations--

Allocation of time (203)

Amendments [203(2)]

Disposal of outstanding matters at appointed Hour (205)

Motion for decision of House (203)

Time for discussion (203)

PRIVILEGES COMMITTEE--

Amendments to motion for consideration of report [257(2)]

Constitution (254)

## COMMITTEE(S) (CONTD.)

### Privileges committee (contd.)

Examination of question by (255)

Minute of dissent (256)

Motion for consideration of report (257)

### Recommendations--

Amendments [258(2)]

Motion for decision of House [258(1)]

Reference of question to (253, 263)

Summons to be signed by Secretary (260)

Warrant of arrest to be signed by Speaker (260-A)

### PUBLIC ACCOUNTS COMMITTEE--

Constitution (196)

Function (197)

Minister cannot be member [196(2)]

### PUBLIC UNDERTAKINGS COMMITTEE--

Constitution (200-A)

Function (200-B)

Minister cannot be member [200-A(2)]

### RULES COMMITTEE--

Amendments to recommendations of (213)

Constitution (211)

Function (212)

Recommendations (213)

Select committee--see Bills

### SUBORDINATE LEGISLATION COMMITTEE-

Constitution (206)

Function (208)

Minute of dissent (210)

### COMMITTEE ON WELFARE OF SCHEDULED CASTES--

Constitution [215-A]

Function (215-B)

### COMMITTEE ON WELFARE OF SCHEDULED TRIBES--

Constitution [215-C]

Function [215-D]

COMMITTEE ON WELFARE OF SOCIALLY AND EDUCATIONALLY  
BACKWARD CLASSES--  
    Constitution [215-E]  
    Functions (215-F)

COMMUNICATIONS--  
    Regarding Vacant of seat (278)  
    To the Assembly (281)

COMPTROLLER AND AUDITOR GENERAL--  
    Reports of--  
    Consideration by Public Accounts Committee [197(1)]

CONSTITUTION OF INDIA--  
    Definition of (2-d)

DEBATES--  
    Rules of --  
    Allegations procedure re : (37)  
    Anticipating discussion prohibited (24)  
    Division (43)  
    Expunction (36)  
    Irrelevance Prohibited (50)  
    Limitation (34)

Member--  
    To address to Speaker (29)  
    To resume his seat when point of order raised [31(1)]  
    To resume his seat when Speaker rises or speaks (30)  
    To speak only when called by Speaker (28)  
    To stand while speaking (29)  
    Papers quoted to be laid on Table (59)  
    Personal explanation (45)  
    Point of explanation or information [31(2)]  
    Point of order (47)  
    Preservation of order in House (47)  
    Putting the question (42)  
    Repetition of arguments prohibited (50)  
    Right of speech and reply (32)  
    Speaker to be heard in silence (30)  
    Speech not to be made after voices collected (58)  
    Speech not to be read (38)  
    Time limit for speeches (33)

**DELEGATED LEGISLATION--**

Explanatory memorandum to Bills (124)

**DEMANDS FOR GRANTS -See BUDGET--**

**DEPUTY SPEAKER--**

Chairman of Committee, if member thereof (56)

Election of (11)

Ex-office Chairman of Petitions Committee [247(2)]

Motion for removal of (103)

Power of-when presiding (13)

**DILATORY MOTION --See MOTION**

**DIVISION--**

Procedure regarding (43)

Result of not to be challenged [43(6-E)]

Result-Correction of before announcement [43(10)]

Sitting of committees to be suspended in the event of (163)

Stage when it can be claimed [43(3)]

**ELECTION--**

Deputy Speaker (11)

Financial committees (196, 198 and 200A)

Speaker (10)

**ELECTION COMMISSION--**

Declaration of seat of member vacant due to absence Intimated to [278(2)]

Resignation of members intimated to [269(3)]

**ESTIMATES COMMITTEE --See COMMITTEES**

**EVIDENCE--See COMMITTEES**

**EXCEPTIONAL GRANTS-See BUDGET**

**EXPUNCTION--See DEBATES**

**FINANCE MINISTER--**

Definition (2-e)

See also BUDGET

**GAZETTE--**

Definition (2-f)

**GUILLOTINE (228)**

## GOVERNOR--

Address by-- See ADDRESS BY GOVERNOR

Bills requiring recommendation (127)

Messages by (70-A)

Ordinance--

Motion to disapprove (152)

Submission of Bills to (143)

Submission of money Bills to (144)

## GOVERNMENT BUSINESS--

Right of Government to arrange (15)

See also BUSINESS

## HALF-AN-HOUR DISCUSSION--

Allotment of time for [92(1)]

No formal motion or voting on [92(5)]

Notice for [92(2)]

Relative precedence of notices [92(4)]

## HOUSE--

Adjournment of (9)

Adjournment of, for want of quorum (46)

Admission to precincts of (282)

Arrest within the precincts of (267)

Definition (2-h)

Language of (23)

Mode of addressing (29)

## HOUSE--

Precincts definition of (2-n)

Preservation of order in (47)

Proceedings of-report of (35)

## Secret Sitting (285)--

Proceedings of secret sitting (286)

Procedure of secret sitting-lifting ban on secrecy (288)

Service of Legal process within the precinct of (268)

Time of Sitings [4(2)]

Withdrawal of members from (51, 52)

## LANGUAGE--

Of the House (23)



**LAST DAY MOTION-See-MOTIONS**

**LEADER OF THE HOUSE-**

Definition [2-i]

**Motions by, regarding--**

Declaring seat of member vacant under Article [190(4), 278]

Lifting ban of secrecy of proceedings (288)

Variation in decision of House on recommendation of Business

Advisory committee (195)

**Speaker's consultation with, regarding--**

**Allotment of days for discussion of--**

Budget, general discussion (221)

Demands for grants (226)

Excess demands (233)

Governor's Address (65)

Supplementary demands (234)

**Fixing day for--**

Amendments to recommendations of Rules Committee (213)

Discussion for short duration (113)

**LEADER OF THE HOUSE--**

Further statement of expenditure (232)

No-confidence motion (106)

Private members' business (16)

Secret sitting (285)

Statutory motion (100)

**LEAVE OF ABSENCE--**

Application for (274)

Decision of the House reg. to be communicated to the member (276)

Reference of application for to Committee (275)

**LIST OF BUSINESS FOR THE DAY (18)**

**MATTERS OF URGENT PUBLIC IMPORTANCE--**

Adjournment Motions-- see MOTION

**Calling attention--**

Discussion not allowed [116(2)]

One matter at a sitting [116(3)]

Questions one or two per member allowed [116(2)]

Discussion for short duration--  
Fixing a day for (113)  
One matter at one sitting (115)  
Motion not allowed (114)  
Notice for raising (112)  
Procedure for (114)  
Time for discussion (113)

MEMBER(S)--

Application for leave of absence (274)  
Arrest of intimation to House (266)  
Arrest of intimation to Speaker (264)  
Arrest of, within the precincts of House (267)  
Attendance book (279)  
Circulation of Notices (20)  
Declaring seat vacant [278(1)]

Discharge of absent from sittings of committee (158)

Irrelevance or repetition by (50)  
Mode of addressing the House (29)  
Naming member (52)  
Paper be distributed to (281)  
Personal explanation by (45)

Resignation by-

From committee (155)  
Of seat in Assembly (269)  
Right of speech and reply (32)  
Roll of Members (7)  
Rules to be observed by, while present in the House (57)  
Seat of (8)  
Service of legal process on, within the precincts of House (268)  
Speech not to be read by (38)  
Summons to (3)  
Suspension of (52)  
To address the Speaker (29)  
To resume his seat when speaker rises or speaks (30)  
To resume his seat when a point of order is raised [31(1)]  
To rise when desiring to speak (29)  
To Speak only when called upon by the Speaker (28)

To Speak from his place (29)  
To Speak standing (28)  
To Speak sitting if permitted (29)  
Withdrawal of (51 and 52)

**MEMBER IN CHARGE OF THE BILL--**

Definition of (2-K)

**MINISTER (S)--**

Definition of (2-l)  
Resignation by (107)  
Statement by, on matters of public importance (44)  
Statement by, who has resigned (107)

**MINUTE OF DISSENT--**

Expunction of words from [135(5)]  
Language of [135(2)]  
Scope of (135)

**LEADER OF THE HOUSE--**

Time for submission of (135)  
To report of Committee of Privileges (256)  
To report of Select committee on Bills (135)  
To report of Subordinate Legislation committee (210)  
Who can give (135), (210), (256)

**MONEY BILLS-- See BILLS**

**MOTION (S)**

**Adjournment--**

procedure for moving [110(1)]  
restrictions on power to move (109)  
time limit for discussion on [111(1)]  
transaction of business after conclusion [111(2)]

Admissibility of (94)

Amendments to [97(1)] See also AMENDMENTS

**Copy of--**

when admitted (20-A)  
when passed (99)

Cut Motion 227 and 234(5)

Definition (2-m)

Dilatory (39)

Disallowance by Speaker (95)

For disapproving ordinance [152(2)]

Lapsing of (21A and 21B)]  
Last day Motion (102)  
Ballot of (102)  
Moving of (96)  
No confidence motion (106)  
No day-yet named motion (101)  
Procedure when, adjourned sine die. (40)  
Publication before admission, prohibited (22-A)  
Removal of Speaker or Deputy Speaker, motion for (103)  
Repetition of, prohibited [94(IV)]  
Statutory Motion (100)  
Definition of (2-U)  
Thanks for Governor's address, motion of (64-A)  
Withdrawal of (98)

NOTICE(S)--

Advance publicity prohibited (22-A)  
Clubbing of (62)  
Giving of (19)  
Lapse of pending, on prorogation of House (21)  
Lapsing of, when member becomes minister (21B)  
Of Motion of leave to introduce private member's Bill,(121)  
Period, counting of (19)  
To be sent to depts. and Minister  
after admission (20-A)  
when passed (99)  
To be sent to member, after admission (20)

NOTICE PERIOD--

Amendment (97)  
Counting of-excluding holidays [19(3)]  
Cut Motion [237, 234(5)]  
Government resolution (120)  
Last day motion (102)  
Motion for removal of Speaker or Deputy Sepaker (103)  
No Day-yet-named motion (101)  
Resolution (117)  
Statutory Motion (100)  
Speaker, power to curtail dispense with (53)

OFFICIAL REPORT--

Of proceedings (35)

ORDINANCE (S)--

Motion disapproving (152)

Statement regarding [124-B]

PANEL OF CHAIRMEN (12)

PAPERS--

Laying on Table (60)

Quoted, to be laid on Table (59)

PERSONAL EXPLANATION

By members (45)

PETITION(S)

Committee on, See COMMITTEES

Documents not be attached to (242)

Form and contents (241)

Presentation of (244-245)

Presentation by member (243)

Reference to committee (246)

Scope of (240)

POINT OF ORDER--

How and when it can be raised (47)

Member speaking to resume his seat when raised [31(1)]

PRECINCTS OF THE HOUSE--

Admission in to (282)

Arrests within (267)

Definition of (2-n)

Service of legal process within (268)

PRESIDENT--

Previous sanction of, to introduce Bill or move amendment (126)

PRIVATE MEMBER--

Definition of (2-O)

PRIVATE MEMBERS' BUSINESS--

Allotment of day for (16)

Ballot for -- See Ballot

See also BUSINESS

PRIVATE MEMBERS' RESOLUTION-See RESOLUTION PRIVILEGES-

- Bringing question of, to notice of House (249)
- Committee--See COMMITTEES
- Conditions of Admissibility of question of (251)
- Contemptner -opportunity of being heard (259)
- Execution of orders of House of Speaker, re: (261)
- Mode of raising question of (252)
- Notice of question of (250)

PRIVILEGES--

- Procedure after leave is granted (253)
- Procedure in House or Committee (262)

PROROGATION OF HOUSE--

- Address by Governor at the time of [70(B)]
- Effect of, on pending business (210)

PUBLIC ACCOUNTS COMMITTEE-See COMMITTEES

PUBLICATION--

- Of Bills in Gazette (127-A)
- Of notices before admission etc. prohibited (22-A)
- Of Report of committee before presentation (179)
- Of Report of Select Committee in Gazette [136(2)]

PUTTING THE QUESTION--

- How and when to put the Question (42)
- When an amendment to motion is moved [42(1)]

QUESTIONS--

- Admissibility of (81)
- Answer to question not asked (86)
- Conditions of admissibility (78)
- Correspondence with other Government(79)
- Dropping of Question hour (88)
- Form of notice (74)
- Hour (71)
- Kinds of (72)
- Mode of asking (85)
- Postponement of (87-B)
- Publicity before admission prohibited (22-A)
- Statutory Bodies (80)
- Supplementaries (89)
- Time limit for (89)
- To private member [91(1)]

Unanswered--[85(4)]  
Withdrawal of [84 and 85(4)]  
Written answer [87(2), 87-A, 88]

## QUESTIONS--

### STARRED--

Allotment of days for Ministers (77)  
Answers to question not asked (86)  
Answers to questions of absent members (86)  
List of questions and answers-how prepared (83)  
Member entitled to give notice of three starred questions  
on a day [76(1)]  
Notice-form of (74)  
Notice-period of (73)  
One question in one round [83(2)]  
Placing of, on list for later date (75)  
Postponement of (87-B)  
Speaker to decide-starred or unstarred (82)

### UNSTARRED--

Laying answer on table [87(2)]  
Laying answers on table on last day (87-A)  
Time limit to answer--[87(i)]

### SHORT NOTICE--

Priority (71)  
Procedure for [90(1)]

### QUORUM--

Adjournment of House for want of (46)  
Of Committee (157)

### REPETITION--

Of arguments (50)  
Of motions [94(iv)]  
Of speeches (50)

### RESIGNATION-

From committee (155)  
Minister's (107)  
Of seat in Assembly by member [269(1)]  
Intimation by Speaker to Assembly re : [269(2)]  
Intimation to Election Commission [269(3)]  
Publication in Gazette [269(3)]

**RESOLUTION (S)--**

- Ballot [117(3)]
- Definition (2-r)
- Form and contents (118)
- Government (120)
- Notice of (117)
- Period of notice [117(1) & (4)]
- Repetition of (119)

**RULES--**

**Amendments--**

- Coming into force of [213(4)]
- Consideration of amendment recommended by

**Committee [213(1)]**

- Publication in Gazette [213(4)]
- Speaker's right to amend third schedule (212)
- To recommendations of committee [213(1)]
- To rules (212)\_
- Committee--See COMMITTEES
- Suspension of (55)

**SECRETARY OF THE ASSEMBLY--**

- Definition (2-t)
- Duties (284)
- Governor's Address Authenticated copy to be obtained by (63)
- List of Bills to be kept by (151)
- List of Business for day preparation by (18)
- Summons to members to be issued by (3)

**SELECT COMMITTEE ON BILLS--See BILLS**

**SERVICE OF LEGAL PROCESS--**

- With the precincts of the House, prohibited (268)

**SHORT NOTICE QUESTIONS--See QUESTIONS**

**SITTING OF HOUSE--**

- Time of (4)
- Duly constituted (5)

**SPEAKER--**

- Election-Motion for (10)
- Ex-office chairman of Business Advisory committee (190)



SPEAKER--(Contd.)

Ex-Officio Chairman of Rules Committee (211)

Member to resume his seat when Speaker rises or speaks [30(1)]

Powers--

Adjournment of sitting of House (9)

Admissibility of notices of motions (95)

Admissibility of question (81)

Allocating days for--

Demands for grants (226)

Excess demands (233)

Governor's address (65)

General discussion of Budget (221)

Supplementary demands (234)

Appointment of chairman of Committee [156(i)]

Authentication of Money Bills (144)

Certified copies of documents and proceedings [280(2)]

Clubbing of notices (62)

Correcting errors in Bills (142)

Deciding whether question be treated as starred or unstarred (82)

Dispensing with notice (53)

Expunging words from debates (36)

Fixing day for--

Discussion for, short duration (113)

Further statement of expenditure (232)

No confidence motion (106)

Private members' business (16)

Secret sitting (285)

Statutory Motions (100)

Giving directions to committee (183)

Issuing directions re : detailed working of rules (56)

Naming a member (52)

Nominating panel of chairman (12)

Postponing questions (87- B)

Precincts of House, admission to (282)

- Preserving order in House (47)
- Privilege, reference of question of, to committee (253 and 263)
- Publication of Reports of committees (179)
- Secret sitting of House, procedure, re : (287)
- Speeches, time limit for (33)
- Withdrawal of member from House (51)
- Withdrawal of strangers (283)
- Removal, motion for (103)
- Speeches to be addressed to (29)

**SPEECHES--**

- Certified copies of (280)
- Irrelevance of repetition (50)
- Not to be read (38)
- Time limit for (33)

**STATEMENT (S)--**

- By Ministers, on matter of public importance (44)
- By Minister who has resigned (107)

**STATUTORY MOTION (S)--**

- Definition of (2-u) See also under MOTIONS--

**STRANGERS--**

- Admission of, to precincts of House (282)
- Withdrawal of (283)

**SUBORDINATE LEGISLATION--**

- Committee on, See COMMITTEES
- Laid on table computing period of (270)

**SUMMONS--**

- To members (3)
- To contemptner [260]
- Session called at short notice separate summons not necessary (3)

**SUPPLEMENTARY DEMANDS-- See BUDGET**

**SUPPLEMENTARY QUESTIONS -- See QUESTION--**

**SUSPENSION--**

- Of member (52)
- Of proceedings of Committee at the time of division (163)
- Of rules (55)

TABLE--

Answers to question deemed to have been laid when question hour dropped (88)

Answers to unstarred questions laid on [87(2)]

Computing period for laying on (270)

Papers laid on, to be kept in office (60)

Papers quoted, to be laid on (59)

TOKEN GRANTS-- See under BUDGET

URGENT PUBLIC IMPORTANCE--

Adjournment motion to discuss matter of (108)

Calling attention to matters of (116)

Discussion on matters of for short duration (112-115)

VACANT OF SEATS IN ASSEMBLY--

Declaring seat vacant under Article [190(4), 278]

VOTE OF CREDIT-- See BUDGET

VOTE ON ACCOUNT-- See BUDGET

VOTING OF DEMANDS FOR GRANTS-- See BUDGET

WARRANT OF ARREST-- [260 A ]

WITHDRAWAL--

Of bills (148)

Of members from the House and its precincts (51, 52)

Of motions (98)

Of questions (84)

Of resolutions [119(2)]

Of strangers (283)

Of strangers from Committee (166)

WITNESSES--

Committee's power to call (167)

Counsel of (169)

Evidence, Confidential [168(2), 173]

Procedure for examining, before Committee (171)

Summons to -- (168)

---

Government Central Press.