



HARYANA VIDHAN SABHA

HAND BOOK FOR MEMBERS
(For Members only)



Haryana Vidhan Sabha Secretariat
Chandigarh
2019



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PREFACE

This 'Handbook' is intended to serve as a guide to the Members of the Vidhan Sabha, particularly the new Members. By no means should it be presumed that it is a substitute for the Rules of Procedure and Conduct of Business in the Haryana Vidhan Sabha (Haryana Legislative Assembly) of the Acts and Rules from which the material has been drawn for its composition. It is only intended to help Members in understanding in a general way what the Vidhan Sabha is and how it works. To get complete information they are advised to consult the Rules, Acts etc.

2. The information contained in this publication is not exhaustive. It cannot be quoted as an authority. For that purpose, Members are requested to cite and rely upon only the provisions of the Constitution, Rules of Procedure and Conduct of Business in the Haryana Vidhan Sabha, Acts and Rules, Directions/Rulings given by the Chair from time to time and established conventions and practices etc.

3. The reference to the Rules at various places in this publication, unless the context otherwise requires are references of the Rules in the Rules of Procedures and Conduct of Business in the Haryana Vidhan Sabha.

4. This 'Handbook' has been translated into Hindi and also published in this language.

Chandigarh
Dated, the 9th October, 2019

R.K.Nandal
Secretary.

MEMBERS HANDBOOK

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1. Composition and duration of the Assembly

The Haryana Vidhan Sabha consist of 90 Members elected from 90 Constituencies, 73 General and 17 Reserved, as contained in Schedule II to the Delimitation of Parliamentary and Assembly Constituencies Order, 1976. It is duly constituted upon the issue of a notification under section 73 of the Representation of the People Act, 1951. Unless sooner dissolved, the Assembly continues for the five years from the date appointed for its first meeting and no longer, and the expiration of the said period of five years operates as dissolution of the Assembly, as required under Article 172 (I) of the Constitution of India.

2. Sessions of the Assembly

The Governor from time to time summons the Vidhan Sabha to meet at such time and place as he thinks fit, but six months shall not intervene between its last sitting in one Session and the date appointed for its first sitting in the next Session.

When the Vidhan Sabha is summoned by Governor, summons are issued to each Member by name intimating to him the date, time and place appointed by the Governor for its meeting. If a Session is called at short notice or emergently, summons may not be issued to each Member separately but an announcement of the date and place of the Session may be made in the print media and they may be informed by telegram.

Vidhan Sabha adjourns from time to time during a Session either by the operation of Rules or by its own order. But if a Session is intended to be terminated, it is done by means of prorogation, the order for the purpose being given by the Governor. During period of adjournments pending notices do not lapse, but on prorogation all pending notices lapse subject to the provisions of the Constitution and the Rules of Procedure. However, a motion, resolution or an amendment, which has been moved and is pending in the House shall not lapse only of the prorogation of the House except Private Member's Bill/an amendment and Resolution.

3. Oath or affirmation by Members & Roll of Members

Before taking his seat in the House, every Member is required under Article 188 of the Constitution of India, to make and subscribe before the Governor, or some person appointed in that behalf by him

an oath or affirmation and sign in the presence of the Secretary the Roll of members maintained for the purpose. If a person sits or votes as a member of the Legislative Assembly without taking the oath or making the affirmation or when he knows that he is not qualified or that he is disqualified for membership thereof, or that he is prohibited from so doing by the provisions of any law made by Parliament or the Legislature of the State, he shall be liable in respect of each day on which he sits or votes to a penalty of five hundred rupees to be recovered as a debt to the State.

The practice is that first sitting after every general election is ordinarily devoted to oath-taking by Members. The Governor administers the oath to a Member and appoints him for administering the oath to the others. If a Member is not able to make and subscribe the oath or affirmation at the commencement of the sitting of the House, he may do so at any convenient time during the sitting of the House as the Speaker may direct. The oath or affirmation is made by a Member in the following form:-

“I, A.B. having been elected a Member of the Legislative Assembly, do swear in the name of God/Solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by law established, that I will uphold the sovereignty and integrity of India and that I will faithfully discharge the duty upon which I am about to enter.”

A Member should, when he comes to make the oath or affirmation, bring with him the certificate of election granted to him by the Returning Officer under rule 66 of the conduct of Elections Rules, 1961 and contact the Secretary, Vidhan Sabha at least one hour before the commencement of the sitting and indicate the language in which he wishes to make the oath or affirmation so that arrangement could be made accordingly.

In the House, on the name of a Member being called by the Chair, the Member has to proceed from the place he is occupying to the right hand side of the Secretary's Table. A copy of the form of oath or affirmation, as the case may be, in the language in which the Member desires to make the oath/ affirmation is then handed over to him. The Member faces the Chair while making and subscribing the oath/affirmation and then shakes hands with or wishes the Chair. The Member then passes behind the Chair to the other side of the

Secretary's Table where he subscribes the oath or affirmation and signs the Roll of Members. After signing the Roll, he takes his seat in the House.

4. Election of Speaker

After the Members have taken their oath, the next thing is done the election of the Speaker.

Any Member may propose the name of another Member then present in the Assembly and more that such Member do take the Chair of the Assembly as Speaker. When this motion is moved, it is seconded. If no other Member is proposed, the person presiding, without putting the question, declares the Member proposed as elected and calls him to take the Chair. But if the names of other Members are also proposed and seconded, the questions are put one by one in the order in which the motions have been moved and are determined, if necessary, by division. If any motion is carried, the person presiding without putting later motions declares the Member proposed in the motion as elected and call that Member to take the Chair.

A Member cannot propose his own name or second a motion proposing his own name or propose or second more than one motion.

Whenever a vacancy occurs in the office of the Speaker, the Governor shall fix a date not later than seven days from the date of the first sitting of the Vidhan Sabha (Assembly) after the occurrence of the vacancy and the Secretary intimates to each Member the date so fixed. The election held in accordance with the procedure set out in the foregoing rule.

5. Election of Deputy Speaker

The election of the Deputy Speaker, following a general election, may be held not later than seven days from the day on which the election of the Speaker is held; and at any other time, when a vacancy occurs, not later than seven days from the date of the first meeting of the Vidhan Sabha after the occurrence of the vacancy.

The procedure followed for the election of Deputy Speaker is the same as that for the election of the Speaker.

6. Seating of Members

The order in which Members sit in the House is determined by the Speaker.

The party which forms the Government of the day sits on the right of the Speaker, the Opposition parties/groups on the left in the descending order of their strength, the first seat being always left for the occupation of the Deputy Speaker.

7. Quorum

The quorum to constitute a sitting of the House is at present ten Members including the Speaker or the person acting as such.

If, when the Assembly is sitting notice is taken by a Member, that ten number of Members are not present, the person presiding unless he is satisfied that such number of Members is present, shall direct the division bells to be sounded and at the expiration of two minutes shall count the Members present. If less than the required number is present, he shall either suspend the meeting till such number is present or adjourn the Assembly till the next day.

8. Recognition of Opposition

That group of Members in the Opposition is given recognition as an Opposition Party, the strength of which is at present at least ten enough to constitute a quorum in the House. It has been held that to gain recognition as an Opposition Party, the Members thereof should have common economic and political programmes both inside and outside the House. The Leader of Opposition is recognized by Speaker.

9. Facilities to Leader of Opposition

The Leader of the Opposition, in addition to the allowances payable under the Haryana Legislative Assembly (Allowances and Pension of Members) Act, 1975, is as per the provisions of section 4 of the said Act, paid in salary of Rs. 60,000/- per mensem and a sumptuary allowance of Rs. 25,000/- per mensem. Besides, he is entitled, without payment of rent to the use of a furnished residence at the head-quarters of the State Government throughout his term of office and no charge shall fall on him personally in respect of the maintenance of such residence or, in lieu of such residence, he shall be paid such allowance not exceeding Rs. 500/- per mensem as the State Government may determine. He is entitled to a conveyance

allowance at the rate of Rs. 10,000/- per mensem or in lieu thereof a State car, the expenses on the maintenance and propulsion of which are borne by the State Government subject to such restrictions, as may be imposed by the State Govt. from time to time, for the use of State car by the Ministers. Provided that the maintenance and propulsion expenses of the State car in use by him shall not be subject to the limit of Rs. 10,000/- per mensem. He is also provided an office allowance to maintain office in his Constituency/District at such rate as is admissible to a Minister under the Haryana Salaries and Allowances of Ministers Act, 1970. He is further provided with a Telephone at his residence at the headquarters of State Government, at the expense of the State Government, subject to such restrictions as may be imposed by the State Government, from time to time, for the use of residential telephones by the Minister. Additionally, he is entitled to a daily allowance while on tour as admissible to a Minister. However, he is not entitled to daily allowance for attending the meetings of the Committees of the Haryana Legislative Assembly. He is also provided with Secretarial facilities, stationery and stamps or incur expenditure thereon upto the value of not more than Rs. 2,400/- per annum. He is also provided with a Personal Assistant and a Peon.

The salary and allowances drawn by the Leader of the Opposition under the said Act during any financial year are deemed to be his only income for that financial year and are exclusive of the tax payable in respect thereof under any law relating to income tax for the time being in force and such tax is borne by the State Government.

10. Attendance Register

A Member is required to sign the Attendance Register on each day of his attendance in the presence of an official of the Vidhan Sabha Secretariat, deputed by the Secretary for the purpose. The Register is kept just outside the Vidhan Sabha Chamber. This serves as the record of the attendances of the Members and is consulted when their compensatory allowance is worked out. It may be mentioned that absence from the meetings of the Vidhan Sabha apart from affecting the compensatory allowance admissible to a Member may have repercussions on his Membership if this is prolonged for a period of sixty days computed in the manner provided in Article 190 (4) of the Constitution without the permission of the House.

11. Vacation of Seats

If a member finds that at any time he is unable to attend the sitting of the Assembly for a period of sixty consecutive days computed in the manner provided in Article 190(4) of the Constitution, he should apply to the Speaker for permission of the Assembly to be so absent. The Speaker reads out such application to the Assembly. The decision of the Assembly is then communicated to the Member. If a Member is absent without permission from the sittings of the Assembly for a period of sixty consecutive days or more, the Speaker brings that fact to the notice of the Assembly for its decision.

12. Resignation of Seats

A Member who desires to resign his seat in the House shall intimate in writing under his hand addressed to the Speaker, his intention to resign his seat in the House in the following form and shall not give any reason for his resignation:

“To

The Speaker,
Haryana Vidhan Sabha,
Chandigarh.

Sir,

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

Yours faithfully,

Place.....Date.....Member of the House”.

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 House.

If a Member hands over the letter of resignation to the Speaker personally and informs him that the resignation is voluntary and genuine and the Speaker has no information or knowledge to the contrary, the Speaker may accept the resignation immediately.

If the Speaker receives the letter of resignation either by post or through someone else, the Speaker may make such enquiry as he thinks fit to satisfy himself that the resignation is voluntary and genuine. If the Speaker, after making a summary enquiry either

himself or through the agency of Vidhan Sabha Secretariat or through such other agency, as he may deem fit, is satisfied that the resignation is not voluntary or genuine, he shall not accept the resignation.

A Member may withdraw his letter of resignation at any time before it is accepted by the Speaker.

The Speaker shall, as soon as may be, after he has accepted the resignation of a Member, inform the House that the Member has resigned his seat in the House and he has accepted the resignation.

Explanation: — When the House is not in Session, the Speaker shall inform the House immediately after the House re-assembles.

The Secretary shall, as soon as may be, after the Speaker has accepted the resignation of a Member, cause the information to be published in the Bulletin and the Gazette and forward a copy of the notification to the Election Commission for taking steps to fill the vacancy thus caused;

Provided that where the resignation is to take effect from a future date the information shall be published in the Bulletin and the Gazette not earlier than the date from which it is to take effect.

13. Sitting of the Assembly

A sitting of the Assembly is duly constituted when it is presided over by the Speaker or other Member competent to preside over a sitting of the Assembly under the Constitution or Assembly Rules.

If at the commencement of any sitting, the Speaker is unable to attend, the Deputy Speaker shall not preside automatically, but he (latter) shall preside on an announcement made by the Secretary that the Speaker is unavoidably absent from the sitting of the House and in his absence the Deputy Speaker shall preside.

Under the rules, unless the Speaker otherwise directs the Vidhan Sabha—

- (i) Whilst in Session, meets on all days except Saturdays, Sundays and such other days as are declared to be holidays under the Negotiable Instruments Acts;
- (ii) Is required to meet on Mondays, Tuesdays, Wednesdays and Thursdays at 2.00 p.m. and adjourn at 6.30 P.M. on Fridays it meets at 9.30 A.M. and adjourns at 1.00 P.M.

But, generally, the Assembly whilst in Session meets at 2.00 P.M. on Mondays or after a holiday and adjourns at 6.30 P.M. without question being put and on Tuesdays, Wednesdays, Thursdays and Fridays, it meets at 9.30 A.M. and adjourns at 1.30 P.M., without question being put or at such times as may be decided by the House i.e. by the Speaker taking the sense of the House or on the decision taken by the House on the Report of the Business Advisory Committee.

But if at the hour of adjournment proceedings under closure or under a division are in progress, these proceedings are completed before the House can adjourn.

If the House is to meet on a Saturday to dispose of an urgent business, it meets on the recommendation of the Business Advisory Committee adopted by the House or decision taken by the House itself. When the Assembly meets on a Saturday, no question hour is held on that day. Similarly no question hour is held in the second sitting, unless otherwise directs.

14. Non-stop Sitting

The hours of sitting may be changed with the consent of the House. Sometimes, however, when it is considered necessary to complete all or certain specified items on the List of Business before the House is adjourned for the day, recourse may be had to what is known as a "Non-Stop" sitting. For this purpose a motion in the following form is moved by a Minister at the commencement of the business for the day which is decided without amendment or debate:

"That the proceedings on any specified business be exempted at this sitting from the provisions of the rule Sittings of the Assembly".

If the motion is carried, the House continues to sit till the specified business is completed.

15. Panel of Chairpersons

The Vidhan Sabha is presided over by the Speaker or in his absence by the Deputy Speaker, or if he is also absent, such Member as may be determined by the Rules of Procedure, or if no such Member is present such other Member as may be determined by the Vidhan Sabha.

At the commencement of every session, the Speaker nominates from amongst the Members, a Panel of not more than four Chairpersons, any one of whom may preside over the Vidhan Sabha in the absence of the Speaker and the Deputy Speaker, when requested to do so by the Speaker, or in his absence, by the Deputy Speaker. The Panel of Chairpersons so nominated, hold office until a new Panel of Chairpersons is nominated.

16. Address by the Governor

Under the Constitution, the Governor is required to address Members of the Legislative Assembly at the commencement of the first Session after each general election as well as at the commencement of the first Session of each year. In his Address he informs the Legislature of the causes of its summon.

On the date of the Address, the Governor comes in procession along with the Speaker and the Secretary, Haryana Vidhan Sabha, to the Assembly Chamber. Members take their seats ten minutes before the Governor arrives and rise in their places on the entry of the Governor, which is indicated by the Sergeant-at-Arms and the Members remain standing till National Song is played and the Governor has taken his seat on the dais.

No Member should leave the Chamber when the Governor is addressing.

No Member shall interrupt the Governor when he is addressing the House; or display any placard; or shout any slogans; or make any protest; or raise any point of order, debate or discussion or otherwise willfully disrupt the proceedings, immediately preceding or during, or immediately following the Governor's Address under Article 175 (1) of the Constitution and the Governor's Special Address under Article 176 (1) of the Constitution and the commission of any of the above lapses shall be treated as contempt of the House and dealt with as such under the Rules.

After the Address National Anthem is played. The Members rise in their places and keep on standing till the National Anthem is played and the Governor leaves the Chamber in a procession.

17. Laying of Address on Table

After the Governor has delivered his Address to Members the Speaker generally after half-an-hour, reports the fact of his having

done so to the Vidhan Sabha at its sitting and lays a copy of the Address on its Table. Thereafter, at that sitting the business of a formal character, if any, is transacted by the Sabha.

A motion for leave to introduce a Bill may be made and a bill may be introduced on such day before the commencement of discussion on the Address.

18. Discussion on Address

The Governor's Address is discussed in the Vidhan Sabha on a Motion of Thanks moved by a Member and seconded by another Member. According to the established practice the two Members the mover and the seconder of the Motion of Thanks are selected by the Chief Minister/Leader of the House. Notice of such a motion is, therefore, received through the Minister of Parliamentary Affairs. The motion is moved in the following form-

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

'That the Members of the Haryana Vidhan Sabha assembled in this Session are deeply grateful to the Governor for the Address which he has been pleased to deliver to the House on the..... (Date)'

The Governor's Address is discussed in the Vidhan Sabha on a Motion of Thanks moved by a Member and seconded by another for such period as the Speaker, in consultation with the Leader of the House, may allot or for such time as the House may fix on the report of the Business Advisory Committee, as the case may be. Members may move amendments to such Motion of Thanks. Such notices are required to be given before the discussion on the Address commences, in the form which has been approved by the Speaker.

The discussion on the Address may be postponed in favour of Govt. Business and may also be interrupted in the course of a sitting by Adjournment Motion under Rule-70.

19. Rules to be observed by Members in the House.

A Member has to observe certain rules of conduct when he is present in the House.

He-

shall bow to the Chair while entering or leaving the Vidhan Sabha, and also when taking or leaving his seat;

shall not pass between the Chair and any Member, who is speaking, not between the Chair and the Table of the House;

shall not read any book, newspaper, or letter except in connection with the business of the Vidhan Sabha;

shall not interrupt any Member while speaking by disorderly expressions or noise or in any other manner;

shall if speaking, or offering to speak, immediately resume his seat whenever the Speaker rises nor leave the Vidhan Sabha when the Speaker is addressing it and hear the Speaker in silence;

shall always address the Chair;

shall keep to his seat while addressing the Vidhan Sabha;

shall maintain silence when not speaking himself; and

shall not obstruct proceedings, nor interrupt and shall not make running commentaries when speeches are being made.

While speaking he shall be strictly relevant to the matter before the Vidhan Sabha and shall not—

reflect upon the conduct of persons in high authority unless the discussion is based on a substantive motion drawn in proper terms;

use the name of persons in high authority for the purpose of influencing the debate;

utter treasonable, seditious, defamatory or offensive words refer to a matter of fact on which a judicial decision is pending;

speak against or reflect on any determination of the Vidhan Sabha except when he is moving to rescind the same;

make personal charge against a Member;

use his right of speech for the purpose of obstructing the business of the House;

use offensive expressions about the conduct of proceedings of Parliament or any State Legislature; and read his speech, but he may refresh his memory by reference to notes.

No allegation of treasonable, seditious, defamatory, incriminatory nature or containing offensive words will be made by a Member. The Speaker may, at any time, prohibit any Member from making any such allegation if he is of the opinion that such allegation is derogatory to the dignity of the House or that no public interest is served by making such allegation.

When any Member wishes to speak he may rise in his seat to 'catch the eye of the Chair.' He may start speaking only if called upon to do so. If he fails 'to catch the eye', he must resume his seat. It is disorderly conduct on the part of any Member to argue or demonstrate with the Chair for not having been given an opportunity to speak.

20. Code of Conduct for Legislators

CHAPTER- I

Introduction and Definition

In order to maintain the highest traditions in Parliamentary life, Members of Legislative Assembly are expected to observe a certain standard of conduct, both inside the House as well as outside it. Their behavior should be such as to enhance the dignity of Legislature and its Members in general. The conduct of Members should not be contrary to the usage or derogatory to the dignity of the House or in any way inconsistent with the standards which Legislature is entitled to expect of its Members.

The extent and amplitude of the words "conduct of a Member" cannot be defined exhaustively. It is within the powers of the House in each case to determine whether a Member has acted in an unbecoming manner or has acted in a manner unworthy of a Member of Legislative Assembly. Thus, even though the facts of a particular case do not come within any of the recognized heads of breach of privilege or contempt of the House, the conduct of a Member may be considered by the House as unbecoming and derogatory to the dignity of the House.

In 1951, an ad-hoc Committee of the House was appointed by the Provisional Parliament to investigate the conduct and activities of a Member (Shri H.G. Mudgal) in connection with some of his dealings with a business association which included canvassing, support and making propaganda in Parliament on certain problems on behalf of that association in return for alleged financial and other business advantages. The Committee was directed by the House to consider whether the conduct of the Member concerned was derogatory to the dignity of the House and inconsistent with the standards which Parliament is entitled to expect from Members. The Report of the Committee was presented to the House on 11th August, 1951. The Committee found the Member guilty of receiving monetary benefit for putting of questions in Parliament, Moving amendments to the forward contracts (Regulation) Bill and arranging interviews with Ministers etc. in its Report. The Committee held that the conduct of H.G. Mudgal was derogatory to the dignity of the House and inconsistent with the standards which Parliament was entitled to expect of its Members.

The report was then considered by the House on a motion moved by the Prime Minister on 24th September, 1951. The Committee had recommended the expulsion of the Member from the House. The Member, after participating in the debate, submitted his resignation from the membership of the House. In a resolution, the House accepted the findings of the Committee and deprecated the attempt of the Member to circumvent the effects of the motion expelling him from the House, by his resignation which constituted contempt of the House and aggravated his offence.

A separate note was submitted by one of the Members of the Committee (Smt. G. Durgabai) which was appended to the Report of the Committee. Smt. Durgabai suggested in her note certain rules of conduct for legislators which were in conformity with standards set up in UK and USA.

In 1963, five Members of Parliament created disorder at the time of President's Address under Article 87 of the Constitution to both the Houses of Parliament assembled together. On 19th February, 1963, the Speaker, Lok Sabha, nominated a Committee to investigate the conduct of the said five Members at the time of the President's Address. The Committee, in their Report presented to the House on

12th March, 1963, laid down certain norms of conduct for Members at the time of the President's Address. The Committee recommended that three Members be reprimanded for their undesirable, undignified and unbecoming conduct during the President's Address and for aggravating their offence by their evidence before the Committee. The Committee felt that the ends of justice would be adequately met by expressing disapproval of the conduct of the remaining two Members. The Committee also recommended that in future for any disorderly conduct during the President's Address committed by a Member, he may be suspended from the service of the House for a period which may extend up to one year. The three Members were later on reprimanded by the Speaker as recommended by the Committee.

In 1971, when the President started reading his Address under Article 87 of the Constitution to both the House of Parliament assembled together, a Member of Lok Sabha interrupted him and created disorder. A Committee was nominated by the Speaker to go into the matter in all details in pursuance of a motion adopted by the House on 2nd April, 1971. The Committee, in their First Report presented to the House on 15th November, 1971, were of the view that conduct of the Member concerned during the President's Address was improper and inconsistent with the dignity of the occasion and the standards of conduct which the House expects from its Members. In view of the explanation given by the Member, the Committee recommended that a lenient view may be taken and the matter may be dropped. The Committee, in their Second Report presented to the House on 14th April, 1972, formulated certain guidelines for the conduct of Members and maintenance of order, dignity and decorum on the occasion of President's Address to the House (s) of Parliament under Article 86 or 87 of the Constitution.

On the basis of the recommendations made by the Committee in their Reports referred to above and on the basis of well-established parliamentary practice, certain rules of conduct, norms of behavior and conventions have developed over the years which can be loosely termed as the code of conduct for legislators for their functioning in the House, in Legislature Committees, during tours of Legislature Committees, during Governor's Address to House, their functioning outside the House etc.

CHAPTER-II*Code of Conduct for Legislators inside the Legislature*

General Rules of Etiquette

Whilst the House is sitting, a Member—

- (i) shall not read any book, newspaper or letter except in connection with the business of the House;
- (ii) shall not interrupt any member while speaking by disorderly expression or noise or in any other disorderly manner;
- (iii) shall bow to the Chair while entering or leaving the House, and also when taking or leaving the seat;
- (iv) shall not pass between the Chair and any Member who is speaking;
- (v) shall not leave the House when the Speaker is addressing the House;
- (vi) shall always address the Chair;
- (vii) shall keep to his usual seat while addressing the House;
- (viii) shall maintain silence when not speaking in the House;
- (ix) shall not obstruct proceedings, nor interrupt and shall avoid making running commentaries when another Member is speaking;
- (x) shall not applaud when a stranger enters any of the Galleries, or the Special Box;
- (xi) shall not shout slogans in the House;
- (xii) shall not sit or stand with his back towards the Chair;
- (xiii) shall not approach the Chair personally in the House. He may send chits to the officers at the Table, if necessary;
- (xiv) shall not wear or display badges of any kind in the House;
- (xv) shall not bring or display arms in the House;
- (xvi) shall not display flags, emblems or any exhibits in the House;
- (xvii) shall not leave the House immediately after delivering his speech;

- (xviii) shall not distribute within the precincts of Legislative Assembly any literature, questionnaire, pamphlets, press notes, leaflets etc. not connected with the business of the House;
- (xix) shall not place his hat/cap on the desk in the House, bring boards in the Chamber for keeping files or for writing purposes, smoke or enter the House with his coat hanging on the arms;
- (xx) shall not carry walking stick into the House unless permitted by the Speaker on health grounds;
- (xxi) shall not tear off documents in the House in protest;
- (xxii) shall not bring or play cassette or tape recorder in the House;
- (xxiii) shall avoid talking or laughing in Lobby loud enough to be heard in the House; and
- (xxiv) shall not sit on Satyagraha and Dharna inside the House and in front of the House.

Rules to be observed while speaking

A member while speaking shall not—

- (i) refer to any matter of fact on which a judicial decision is pending;
- (ii) make personal reference by way of making an allegation imputing a motive to or questioning the bona fides of any other Member of the House unless it be imperatively necessary for the purpose of the debate being itself a matter in issue or relevant thereto;
- (iii) use offensive expressions about the conduct of proceedings of Parliament or any State Legislature;
- (iv) reflect on any determination of the House except on a motion for rescinding it;
- (v) reflect upon the conduct of persons in high authority unless the discussion is based on a substantive motion drawn in proper terms;
- (vi) use the Governor's name for the purpose of influencing the debate;

- (vii) utter treasonable, seditious or defamatory words;
- (viii) use his right of speech for the purpose of obstructing the business of the House;
- (ix) make any reference to the strangers in any of the galleries;
- (x) refer to Government officials by name; and
- (xi) read a written speech except with the previous permission of the Chair.

CHAPTER-III

Code of Conduct for Legislators during the sittings of Legislature Committees and their study tours

During the sittings of Committees

During the sitting of Legislature Committees, Members are required to observe the following code of conduct:

- (i) Where a Member of a Committee has a personal pecuniary or direct interest in any matter which is to be considered by the Committee, he shall state his interest therein to the Speaker through the Chairperson of the Committee.
- (ii) The proceedings of a Committee shall be treated as confidential and it shall not be permissible for a Member of the Committee or anyone who has access to its proceedings to communicate directly or indirectly to the press any information regarding its proceedings including its report or any conclusions arrived at, finally or tentatively, before the report has been presented to the House.
- (iii) The evidence given before a Committee shall not be published by any Member of the Committee or by any other person until it has been laid on the Table.

During the study tours of Legislature Committees

During the study tour of Legislature Committees, Members are required to observe the following code of conduct:

- (i) Intermediate journeys should be avoided during the tours.
- (ii) When transport is provided by Government/Undertakings during the tours of the Committee, such transport should

be used for Committee work and not by individual Members for distant private visits.

- (iii) During tours, Members should take particular care to maintain proper dignity and decorum so that no criticism is made of the Committee in any manner.
- (iv) During the tours, if a Member falls ill and the doctor advises him not to undertake further tour, he should follow the doctor's advice.
- (v) No Member should give press statements regarding Committee proceedings to press. Whenever any briefing of the press is required to be done, the same should be done by the Chairperson of the Committee.
- (vi) The Members should not accept any costly gifts during the tour. In expensive mementos connected with the organization visited could however be accepted.
- (vii) The Committee or Sub-Committee or Study Group, while on tour, should not accept any invitation for lunch or dinner or other hospitality that might be extended by any private party. At the official lunches or dinners, if any, that might be accepted by the Committee or Sub-Committee or Study Group, no liquor should be allowed to be served.
- (viii) No Member should take any other person during the official tours. An attendant or Members' spouse may accompany a Member on medical grounds with the prior permission of the Speaker. In such cases, the Member will bear all expenses including hotel charges in respect of his/her spouse or attendant. In case a Member is found having any accompanying person without prior permission, he/she would not only bear all the expenses of such a person but would also stand automatically debarred from undertaking any Committee tour thereafter.
- (ix) The spouse of attendant of a Member should in no case, accompany Committee Members during official study visit to any installation, undertaking, officer or establishment and during informal discussion with officers of the concerned establishment, undertaking, etc.

CHAPTER IV*Code of Conduct during Delegations to Foreign Countries*

Members of a delegation to foreign countries are required not to give any press interview or statement; only the Leaders of the delegations are authorized to make press statements or interviews.

CHAPTER V*Code of Conduct for Legislators during Governor's Address*

- (i) When the Governor addresses the House under Article 175 or Article 176 of the Constitution, he delivers his Address in his capacity as the Head of the State and as part of Legislature and in pursuance of his constitutional duty. It is as much a constitutional obligation on the part of the Members to listen to the Governor's Address with solemnity, dignity and decorum as it is on the part of the Governor to address Members of Legislature. Therefore, observance of solemnity, dignity and decorum by each and every Member or any other person present on the occasion of the Governor's Address is of utmost importance.
- (ii) Any action on the part of a Member or any other person which mars in any form or manner the dignity or solemnity of the occasion of the Governor's Address or creates disturbance shall be tantamount to an act of discourtesy and disrespect to the Governor's as well as contempt of the House.
- (iii) When Members of the House assemble under Article 175 or Article 176 of the Constitution, they do so for the specific and only purpose of listening to the Governor's Address. This occasion is not a sitting of the House. No business or proceeding other than the Governor's Address is permissible under either of these two Articles. Therefore, any interruption, point of order, speech, demonstration or walk out etc. by any Member or other person on that occasion, is contrary to the provisions of the Constitution.
- (iv) No Member shall, therefore, interrupt or obstruct the Governor's Address by any point of order, debate, discussion or in any other manner or otherwise mar the

dignity of the occasion by walk-out or by any disorderly conduct or in any other manner, either before or during or after the Address, while the Governor is in the Hall.

- (v) The Governor is in charge of the proceedings and fully competent to preserve order on the occasion of his Address. If any Member or other person interrupts or obstructs the Governor's Address or mars the dignity of the occasion in any other manner, the Governor may give such directions as he may consider necessary to preserve order, solemnity and dignity of the occasion.
- (vi) If any Member or other person interrupts or obstructs the Governor's Address to the House either before or during or after the Address, while the Governor is in the Hall, with any speech or point of order or walk out or in any other manner, such interruption, obstruction or show of disrespect may be considered as a grossly disorderly conduct on the part of the concerned Member or other person and a contempt of the House which may be dealt with by the House subsequently on a motion moved by a Member.
- (vii) No Member shall interrupt the Governor when he is addressing the House; or display any placard; or shout any slogans; or make any protest; or raise any point of order, debate or discussion or otherwise willfully disrupt the proceedings, immediately preceding or during, or immediately following the Governor's Address under Article 175 (1) of the Constitution and the Governor's Special Address under Article 176 (1) of the Constitution, and the commission of any of the above lapses shall be treated as contempt of the House and dealt with as such under these rules.

CHAPTER VI

Code of Conduct for Legislators outside the Legislature

- (i) Information given to Members in confidence or by virtue of their being Members of Committees of Legislature should not be divulged to anyone nor used by them directly or indirectly in the profession in which they are engaged,

such as in their capacity as editors or correspondents of newspapers or proprietors of business firms and so on.

- (ii) A Member should not try to secure business from Government for a firm, company or organization with which he is directly or indirectly concerned.
- (iii) A Member should not give certificate which are not based on facts.
- (iv) A Member should not make profit out of a Government residence allotted to him by sub-letting the premises.
- (v) A Member should not unduly influence the Government official or the Minister in a case in which he is interested financially either directly or indirectly.
- (vi) A Member should not receive hospitality of any kind for any work that he desires or proposes to do from a person or organization on whose behalf the work is to be done by him.
- (vii) A Member should not in his capacity as a lawyer or a legal adviser or a counsel or a solicitor appear before a Minister or an executive officer exercising quasi-judicial powers.
- (viii) A Member should not proceed to take action on behalf of his constituents on some insufficient or baseless facts.
- (ix) A Member should not permit himself to be used as a ready supporter of anybody's grievances or complaints.
- (x) A Member should not endorse incorrect certificates on bills claiming amounts due to him.
- (xi) A Member should not elicit information from Government in an unauthorized manner by inducing a subordinate to give information which in the course of his normal functions he should not do nor encourage any such person to speak to him against his senior officials on matters of public importance and policy.
- (xii) A Member should not write recommendatory letters or speak to Government officials for employment or business contacts for any of his relations or other persons in whom he is directly or indirectly interested.

CHAPTER VII

Punishment for Breach of Code of Conduct

The House has the right to punish its Members for their misconduct. It exercises its jurisdiction of scrutiny over its Members for their conduct whether it takes place inside or outside the House. It has also the power to punish its Members for disorderly conduct and other contempt's, whether committed within House or beyond its walls.

In the case of misconduct or contempt's committed by its Members, the House can impose these punishments: admonition, reprimand, withdrawal from the House, suspension from the service of the House, imprisonment and expulsion from the House.

HIGH LEVEL CONFERENCE HELD IN NEW DELHI

Resolution adopted by the Conference

The Presiding Officers, Leaders of parties, Ministers of Parliamentary Affairs and Party Whips in Parliament and State Legislatures and senior Parliamentarians and Legislators, having met in a Conference in New Delhi on 23rd and 24th September, 1992, and deliberated on the need for more meaningful, effective and orderly functioning of the Houses of Parliament and State Legislatures—

- (1) Feel greatly satisfied that the Parliamentary System has taken firm roots in the country notwithstanding the challenges from within and outside;
- (2) Compliment the people of India for their continued faith in the principles and ideals of democracy and reaffirmation of their allegiance to the Parliament and Parliamentary Institutions;
- (3) Reiterate their responsibilities and duties to protect and preserve the hard-won freedom, strengthen the unity of the people, defend the integrity of the country and achieve for the people a life of peace, prosperity and happiness;
- (4) Agree unanimously that with a view to preserving the democratic and secular fabric and strengthening the Parliamentary Institutions it is necessary that-
 - (i) At the time of Address by the President to the Members of both the Houses of Parliament and at the time of Address by the Governor to the Houses of

Legislatures decorum and dignity of the occasion be maintained fully and due respect be shown to the President and the Governor;

- (ii) The Question time should be utilized fully and effectively as a well-established device to ensure accountability of the Administration and that the demand for the suspension of the Question Hour should not be made and acceded to except with the consensus in the House to discuss a matter of very urgent nature and exceptional importance;
 - (iii) The Legislatures should hold sufficient number of sittings in a year with a view of affording adequate opportunities to the Legislators to deliberate;
 - (iv) Members should scrupulously observe the Rules of Procedure in order to maintain order and decorum in the House; and
 - (v) The Committee system be strengthened in the Parliament and State Legislatures in order to enable in-depth study and closer scrutiny as well as to ensure accountability of the Executive to the Legislature.
- (5) Suggest that the Political Parties evolve a Code of Conduct for their Legislators and ensure its observance by them;
- (6) Urge that the Political Parties, Governments at the Centre and in the States, the Press and others concerned should help to create a climate conducive to the healthy growth of Parliamentary System in the country.

21. Periods of Notice

Every form of business that is desired to be transacted in the Vidhan Sabha requires prior notice, and different periods of notice have been prescribed for different classes of business as follows:-

(i) Questions

Fifteen clear days, i.e. the day on which the notice is received and the day on which the notice is set down in the List of Business, are excluded. The Speaker may, however, for sufficient reasons

reduce the period of notice with the consent of the Chief Minister. For instance, when the Vidhan Sabha is summoned at a short notice, the Speaker may reduce the period of notice for Questions with the consent of the Chief Minister for the first few days of the Session.

Again, the Speaker may accept a question at shorter notice with the consent of the Minister concerned.

(ii) Resolutions

Fifteen clear days.

The Speaker may, however, with the consent of the Minister to whose department the resolution relates, allow it to be entered on the List of Business with shorter notice than fifteen days, provided it is balloted.

(iii) Bills

Fifteen days.

The Speaker may, however, for sufficient reasons allow the motion for leave to introduce a Bill to be made at shorter notice.

(iv) Amendments to Resolutions/Bills/Demands for Grants

(known as cut motions)

Two clear days.

The Speaker may, however, in his discretion allow an amendment to be moved at shorter notice, or without notice. Amendments to Bills have been allowed without notice where the Speaker has felt that the amendment was necessary in the interests of the objects and reasons of the Bill.

(v) Substantive Motions

Seven Clear days.

The Speaker may, in his discretion allow such a motion to be moved at shorter notice.

(vi) Adjournment Motions

One hour before the commencement of a sitting.

(vii) Notice for raising half-an-hour discussion

One day.

The Speaker may waive the requirement of this notice with the consent of the Minister concerned.

(viii) Calling attention to matters of urgent public importance.

Previous permission of the Speaker.

(ix) Short Duration Discussion

24 hours before commencement of the sitting. Notice shall be supported by at least two members.

(x) Resolution disapproving Ordinance.

Three days.

(xi) Amendment to regulation, bye-law, etc.

Three days.

(xii) Questions of Privilege

Before the commencement of a sitting of the day or without notice.

(xiii) No-Confidence Motion against a Minister/Ministry as a whole.

Notice may be handed in writing before the commencement of the sitting and if admitted, discussion takes place within ten days from the day on which leave is given by the House.

(xiv) Resolution for the removal of Speaker/Deputy Speaker

At least fourteen days' notice has been given of the intention to move the resolution (vide Proviso to clause (C) of Article 179 of the Constitution).

22. Form of Notice

A notice must be given in writing, signed by the Member giving notice and addressed to the Secretary. It may be delivered in the Receipt and Dispatch Section to avoid its misplacement at any time on a working day before 3.00 P.M. If, however, it is delivered after 3.00 P.M. on a working day or it is delivered on a holiday, it will be deemed to have been delivered on the next working day. A notice or communication which is not legibly written or which is unsigned is not accepted.

23. Some Parliamentary Terms

There is always a disposition on the part of the Members to use in their speeches parliamentary words and phrases. But such words and phrases are scattered over in various books on Parliamentary procedure and are not to be found in one single book and at one place. The following is the list (not exhaustive) of such expressions as are important and commonly used, and a note has been added to each expression explaining as briefly as possible its meaning and implication:-

(1) "*Act*". – A Bill passed by the Vidhan Sabha and assented to by the Governor/President is called an Act.

(2) "*Adjournment sine die*". – Termination of a sitting of the House without any definite date being fixed for the next sitting.

(3) "*Agenda paper*". – This is equivalent to the List of Business issued under Rule 32 (1) and contains items of business to be taken up by the House in the order in which they stand in it.

(4) "*Appropriation Bill*". – A Bill passed annually (or at various times of the year) providing for the withdrawal of appropriation from and out of the Consolidated Fund of the State of all moneys voted by the Vidhan Sabha and moneys charged on the Consolidated Fund of the State for the services of a financial year or a part of a financial year.

(5) "*Bill*". – It is a draft of a legislative proposal which when it has passed through its various stages in the State legislature and received the assent of the Governor or the President, as the case may be, becomes an Act.

(6) "*Budget*". – It is the annual financial statement of the estimated receipts and expenditure of the Haryana Government in respect of a financial year.

(7) "*Closure*". – It is one of the modes in which discussion on a matter before the House may be brought to an end. It is a valuable weapon in the hands of Members to bring about an end of a discussion. That is done by a Member getting up and moving: "that the question be now put". It is for the Chair to decide whether the discussion on the proposed question has been adequate or not or whether by the termination of a discussion the Opposition would be deprived of the opportunity of expressing its views or not. By a

parliamentary convention absolute discretion vests in the Chair to grant or not to grant closure and this discretion is not open to debate.

No debate is permitted on the closure motion itself nor is any discussion allowed on the time or notice of the closure motion.

(8) "*Guillotine*". –It is another form of closure, but regulated either by the operation of Rules or by the decision of the House. Thus, for instance, the Rules provide that on the last day of the voting of demands for grants 1½ hours before the interruption of business, the Speaker shall forthwith put every question etc. etc. In other words, all discussion on the demand then under consideration ends 1½ hours before the hour of interruption and all questions relevant to the carrying of the demands are put from the Chair. Again, the House may decide in relation to a particular item of business what time should be given to it for discussion. As soon as that period of time comes to an end no further discussion can take place and the Chair must forthwith put the question to dispose of that matter.

(9) "*Money Bill*". –It is a Bill containing only provisions dealing with all or any of the matters specified in sub-clause (a) to (g) of Article 199 of the Constitution.

(10) "*Withdrawal and Suspension of Members*". –The Speaker shall preserve order and have all powers necessary for the purpose of enforcing his decision on all points of order.

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 do so forthwith and shall absent himself during the remainder of the days' sittings.

The Speaker may, if he deems it necessary, name a Member who disregards the authority of the Chair or abuses the Rules of the House by persistently and willfully obstructing the business thereof.

If a Member is so named by the Speaker, the Speaker shall, on a motion being made forthwith, put the question that the member (naming him) be suspended from the service of the House for a period not exceeding the remainder of the Session:

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

A Member suspended under this Rule shall forthwith withdraw from the precinct of the House."

Such Member shall be deemed to be absent from the meetings of the Assembly for purposes of section 3 (2) (a) of the Haryana Legislative Assembly (Allowances and Pension) of Members Act, 1975, but shall not be deemed to be absent for the purposes of Article 190 (4) of the Constitution.

(11) "*Papers laid on the Table*". –Papers are said to be laid on the Table when they are laid on the Table of the House in which meetings are held. All papers so laid on the Table are either printed as part of the proceedings of the House or placed in the Library. All papers or documents laid on the Table are required to be duly authenticated by the Members presenting it.

(12) "*Point of Order*". –A point relating to the interpretation or enforcement of the Rules of Procedure or such Articles of the Constitution as regulate the business of the House, raised in the House for the decision of the Chair.

As soon as a point of order is raised, the Member who is in possession of the House should give way and resume his seat.

A member should not raise a point of order—

- (a) to ask for information; or
- (b) to explain his position; or
- (c) when a question on any motion is being put to the House; or
- (d) which may be hypothetical; or
- (e) that Division Bells did not ring or were not heard.

A Member who wishes to bring to the notice of the House any matter which is not a point of order shall give notice to the Secretary giving two clear days in advance in writing stating briefly the point which he wishes to raise in the House together with reasons for wishing to raise it and he shall be permitted to raise it only after the Speaker has given his consent and at such time and date as the Speaker may fix.

In order that notices may be admissible it shall satisfy the following conditions namely:—

- (i) It shall not refer to a matter which is not primarily the concern of the State Government.
- (ii) It shall raise substantially one definite issue of urgent public importance.

- (iii) It shall not relate to a matter which has been discussed in the same session or which is substantially identical to the matter already raised by a member under this rule during the session.
- (iv) It shall not refer to any matter pending before the Assembly Committees.
- (v) It shall not relate to any matter which is sub-judice.
- (vi) Contents of the Subject matter shall not exceed more than 150 words.
- (vii) It shall not contain arguments, inferences, ironical expression, imputations, epithets or defamatory statement.

Notices shall be received in the Secretariat by 11 hrs. on each day commencing from the first sitting of the Session.

Text of the notices shall not enter in the List of Business. Only an entry under heading "Matters under Rule 112A" shall be included in the List of Business.

The notices approved by the Speaker for a day shall be circulated to the Members before commencement of the sitting for the day. Only the text approved by the Speaker shall go on record and shall be taken up in the House at such time as the Speaker thinks fit.

If a Member is absent when called upon by the Speaker to raise the matter given notice of by him, the notice shall fall through.

If a Minister so desires, he may make a statement on the matter in the House with the permission of the Speaker. Otherwise extracts of the notices raised in the House shall be sent to the Minister/concerned departments on the next day by the Secretariat for furnishing reply within five days. The reply so received by the Secretariat from the Minister/departments concerned shall be communicated to the Members.

No Member shall raise more than one matter in a sitting.

Not more than five notices shall be determined according to the priority of inter-se importance of the matter. The remaining notices beyond five for a day shall lapse and fresh notices are to be given for the same.

The Speaker shall have the power not to allow any matter to be raised for a particular day.

The decision of the Speaker as to whether a point raised is a point of order is final.

(13) *“Proposing the Question”*. –When a Member moving a motion has concluded his speech, no discussion thereon can start unless the Chair proposes the question in terms of the motion moved in the following way:–

“Motion moved.....(the text of the motion)”.

This is known as proposing the question. Discussion may take place after the question has been proposed.

(14) *“Prorogation”*. – The termination of a Session of the House by an order made by the Governor under Article 174 (2) (a) of the Constitution.

(15) *“Putting the Question”*. – After discussion on a motion has taken place the opinion of the House is taken by “putting the question”, thus. “The question is that..... The House may answer the question positively or negatively, that is, it may carry the motion or reject it.

(16) *“Summons”*.– It is an official communication issued by the Secretary, Haryana Vidhan Sabha, to the Members of the Sabha informing them of the place, date and time of commencement of a Session of the Sabha.

(17) *“Table of the House”*.– This Table is placed in the middle of the House which divides the Members Benches on the right and the left of the Speaker.

(18) *“Suspension from the Service of the House”*.– Means when a motion is adopted by the House for the suspension of a Member from the service of the House. Several consequences flow from this suspension.

24. Supply of Assembly Papers to Members

The following papers relating to the business of the House are circulated to the Members in advance either by placing them in their seats in the Chamber if the House happens to be sitting or by sending them to their local addresses, as registered in the receipt and dispatch section, and copies are not again supplied to them in the House:–

- (i) List of Business;
- (ii) List of Starred and Unstarred Questions;

- (iii) Bills as introduced in the House;
- (iv) Copies of Ordinances, if any, promulgated during the intersession periods;
- (v) Reports of Select Committees on Bills;
- (vi) Notices of Motions;
- (vii) Notices of amendments to Bills, Resolutions and motions;
- (viii) Notices of motions for reduction of grants; and
- (ix) Reports of Committees of the Vidhan Sabha after their presentation to the House.

Notices of questions and resolutions which are received in Hindi are translated in to English and lists of questions are circulated in the English language as also in Hindi.

Members are required to preserve copies of Bills and other papers which have been circulated to them and to bring them for use in the House on the day or days when the relevant business is going to be taken up. A few sets of all such papers are also left with the Chamber Assistant from whom these may be obtained for consultation by any Member who may have forgotten to bring his own papers with him.

Copies of Bills pending before the House from previous Session or Sessions and which have already been made available to Members may be obtained by Members who have not got copies of such Bills readily available with them from the Chamber Assistant on request.

25. Arrangements of Business

Business of the House is transacted in the following order:—

- (i) Swearing in of Members, if any;
- (ii) Obituary references;
- (iii) Questions for one hour unless the list of questions is exhausted earlier. The Speaker may, however, dispense with the Questions Hour if he feels that the nature of other business fixed for the day justifies it;
- (iv) Announcement of Speaker/ Secretary, if any;
- (v) Matters relating to privilege, if any;
- (vi) Adjournment motions, if any;

(vii) Calling Attention Notice and other Motions, if any admitted by the Speaker;

(viii) Statement by Ministers etc. and

(ix) Business as entered in the list of Business.

On Mondays, Tuesdays, Wednesdays and Fridays Government business is transacted.

On Thursday private members business shall be taken up.

On days when business other than Government business is transacted such business shall be taken up in the following order:—

(a) Messages relating to such business from the Governor;

(b) Bills in respect of which leave to introduce is to be asked for;

(c) Resolutions on matters of general public importance; and

(d) Bills which have already been introduced.

Sometimes it may so happen that the List of Business for a Thursday already stands issued before notice of a motion to transact Government business on that day is received, if such motion is carried such List of Business gets superseded. Such superseded List of Business has no precedence over the List of Business drawn up later for the following Thursday in other words for each Thursday, independent List of Business has to be drawn up according to the Rules.

On days allotted for the transaction of Government Business such business shall have precedence and the Secretary shall arrange that Business in such order and on such days as the Speaker after consultation with the Leader of the House may determine:

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

The List of Business for Thursday is determined by Rules and comprises the following classes of business and shall be taken up in the following order:—

(i) Messages for the Governor;

(ii) Bills in respect of which leave to introduce is to be asked for;

- (iii) Resolutions;
- (iv) Non-official Bills which again are arranged in such order as to give priority to Bills most advanced;
 - (a) Bills in respect of which the next stage is that the Bills be passed;
 - (b) Bills in respect of which a motion has been carried that the Bills be taken into consideration;
 - (c) Bills in respect of which the report of a select Committee has been presented;
 - (d) Bills in respect of which the next stage is the presentation of the report of a select Committee;
 - (e) Bills which have been circulated for the eliciting public opinion thereon;
 - (f) Bills which have been introduced but which have not proceeded to any of the foregoing stages. The relative precedence of Bills falling within the same category is determined with reference to the date of their introduction in the Assembly.

Resolutions are entered in the list of Business according to the precedence obtained by them in the Ballot which is held for the purpose.

All Business fixed for any day, but not disposed of on that day stands over until the next day or such day in the session as may be fixed; but business other than Government business not disposed of does not stand over unless it has been commenced. Thus a resolution which has been commenced, but not voted upon at the time of the adjournment of the Vidhan Sabha will be included in the List of Business for the next Thursday, but none of the other resolutions, unless any one of them has again obtained a place in the ballot held for that Thursday.

The order in which business is entered in the List of the Business is not varied unless the Speaker for special reasons does so; and no business requiring notice is set down in the list for a day earlier than the day after that on which the period of the notice for that class of business expires unless the Speaker waives this requirement. A copy of the List of Business is supplied to each Member.

26. Questions

There are three categories of Questions, namely

- (i) Starred;
- (ii) Unstarred; and
- (iii) Short notice

for the purpose of obtaining information on matters of public concern. Brief description of each category of questions is given below:—

Starred Questions

A starred question is one whose answer is desired to be given orally in the House with the idea to get an opportunity to follow up the Minister's answer and elicit further information by way of Supplementary Questions. A member wishing to give notice of such a Question must distinguish it by an asterisk "*" or with the words "Starred Question". If a Question is not thus distinguished it is treated as an Unstarred Question and is printed on the List of Questions for written answer.

Unstarred Questions

An Unstarred Question is one which is not orally asked in the House, but its answer is laid on the Table and the Member putting such a Question is given a copy of the answer.

Short Notice Questions

Subject to the approval of the Speaker and consent of Minister concerned, a Member may ask a Question, relating to a matter of public importance, at a shorter notice than fifteen days stating briefly the reasons for asking the Question at short notices. Short Notice Questions are asked immediately after the Questions, included in the List of Starred Questions, have been disposed of or at the end of the Question Hour. Short Notice Questions are also governed by the Rules relating to the admissibility of questions with such modification as the Speaker may consider necessary or convenient. It shall be distinguished by placing two asterisks.

List of Question

(Directions by the Hon'ble Speaker dated 7th August, 1996)

Not more than twenty Starred Questions in all on the basis of one question in the name of one Member, shall be placed for oral answer on the list of questions for a day. However, if questions from less than twenty Members fall due on a particular day only then the second question of a Member shall be included in the list of questions. Priority of questions inter-se shall be determined according to the time and date of receipt of the notices.

For Unstarred Questions there is no limit prescribed by Rules. However, as per practice prevailing in accordance with the direction issued by the Speaker under Rule 120 of the Rules of Procedure and Conduct of Business, not more than 40 Unstarred Questions in all and not more than 4 Unstarred Questions of any one Member are placed for written answer on the list of Unstarred Question for a day. Unstarred Questions in excess of these limits are spread over to other days. Priority of questions inter-se shall be determined according to the time and date of receipt of the notices.

Postponed Questions

If a reply to a question is not ready, an application for extension of time is made by the Minister concerned to the Speaker, who may extend the time for answering the question and no discussion is permitted in the House about the reasons for postponement. All Starred Questions which are postponed during the course of a week, are reprinted in a list of Postponed Questions and are taken up on the following Tuesday and if such list is exhausted before the end of the Question Hour, the normal list for the Tuesday is taken up.

Where the Speaker is of the opinion that a question has not been adequately answered, he may postpone it to a later day.

Written answers to Questions not replied orally

(1) If a Question not distinguished by an asterisk, or if a question placed on the list of questions for oral answer on any day is not called for answer within the time available for answering questions on that day a written answer to such questions shall be deemed to have been laid on the table at the end of the Question Hour or as soon as the questions for oral answer have been disposed of, as the case may be, by the Minister to whom the question is addressed.

(2) If there is no Questions Hour or Question Hour is dispensed with on any day on which the House sits, written answer to questions

placed on the list of questions for written answer on that day, if any, shall be laid on the table by a Minister on behalf of all the Ministers to whom such questions are addressed.

(3) No oral reply shall be required to a question to which a written answer is given and no supplementary questions shall be asked in respect thereof.

Admissibility of Questions

Whether a question or a part thereof is or is not admissible under the Rules is decided by the Speaker. The Speaker may disallow any question or part thereof or in his discretion amend the question or give the Member concerned an opportunity of amending it, if the question does not conform to the requirements prescribed for the admissibility of question. However, in order to be admissible, a question should satisfy the conditions as laid down in Rule 46 of the Rules of Procedure and Conduct of Business in Haryana Legislative Assembly which *inter alia*, require that if a question contains a statement, the Member asking the question should make himself responsible for the accuracy of the statement. Other provisions concerning the admissibility of questions, have been summed up in two major categories and as under:—

Dos

The question should—

- (a) be of a genuinely interrogative character for the purpose of obtaining information on a matter of public importance with which the Minister, to whom it is addressed, is officially connected or to a matter of administration for which he is officially responsible;
- (b) be self contained and intelligible; and
- (c) be properly signed by the Member.

Don'ts

The question should—

- (a) not ask for an expression of opinion;
- (b) not bring in any name or statement not strictly necessary to make the question intelligible;
- (c) not contain arguments, inferences, ironical expressions or defamatory statements;

- (d) not contain references to newspapers by name or ask whether statements in the press or of private individuals or un-official bodies are accurate;
- (e) not ask for an expression of a legal opinion or the solution of an abstract legal question nor of a hypothetical proposition;
- (f) not ask as to the character or conduct of any person except in his official or public capacity;
- (g) not ask for information on any matter which is under adjudication by a court of law having jurisdiction in any part of India;
- (h) not be of excessive length;
 - (i) not require information contained in documents ordinarily accessible to the public or in ordinary works of reference;
 - (j) not raise questions of policy too large to be dealt with in the limits of an answer and matters for dealing with which the rule provide a more convenient method;
- (k) not amount in substance to a suggestion for any particular action but it may ask for a statement of the intentions of Government in respect of a matter on which a question may be asked;
- (l) not reflect on the character or conduct of any person whose conduct can only be challenged on a substantive motion.
- (m) not make or imply a charge of a personal character;
- (n) not repeat in substance questions already answered or to which an answer has been refused;
- (o) not ask for information on trivial matters.
- (p) not raise matter under the control of bodies of persons not primarily responsible to Government;
- (q) not ordinarily ask for information on matters which are under consideration before a Committee of the Assembly;
- (r) not ask about proceeding in a Committee which have not yet been placed before the Assembly by a report from the Committee;

- (s) it shall not ordinarily ask about matters pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions of any commission or court of enquiry appointed to enquire into, or investigate any matter but may refer to matters concerned with procedure or subject or stage or enquiry, if it is not likely to prejudice the consideration of the matter by the tribunal or commission or court of enquiry; and
- (t) it shall not ordinarily refer to debates or answers or questions orally answered in the current Session.

The rules governing, the admissibility or otherwise of question, as contained in the Rules of Procedure and Conduct of Business in the Haryana Legislative Assembly, are also supplemented by the rulings/decisions/directions/observations given by the Presiding Officers.

Whether limit is prescribed on number of notices of Questions

Under the Rules no limit is prescribed on the number of notices of Starred Questions which a Member may send. According to practice, however, the number of such notices from any one Member, which dealt with in the Vidhan Sabha Secretariat is approximately one and half-times the total numbers of questions that can be included in the list of questions for the probable sitting of the House because for any one sitting not more than two Starred Questions of any one Member are included in the Order Paper. In other words if the total number of such sitting is, say ten, then, the total number of questions from any one Member which are considered is about 30 even though a Member may have sent notices of a very much larger number of questions.

The notices of admitted Starred Questions, which cannot be included in any list of Questions during a Session and notices of questions which are dealt with and are kept pending (not being in time) lapse on the prorogation of the Vidhan Sabha. However, the Members concerned may, if they so choose, renew them for the next Session or send fresh notices by revising them, if considered necessary.

Identical Questions

Identical questions by more than one Member are consolidated and the names of all such Members bracketed.

Questions given notice of by more than one Member

Where a notice of question (Starred, Unstarred, Short Notice) is signed by more than one Member, it is deemed to have been given by the first signatory only.

Intimation to Member about his Questions

An intimation is sent to the Member, whose question has been admitted, whether in the form in which notice was received or in an amended form. When a question is disallowed by the Speaker, an intimation to this effect is also given to the Member concerned together with the brief reasons for disallowance. Questions which have been disallowed or the reason for their disallowance cannot be released to the press for publication.

Conversion of Starred Question into Unstarred Question

The Speaker has the authority under the Rules to convert a Starred Question into an Unstarred Question if he is of the opinion that the information required is voluminous or a written reply would be more appropriate, but he cannot convert an Unstarred Question into a Starred Question.

Withdrawal and postponement of questions by the Members

A Member may, by notice given, at any time before sitting for which his question has been placed on the list, withdraw his question or postpone it to a later day which should be specified in the notice. On such later day the postponed question is placed on the list after all questions which have not been so postponed. A postponed question can, however, not be placed on the list until two clear days have expired from the time when the notice of postponement has been received.

Mode of asking Questions

Starred Questions and Short Notice Questions are called in the House by merely reading their number. Any Member when called by the Speaker, may put a Supplementary Question after the reply to the Starred/Short Notice Question has been given provided that such Supplementary Question is relevant and arises out of the answer given to the main Question and also if it is otherwise admissible. It has

been repeatedly held that the object of Supplementary Questions is that of obtaining additional information and not of cross examination.

Who may call a Question

Normally, only that Member is entitled to call a Starred Question or a Short Notice Question in whose name it stands a Question not asked by a Member present in the House treated as withdrawn and, therefore, not printing in the proceedings. The Speaker may, however, permit another Member to call a Question if the latter has written authority for the purpose and the Speaker has prior intimation about it. The Speaker may also, on the request of any Member, direct that in the absence of a question being put by the Member concerned or in the event of his absence or in the case of non-delivery of the authority letter to the Speaker in advance the answer to the question be given.

Placing of copies of answers to Starred and Short Notice Questions on the Table of the House

Half an hour before the commencement of the Question Hour, two sets of the answer to the Starred and Short Notice Questions, if any, are placed on the Table of the House, the contents of answer to such questions (including statements, if any, to be laid in reply) should be treated as confidential and not released for publication, until the question is actually asked and answered in the House or replies thereto are deemed to have been laid on the Table.

27. Bills

As already stated, a Bill is drafted of a Legislative proposal put in the proper form which when passed by the Legislature and assented to by the Governor or President as the case may be, becomes an Act.

Sources of Bills- A bill can be introduced either by a Minister or by a Private Member. In the former case it is known as a Government Bill and in the latter case it is known as a Private Member's Bill. But the requirements are the same in both the cases. In the case of Private Member's Bills, however, the relative precedence among them is determined by a ballot, the procedure for which is set out in the Schedule 1 of the Rules of Procedure and Conduct of Business.

Motion for leave- In all cases fifteen days' notice has to be given of the intention to move for leave to introduce a Bill and every such notice has to be accompanied by four copies of the text of the bill together with a full statements of the Objects and Reasons of the Bill

duly signed by the Member giving such notice in English and its authoritative Hindi translated version.

The Speaker may, for sufficient reasons allow the motion for leave to introduce a Bill to be made at shorter notice than fifteen days.

If motion for leave to introduce a Bill is carried, the Bill shall be introduced.

Governor's recommendation

If the Bill seeks to make a provision for any of the matters specified in sub-clauses (a) to (f) of clause (1) of Article 199 of the Constitution, it cannot be introduced or moved except on the recommendation of the Governor and the notice must be accompanied by such recommendation. If a Bill, which if enacted and brought into being would involve expenditure from the Consolidated Fund of the State, it shall not be passed by the Vidhan Sabha unless the Governor has recommended to it, its consideration and it must, therefore, be accompanied by an order of the Governor to the effect. But such recommendation is not necessary if the Bill provides for the imposition of fines or other pecuniary penalties or for the demand or payment of fee for license or fees for services rendered, or if it provides for the imposition, abolition, remission, alteration or regulation of any tax by any local authority or body for local purposes.

Financial Memorandum

A Bill involving expenditure is required to be accompanied by a financial memorandum which shall invite particular attention to the clauses involving expenditure and shall also give an estimate of the recurring and non-recurring expenditure involved in case the Bill is passed into law.

Further, the causes or provisions in Bills involving expenditure from public funds are required to be printed in thick type or in italics, but where a cause in a Bill involving expenditure is not printed in thick type or in italics, the Speaker may persist the Member-in-charge of the Bill to bring such clauses to the notice of the House.

Memorandum regarding delegated Legislation

A Bill involving proposal for the delegation of legislative powers is required to be accompanied by a memorandum explaining such

proposal and drawing attention to their scope and stating also whether they are of normal or exceptional character.

A Bill seeking to amend original sections of a principal Act should also be accompanied by an Annexure containing extract of all those section of principal Act to which the amendment is sought.

A notice of a Bill is not complete unless the recommendations/ memorandum required under the Rules accompany it.

After a motion for leave to introduce a Bill is carried, the Bill is introduced.

Previous publication of Bills

The leave to introduce a Bill is obviated if the Speaker on the request being made to him, may order the publication of any Bill together with the Statement of Objects and Reasons, (the memorandum regarding the delegation of legislative power and the financial memorandum wherever necessary accompanying it) in the Gazette although no motion has been made for leave to introduce the Bill. In that case, it shall not be necessary to move for leave to introduce the Bill, and if the Bill is afterwards, introduced, it shall not be necessary to re-publish it.

Copies of the Bill in English and its Hindi translated version are also supplied to all Members.

First Reading— A Private Member or a Minister is ordinarily required to ask for leave of the House to introduce a Bill. If leave is granted, it is published in Gazette. But even before introduction, a Bill might, with the permission of the Speaker, be published in the gazette. In such cases no leave to introduce it in the House is necessary and the Bill is straightway introduced.

When the leave is granted and the Bill is introduced or the Bill is introduced after its pre-publication, it brings an end to the first reading of the Bill.

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 put the question without further debate:

Provided that where an important measure is offered by a Minister or a Member it is expected that the motion will be negative,

the Speaker may allow full exposition of the character and objects of the Bill by the Minister who moves and the Member who opposes the motion, but exposition shall be confined to the principles underlying the Bill. After the leave is granted and the Bill is introduced, it is published in the Gazette for the information.

Second reading– The second reading consists of consideration of the Bill which can further be divided in to two stages. The first stage consists of a general discussion of the Bill when the principal underlying the Bill is discussed. At this stage it is open to the House to refer a Bill to a Select Committee of the House or to circulate it for the purpose of eliciting opinion or straightway take in to consideration at once.

The second stage consists of consideration of a Bill clause by clause. Discussion takes place on each clause of the Bill and amendments, if any, are moved at this stage, when all the Clauses, the Schedules, the Enacting Formula and the Short Title of the Bill and amendments have been put to vote and disposed of, the Second Reading is deemed to be over.

Third Reading– When the Second Reading of the Bill is over, thereafter the Member-in-charge of the Bill can move a motion for the Third Reading of the Bill by moving a motion that the Bill or the Bill, as amended, as the case may be, be passed. At this stage, debate is confined to arguments either in support of the Bill or its rejection. 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.

After a Bill is passed, it is sent to the Legislative Department. After a Bill is received the assent of the Governor or the President, as the case may be, it becomes an Act.

28. Resolutions

(a) Private Members Resolutions– A resolution is a motion for the purpose of discussing a matter of general public interest. Members may give notices of resolutions in the form of a self-contained proposal on which the Vidhan Sabha is capable of expressing its decision.

A notice of resolution has to be accompanied by the text of the resolution itself and satisfy the requirements for its admissibility as laid down in the Rules.

Form of resolution

A resolution may be in the form of a declaration of opinion, or a 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 commend, urge or request an action; or call attention to a matter of situation for consideration by Government; or in such other form as the Speaker may consider appropriate. It should be clearly and precisely expressed and should raise substantially one definite issue. It should not contain arguments, inferences, ironical expressions or defamatory statements, it should not refer to the conduct or character of person except in their official or public capacity and it should not relate to any matter which is not primarily the concern of the State Government or even to the matter which is under adjudication by a Court of Law having jurisdiction in any part of India.

There is no limit to the number of notices of Resolutions which may be given. But no resolution put on the other Paper unless it is balloted.

Ballot

For the purpose of determining the relative precedence of resolutions to be moved, a ballot is held for each day on which business other than Government business has precedence. The procedure for holding the ballot has been set out in schedule-I annexed to the Rules of Procedure and Conduct of Business in the Haryana Legislative Assembly.

Numbered List

About fourteen days or such reduced period as the Speaker may direct before each Thursday a numbered list is placed in the Receipt and Dispatch Section. Such list is kept open for two days and on these two days during office hours any Member who has given notice of Resolution, may have his or her name entered against one Member only.

Members may enter their own names in the numbered lists themselves or may authorize the Secretary in writing to do so on their behalf.

Only those numbers against which names are entered in the numbered list are balloted for the purpose of determining the priority of Resolution.

Notice of Ballot

The date of the ballot, in respect of each day when Resolutions are to be taken up, is notified and the ballot is held by the Speaker or his representative.

Indication of Priority

Members, who have given notices of more than one Resolution, are advised to indicate in writing the priority in which they want their Resolution to be taken up in case their numbers are balloted. In the absence of such authority the date of the receipt of the Resolution, and if more than one Resolution is received on the same date then the order in which they are received is kept in view in determining their relative priority.

Intimation to Member about his Resolution

An intimation is sent to Member whose Resolution has been admitted, whether in the form in which notice was received or in an amendment form. The Member concerned may himself be asked to modify his resolution for the reasons which may be conveyed to him. An intimation is also sent if the resolution is disallowed together with the reasons therefore.

Transmission of Resolution to Government

A copy of the Resolution which is carried is sent to Government. From Government a statement is now and again, received about the action taken on the Resolutions passed and such statement is placed before the House.

(b) Official Resolution: — Notice of the Resolution may be given by a Minister. It is not necessary for him to give 15 clear days' notice, as in the case of Private Members Resolutions of his intimation to move such a Resolution. After the Speaker admits notice of such Resolution it can be moved and discussed at a sitting at which the Government business is transacted. Such a Resolution is not balloted.

The mover of the resolution has a right of reply before the Resolution is put to vote.

29. Financial Business

The Annual Financial statement or the statement of the estimated receipt and expenditure of the Government, known as the Budget, is presented to the Vidhan Sabha with a speech by the Finance Minister. The budget is then dealt with in two stages-

- (i) general discussion; and
- (ii) voting of demands for grants.

General discussion on Budget

The general discussion on the Budget takes place for such period as the Speaker, in consultation with the Leader of the House, may determine or on the Report of Business Advisory Committee adopted by the House as the case may be. Members are then at liberty to discuss the Budget as a whole or any question of principal involved in it. The Finance Minister has a general right of reply at the end of the discussion. Other Ministers may also take part in the discussion to answer any criticism that may have been made of the departments under their charge. No motion is moved at this stage, nor is the Budget submitted to the vote of the Assembly.

The Speaker may, if he so chooses, prescribe a time limit for the speeches.

Demand for Grants

The Speaker shall, in consultation with the Leader of the House, allot so many days as may be compatible with the public interest for the discussion and voting of demand for grants.

No demand for a grant can be made except on the recommendation of the Governor.

Members may move cut motions to omit or reduce any item in a grant or reduce any grant. A token cut may be proposed, but when that is done, the object of the cut has to be specified clearly and precisely. But no motion can be moved to increase any grant or alter its discussion.

The charged expenditure is subject to discussion, but not to the vote of the Vidhan Sabha.

The debate on motions must be confined to the administrative matters for which the Government is responsible and not deal with matters requiring Legislation.

Guillotine

On the last day of the days allotted for the voting of demands for grants, the Speaker, 1 ½ hours before the normal hour if interruption of the Business for with, puts every question necessary to dispose of the demand under consideration and thereafter puts, one by one, all the outstanding demands for grants.

30. Appropriation Bill

When the demands for grants have been voted by the Vidhan Sabha, the Appropriation Bill, providing for the appropriation out of the consolidated fund of all the money thus voted as well as the charged expenditure, is introduced and discussed in the House.

No amendment can be proposed to an Appropriation Bill which has the effect of varying amount or altering the destination of a grant so made or of varying the amount of any expenditure charged on the Consolidated Fund of the State.

Discussion

The Appropriation Bill is discussed in the Vidhan Sabha for such period as the Speaker may allot, and on the allotted day, or if more than one day has been allotted on the last of the allotted days, half-an-hour of the interruption, he for with puts every question necessary to dispose of all the outstanding matters in connection with the Bill.

Restriction on discussion

The debate on the Appropriation Bill is restricted to matters of public interest or administrative policy implied in the grants covered by the Bill which were not raised while the relevant demands for grants were under consideration.

The Speaker may, in order to avoid repetition of debate, require Members desiring to take part in the discussion to give advance intimation of the specific points they intend to raise and he may withhold permission for raising such of the points as in his opinion appear to be repetitions of the matters already discussed or as may not be of sufficient public importance.

31. Supplementary, Additional, Excess and Exceptional grants and Votes of Credit

Supplementary grants.— When the expenditure for a particular service for the current financial year is found to be insufficient for the purpose of that year or when a need arisen during the current financial year for Supplementary or additional expenditure upon some new service not completed in the annual financial statement for that year the Governor causes the Supplementary estimates/Grants to be laid before the House.

It is practice and provided in the internal Working Rules of the Committee on Estimates that before the Supplementary Estimates are presented to the House, the same are examined by the Committee on Estimates. The Report of the Committee on Estimates is presented to the House by the Chairperson of the Committee immediately after the presentation of such Supplementary Estimates by the Finance Minister.

Supplementary, Additional, Excess and Exceptional Grants and Votes of Credit are regulated by the same procedure as that applicable to the demands for grants with such modifications as the Speaker may deem necessary. But the debate on these grants or votes has to be confined to the items constituting the same, and no discussion may be raised on the policy underlying them except to the extent necessary to explain or illustrate the particular items under discussion.

32. Appropriation Bill regarding Supplementary Grants, etc

Appropriation Bills in respect of these are also subject to similar restrictions of debate.

33. Vote-on-Account

A 'vote-on-Account' is a vote of demand for grant given in advance in respect of the estimated expenditure for part of a financial year pending the completion of the procedure relating to the voting of the annual budget and the passing of the Appropriation Bill in relation thereto.

A motion for a 'Vote-on-Account' states the total sum required and the various amounts required for each department or item of expenditure which compose that sum. These various sums are stated in a Schedule. Amendments may be moved for the reduction of the

whole grant or for the reduction or omission of the items of which the grant is composed.

Scope of Discussion

Discussion of a general character on the motion or amendments thereto is in order, but discussion of the details of the grants further than that necessary to develop the general points is not in order.

34. Appropriate Bill regarding 'Vote-on-Account'

The discussion of the Appropriate Bill in respect of the 'Vote-on-Account' is similarly restricted. The reason for thus restricting the discussion is that ample opportunities will still be available when the annual budget is discussed.

35. Discussions

General speaking discussions take place in the House in anyone of the following modes:-

- on the Governor's Address,
- on the Budget,
- on the Demands for Grants,
- on Resolutions, and
- on Bills,

Discussion may also take place on :

- an Adjournment Motion,
- a No-confidence Motion
- a Question of Privilege
- a motion for the removal of the Speaker/Deputy speaker,
- a motion for the discussion of policy, situation or statement etc.
- a short duration discussion on a matter of urgent public importance,

but in each of these cases discussion is confined to the matter before the House.

Besides, half-an-hour discussion may take place in a relation to a matter of public importance which has been the subject of a recent question.

Again, a Member, may with the previous permission of the Speaker, call the attention of a Motion to any matter of public importance and the Minister may make a brief statement pertinent thereto.

The procedure for raising these discussions is as stated below:—

(i) Governor's Address

As already stated discussion starts on a motion of thanks moved by a Member and seconded by another. No previous notice by those who wish to take part in the discussion is required. They only have to catch the eye of the Chair in the House.

(ii) Budget

As has been said elsewhere, there is no formal motion before the House and the discussion lasts for such time as may be previously determined.

(iii) Demands for Grants

The discussion takes place on the specific motions moved by a Minister. No previous intimation by those intending to take part in the discussion is necessary, but discussion on any one demand is confined to demand under consideration.

(iv) Resolutions

Discussion starts after the mover has moved his motion and the question has been proposed.

(v) Bills

The discussion on a Bill takes place in a number of stages:

Leave to Introduce

- (a) When leave to introduce is asked for; but then the discussion is of a restricted character. Normally no discussion takes place at this stage because the grant of leave is regarded as a formal matter.

Motion for consideration

- (b) When the Bill is moved for consideration a general discussion on the principal involved in the Bill takes place. But if the Bill is moved for being referred to a Select Committee discussion does not normally take place unless it is to oppose the motion for reference.

Consideration of the Report of Select Committee

- (c) When a Bill is reported by the Select Committee, a general discussion takes place on the motion that the Bill as reported be taken into consideration.

Discussion of clauses

- (d) After the motion for consideration has been carried discussion takes place on each clause along with amendments, if any, moved thereto.

Motion for passing

- (e) After the clauses have been carried, amended or rejected, the motion moved is that the Bill be passed, and on this motion again discussion takes place, but it is restricted to the mode of application or enforcement of the Bill.

(vi) Adjournment Motion

An adjournment motion is a motion intended to secure a discussion on a definite matter of urgent public importance of recent occurrence by interrupting the normal business of the House. This requires the consent of the Speaker. Discussion, if the motion is otherwise in order, ordinarily takes place for two hours after hour of interruption, or earlier if the business for the day is finished earlier.

Notice for an adjournment motion has to be accompanied by a brief explanatory memorandum explaining the motion. Such notice has to be given to the Secretary and copies of the notice have to be handed over to the Speaker, the Minister concerned or the Chief Parliamentary Secretary. The right to move such motion is subject to a number of restrictions which have been given in the Rules.

Such notice is required to be given in writing not less than one hour before the commencement of the sitting of the House on the day on which the motion is proposed to be made to each of the following:—

- (i) Speaker.
- (ii) Minister concerned or Chief Parliamentary Secretary.
- (iii) Secretary.

After the Speaker has given his consent, the Member concerned has to ask for the leave to move the adjournment of the Assembly. If objection to leave being granted is taken then the Chair asks those in

favor of leave being granted to rise in their places and if not less than eleven do so, the Chair intimates that leave is granted. Otherwise the Chair intimates that leave is not granted.

Discussion on an adjournment motion has to be relevant to the motion itself and takes place at the normal hour of interruption or earlier if the business for the day is completed earlier. A period of two hours is allotted for the discussion and at the end of two hours the discussion automatically terminates. No question is then put and when this happens it is said that the adjournment motion was 'talked out'.

However, notices of such Motions are not taken up on the day Budget for the year is presented to the House.

(vii) No confidence motion in Ministry

No confidence motions are intended to express want of confidence in, or disapproval of the policy in a particular respect of a Minister or the Ministry as a whole. The member intending to move such a motion has to give notice in writing to the Secretary before the commencement of the sitting. If in the opinion of the speaker, the motion is in order, he reads it to the House and asks those in favour of leave being granted to rise in their places and if not less than eighteen do so, he intimates that leave is granted. In the event of leave being granted, discussion takes place on the day appointed by him for the purpose, but such day must be in period of ten days from the day on which the leave is granted.

(viii) Question of Privilege

A question of privilege concerning Member of the House or a Committee of the House may be raised by a Member with the consent of the Speaker by giving notice to the Secretary. Not more than one question, restricted to a specific matter of recent occurrence, can be raised at the same sitting. If the Speaker gives his consent, he calls the Member concerned after Questions and before the list of business for the day is entered upon who, while asking for leave, makes a short statement pertinent to the question of privilege. If objection to leave being granted is taken, the Chair asks those in favor of leave being granted to rise in their places and if not less than 15 members rise, the Chair intimates that leave is granted. Thereafter on a motion being made, the question is referred to the Committee of Privileges.

A question of privilege may, with the permission of the Speaker, be raised at any time.

Again, the Speaker, may refer any question of privilege to the Committee of privileges for examination, investigation and report.

Discussion may take place on the report of the Committee. The Speaker may also allow a discussion before deciding whether the question raised is one of privilege or not.

(ix) Removal of Speaker/ Deputy Speaker

Article 179(c) of Constitution provides that a Member holding office as a Speaker or Deputy Speaker of an Assembly may be removed from his office by a resolution of the Assembly passed by a majority of all the then Members of the Assembly;

Provided that no resolution for the purpose shall be moved unless at least fourteen days' notice has been given of the intention to move the resolution. Rule 11 of the Assembly Rules provides that:-

Rule 11

- (1) As soon as may be after the receipt of notice of a resolution to remove the Speaker or the Deputy Speaker from his office under Article 179 (c) of the Constitution, the Speaker shall read the notice to the Assembly and shall then request Members who are in favour of leave being granted to move the resolution to rise in their places and if not less than 23 Members rise accordingly, the Speaker shall allow the resolution to be moved.
- (2) As soon as may be after leave is given, a copy of the resolution shall be forwarded to the Leader of the House who shall find time for its discussion, and the motion shall be taken up on the day fixed by the Leader of the House for the purpose.

The resolution is discussed on such day and time as may be fixed for the purpose by the Leader of the House or on the report of the Business Advisory Committee adopted by the House. On the day so fixed the resolution is taken up after questions hour. Subject to the provisions of Article 181 of Constitution, the Speaker, or the Deputy Speaker or such other person as is referred to in clause (2) of Article 180, presides when a resolution for the removal of the Speaker or Deputy Speaker is taken for consideration.

(x) Discussion of Policy, situation or statement etc.

A discussion may take place on the motion that the policy or situation or statement or any other matter may be taken in to consideration. But such motion is not put to the vote of the House unless a Member moves a substantive motion in appropriate terms to be approved by the Speaker and no such substantive motion the vote of the Assembly shall be taken (vide rule 84).

(xi) Resolution disapproving Ordinance

A Member may give three days' notice of his intimation to move a resolution under Article 213 (2) (a) of the Constitution disapproving an Ordinance.

The time for the discussion of such a resolution is allotted by the Speaker. It does not exceed two hours. If notice of a Bill on the subject matter of the Ordinance has been received, in that event the discussion on the resolution is held before the discussion on the Bill. However, practice has developed that the Resolution for disapproval of an Ordinance and the motion for consideration of the Bill on the subject etc. discussed together, but the resolution is voted prior to the voting on the motion for consideration of the Bill.

(xii) Amendment of a regulation, rule, sub-rule, bye-law, etc.

A Member may give three days' notice of an amendment to a regulation, rule, sub-rule, bye-law, etc, framed pursuance of the Constitution or any Act, after it is laid before the House, but within the period for which it is required to be so laid.

The time for the discussion of such amendment is allotted by the Speaker in consultation with the Leader of the House.

(xiii) Half-an-hour discussion

Half-an-hour discussion may take place with the consent of the Speaker in relation to a matter of sufficient public importance which has been subject of a recent question oral or written i.e. Starred or Unstarred, and the answer to which needs further elucidation on a matter of fact.

Notice for raising such a discussion has to be given to the Secretary briefly specifying the point or points sought to be raised, and it has to be accompanied by an explanatory note stating the reasons

for discussion. Such a notice is also required to be supported by the signatures of at least two Members.

Discussion, if permitted takes place after the hour of interruption or earlier if the business for the day is completed earlier.

No voting takes place at the end of the discussion.

If more than two notices are received and admitted by the Speaker, a ballot is held to determine which two shall be set down for discussion, and out of these two, the notice received first in the point of time is placed first.

(xiv) Calling attention

Calling attention to any matter of public importance, though strictly not a mode of raising a discussion, is the method of focusing attention of the House on a certain matter.

A Member may, 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 a later hour or date.

There shall be no debate on such statement at the time it is made but each Member in whose name the notice stands may, with the permission of the Speaker, ask a question.

Provided that names of more than five Members shall be combined or bracketed.

Explanation—(i) Where a notice is signed by more than one Member, it shall be deemed to have been given by the first signatory only and he alone shall be allowed to read the notice.

(ii) Notices for a sitting received one hour before the commencement of the sitting shall be deemed to have been received for that day. Notices received within one hour before the commencement of the sitting shall be deemed to have been given for the next sitting.

Not more than one matter shall be raised at the same sitting.

In the event of more than one matter being presented for the same day, priority shall be given to the matter which in the opinion of the Speaker, is more urgent and important.

The proposed matter shall be raised after the questions and before the list of business is entered upon and at no other time during the sitting of the House.

In according with the established conventions, notice to such motions are not taken upon the day the Budget for the year is presented to the House.

(xv) Short Duration Discussion

Any Member desirous of raising discussion on a matter of public importance may give notice in writing 24 hours before the commencement of the sitting to the Secretary specify clearly and precisely the matter to be raised.

Provided further that the notice shall be supported by the signatures of at least two other Members.

(1) If the Speaker is satisfied, after calling for such information from the Member who has given notice and from the Minister as he may consider necessary, that the matter is urgent and is of sufficient importance to be raised in the House at an early date, he may admit the notice:

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

(2) The Speaker may allot two sittings in a week on which such matters may be taken up for discussion and allow such time for discussion not exceeding one hour at or before the end of the sitting, as he may consider appropriate in the circumstances.

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 shall reply shortly. Any Member who has previously intimated to the Speaker may be permitted to take part in the discussion.

The Speaker may, if he thinks fit, prescribe a time limit for the speeches.

36. Modes of decision by the House

When a question is put to the House it is required to give its decisions which is taken by the Chair by asking for a voice vote in the first instance. If the opinion of the Chair on the basis of the voice vote is not challenged, then the question is declared as determined either

by saying "Ayes have it", "Ayes have it", or "Noes have it", "Noes have it" as the case may be. But if the Chair's opinion is challenged, i.e. if "Ayes have it", "Ayes have it", is being declared there are voice saying "Noes have it", "Noes have it" or vice versa, there are two courses open to the Chair either to ask the Members in favor and those against, to stand in their respective places one after the other, if it is of the opinion that the division is being unnecessary claimed, and then on the basis of a general assessment of the opinion of the House declared the decision of the House, or direct those in the favor and those, against the motion to go in to their respective lobbies, that is, order the House to divide itself.

37. Division

When the Chair intends ordering a division the Secretary operates at his Table a switch which causes electric bells to ring in the Vidhan Bhawan to enable Members, who are within the building but not in the House, to come to the House if they wish to take part in it. Immediately after the bell stop ringing the question is put once again and if the Chair's opinion is challenged again, the Members are directed to the lobbies. All the outer doors of the lobbies are then closed and the Watch and Ward Staff are posted at each door with the standing instructions that anyone coming in or going out during the course of the division should be prevented from doing so. The Division Clerks in the "Ayes" and "Noes" lobbies mark off on the division lists the numbers of the Members, who call out the same. To insure that his vote has been recorded a Member should not move away from the Division Clerk until he is certain that his vote has been recorded.

After the recording of the votes has been completed, the division lists handed over to the Secretary, who passes them on to the Presiding Officer. He later then announces the result to the House. The division is not complete till the result is announced to the House.

A "Division" is, therefore, a recording of vote by Members in favor of or against a motion in their respective lobbies.

38. Miscellaneous

(i) Statement by Member resigning the Ministry

A Member who has resigning the office of the Minister may with the consent of the Speaker, make a statement in explanation of his resignation. A copy of the statement is forwarded to the Speaker and

the Leader of the House one day in advance of the day on which it is proposed to be made. Such statement is ordinarily made after questions and before the business on the list for the day is entered upon. On such statement no debate is allowed, except that a Minister is entitled after the Member has made his statement to make a statement pertinent thereto (vide rule 62).

(ii) Personal Explanation

Any Member may, with the permission of the Speaker, make a personal explanation although there is no question before the Assembly.

Provided that such explanation, if permitted, shall be made at the earliest possible opportunity before the business for the day is entered upon, and shall be limited to the circumstances which are the subject of the explanation and no speech or debate thereon shall be allowed by the Speaker (vide rule 63).

(iii) Statement by Minister

A statement may be made by a Minister on a matter of public importance with the permission of the Speaker but no questions are allowed to be asked nor discussion takes place thereon at the time the statement is made but a copy of such statement is required to be forwarded to the Speaker one day in advance of the day on which it proposed to be made. The Speaker may, at his discretion, reduce this period in exceptional circumstances.

39. Committees

There are a number of Committees of the House, some are elected by the House and some other nominated by the Speaker. In addition to the Committees of the House there are a number of Committees constituted by departments of the Government to which Members are nominated either in their ex-officio capacity or in their personal capacity.

I - Committees elected by the Vidhan Sabha

- (i) Public Accounts Committee.
- (ii) Estimates Committee.
- (iii) Public Undertakings Committee.
- (iv) Committee on the Welfare of Scheduled Castes, Scheduled Tribes and Backward Classes.

Membership

There are four committees which annually elected by the Vidhan Sabha from amongst its Members according to the principle of proportional representation by means of the single transferable vote; the Public Accounts Committee, Estimates Committee, Public Undertakings Committee and Committee on the Welfare of Scheduled Castes, Scheduled Tribes and Backward Classes. Each consists of not more than nine members. In order to constitute a meeting of each Committee the quorum shall be three.

Functions**(i) Public Accounts Committee**

The Public Accounts Committee examines the Reports of the Comptroller and Auditor-General of India and the Appropriation Accounts of the Haryana Government, and such other accounts as may be laid before the Vidhan Sabha. In examining the former, it satisfies itself 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, that the expenditure conforms to the authority which governs it and that every re-appropriation has been made in accordance with the provisions made in this behalf under the rules framed by the competent authority. The Committee may also examine such trading, manufacturing and profit and loss accounts and balance sheets as the Governor may have required to be prepared and the Comptroller and Auditor-General's Report thereon. It may as well scrutinize the Comptroller and Auditor-General's Report in cases where the Governor may have required him to conduct an audit of any receipts or to examine the accounts of stores and stock.

(ii) Committee on Estimates

The Committee on Estimates examines such of the estimates which have been voted upon by the Vidhan Sabha or have been referred to it by the Vidhan Sabha pertaining to a department or a group of departments or such subjects falling thereunder as it may choose for the purpose.

The functions of the Committee are:—

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

Besides, the Committee also scrutinizes the Supplementary Demands for Grants before the same are presented to the House.

(iii) Committee on Public Undertakings

The functions of the Committee are to—

- (a) examine the Reports and accounts of the Public Undertakings specified in Schedule IV and any such other Public Undertakings as may be referred to the Committee by the Speaker for examination;
- (b) examine the Reports, if any, of the Comptroller and Auditor General on the Public Undertakings;
- (c) 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) exercise such other functions vested in the Committee on Public Accounts and the Committee on Estimates in relation to the Public Undertakings mentioned above as are not covered by clauses (a), (b) and (c) above as may be allotted to the Committee by the Speaker from time to time.

Provided that the Committee shall not examine and investigate any of the following, namely—

- (i) matters of major Government policy as distinct from business or commercial functions of Public Undertakings;

- (ii) matters of day-to-day administration; and
- (iii) matters for the consideration of which machinery is established by any special statute under which a particular Public Undertakings is established.

Schedule –IV
LIST OF PUBLIC UNDERTAKINGS

1. Haryana State Industrial & Infrastructure Development Corporation Limited, Panchkula.
2. Haryana Agro-Industries Corporation Limited, Panchkula.
3. Haryana Land Reclamation & Development Corporation Limited, Panchkula.
4. Haryana Seeds Development Corporation, Panchkula.
5. Haryana State Electronic Development Corporation Limited.
6. Hartron Informatics Limited, Chandigarh
7. Haryana State Roads and Bridges Development Corporation Limited, Panchkula.
8. Haryana Tourism Corporation Limited, Chandigarh.
9. Haryana Roadways Engineering Corporation Limited, Gurgaon.
10. Haryana Forest Development Corporation Limited, Panchkula.
11. Haryana Police Housing Corporation, Panchkula.
12. Haryana Scheduled Castes Finance and Development Corporation Limited, Chandigarh.
13. Haryana Backward Classes and Economically Weaker Section Kalyan Nigam Limited, Chandigarh.
14. Haryana Women Development Corporation, Panchkula.
15. Gurgaon Technology Park Limited.
16. Dakshin Haryana Bijli Vitran Nigam Limited, Hisar.
17. Uttar Haryana Bijli Vitran Nigam Limited, Panchkula.
18. Haryana Vidyut Prasaran Nigam Limited, Panchkula.
19. Haryana Power Generation Corporation Limited, Panchkula.

20. Saur Urja Nigam Haryana Limited.
21. Haryana Rapid Mass Transport Limited.
22. Haryana Medical Services Corporation Limited, Panchkula.
23. Panipat Plastic Park Haryana Limited.
24. Haryana Minor Irrigation and Tubewells Corporation Limited (non-working), Panchkula.
25. Haryana State Housing Finance Corporation Limited (non-working), under liquidation.
26. Haryana Concast Limited (non-working), under liquidation.
27. Haryana Minerals Limited (non-working).
28. Yamuna Coal Pvt. Limited (non-working).
29. Faridabad Smart City Limited (incorporated in September 2016)
30. Gurugram Metropolitan City Bus Limited.
31. Haryana Rail Infrastructure Development Corporation Limited.
32. Haryana State Financial Services Limited.
33. Karnal Smart City Limited.
34. Faridabad City Transport Services Limited.

Corporations

1. Haryana Financial Corporation, Chandigarh.
2. Haryana Warehousing Corporation, Panchkula.

(iv) *Committee on the Welfare of Scheduled Castes, Scheduled Tribes and Backward Classes.*

The functions of the Committee shall be—

- (i) to consider the Reports submitted by the Principal Secretary to Government Haryana for Scheduled Castes, Scheduled Tribes and Backward Classes under Article (338) (2) of the Constitution in-so-far as they relate to the State of Haryana and to report to the House as to the measures that should be taken by the State Government in respect of matters within the purview of the State Government.

- (ii) to examine the measures taken by the State Government to secure due representation of the Scheduled Castes, Scheduled Tribes and Backward Classes in services and posts under its control (including appointments in the Public Sector Undertakings and statutory and semi-Government bodies) having regard to the provisions of Article 335 of the Constitution;
- (iii) to consider the matter concerning the Welfare of Scheduled Castes, Scheduled Tribes and Backward Classes which fall within the purview of the State Government;
- (iv) to report to the House on the action taken by the State Government on the measures proposed by the Committee;
- (v) to study intensively the material obtained from or supplied by the Government, Departments, Undertakings, Principal Secretary to Government, Haryana for the Welfare of Scheduled Castes, Scheduled Tribes and Backward Classes; and
- (vi) to prepare questionnaire to be issued and to examine and consider replies received from the Government Departments/ Undertakings and to study and report on any matter referred to by the Committee or the Chairperson and finally to indicate broad points on which the report is to be prepared.

The Rules permit all these Committees to make with the approval of the Speaker, detailed rules of procedure to supplement the provision contained in the Rules of Procedure and Conduct of Business in the Haryana Legislative Assembly.

Chairpersons

The Chairpersons of all these Committees are appointed by the Speaker from amongst their members, but if the Deputy Speaker is a Member of either Committee, he under the operation of the rules, is the Chairperson, provided, however, that, in the case of the Public Accounts Committee, if the Chairperson of the Committee during the preceding financial year has served as a Chairperson; for less than

two years and he is elected as a Member of the Committee, he may be appointed by the Speaker as the Chairperson of the Committee.

Examination by these Committees

The Public Accounts Committee and the Estimates Committee in the course of their respective functioning scrutinizes examine departmental representatives. The former is assisted in addition by the Comptroller and Auditor-General's representative, namely, the Accountant-General.

The Committee on Public Undertakings in the course of its respective functioning scrutinizes examines the Administrative Secretaries and Heads of Departments/representatives of Public Undertakings etc. The Committee is also assisted to some extent by the Comptroller and Auditor-General's representative, namely the Accountant-General and the Finance Department.

The Committee on the Welfare of Scheduled Castes, Scheduled Tribes and Backward Classes in the course of its respective functioning scrutinizes examines the measures taken by the State Government to secure due representation of the Scheduled Castes, Scheduled Tribes and Backward Classes in services and posts under its control (including appointments in the Public Sector Undertakings and statutory and semi-Government bodies) having regard to the provisions of Article 335.

Reports

These Committees present their Reports to the House as often as they think proper. Each of these Committees is competent to present its Report even after completing only a part of its work.

II- Committees Nominated by the Speaker

There are number of Committees nominated by the Speaker, the membership of which is restricted to Members of Vidhan Sabha. The names of these Committees togetherwith the maximum number that can be appointed on each of them and the quorum required under the rules to constitute a meeting of each of these Committees are given below:

Name of the Committee	Maximum number of members that can be appointed to a committee	Quorum
1	2	3
Committee on Government Assurances.	9	3
Committee on Subordinate Legislation	8 (including Advocate -General)	3
Rules Committee	8 (including the Speaker who Shall be its <i>Ex-Officio</i> Chairperson)	*One-third of the total number of Members of the Committee.
General Purposes	Consisting of Speaker as an <i>Ex-officio</i> Chairperson of the Committee, the Deputy Speaker, Members of the Panel of Chairpersons of all Committees of the Assembly. Leaders of recognized parties and groups in the Assembly and such other Members as may be nominated by the Speaker.	*One third of the total number of Members of the Committee.
Business Advisory Committee	7 (including Speaker as an Ex-officio Chairperson of the Committee)	4
Library Committee	6	2
House Committee	5 (Deputy Speaker as an Ex-officio Chairperson and four others)	*One-third of the total number of Members of the Committee.
Committee on Petitions	7	3
Committee of Privileges	10	One-half of the number of Members of the Committee.

Committee on Local Bodies And Panchayat	9	* One third of the total number of the Committee.
Subject Committee on Public Health, Irrigation, Power and Public Works (B&R).	9	*One-third of the total numbers of the Members of the Committee.
Subject Committee on Food & Supplies.	9	*One-third of the total numbers of the Committee.
Subject Committee on Social Justice & Empowerment, Women & Child Development and Welfare of Scheduled Castes & Backward Classes.	9	*One-third of the total numbers of the Members of the Committee.
Subject Committee on Education, Technical Education, Vocational Educational, Medical Educational and Health Services.	9	*One-third of the total number of Members of the Committee.

*Vide Rule 207.

Committee on Government Assurances

The Committee on Government Assurances consisting of nine Members is constituted for a year and scrutinizes the assurances, promises, undertakings, etc., given by the Ministers on the floor of Vidhan Sabha from time to time and reports about their implementation to the House.

Committee on Subordinate Legislation

The Committee on Subordinate Legislation is nominated by the Speaker for a year and shall not consist of more than eight Members including Chairperson. The Advocate General shall be one of them. Its function is to see whether the powers, to make regulations, rules, sub-rules, bye-laws, etc., conferred by the Constitution or delegated

by the Legislature, are being properly exercised within the scope of such delegation. It may also examine such other matters of a similar nature as the Speaker may refer to it. In exercising the regulation, bye-laws, etc. the Committee has in particular to consider-

- (i) whether it is in accordance with the general objects of the Constitution or the Act pursuant to which it is made;
- (ii) whether it contains matter which in the opinion of the Committee should more properly be dealt within an Act of the Legislature;
- (iii) whether it contains imposition of any tax;
- (iv) whether it directly or indirectly bars the jurisdiction of the courts;
- (v) whether it gives retrospective effect to any of the provisions in respect of which the Constitution or the Act does not expressly give any such power;
- (vi) whether, it involves expenditure from the Consolidated Fund of the State or the Public Revenue;
- (vii) whether, it appears to make some unusual or un-expected use of the powers conferred by the Constitution or the Act pursuant to which it is made;
- (viii) whether, there appears to have been unjustifiable delay in the publication or laying it before the Legislature; and
- (ix) whether, for any reason its form or purport calls for any elucidation.

The Committee reports its opinion on these rules etc. to the Assembly. If in the opinion of the Committee any other matter relating to any order should also be brought to the notice of the Assembly, the same is also done.

Rules Committee

The Rules Committee consists of not more than eight Members including the Speaker who is the *ex-officio* Chairperson of this Committee. The Committee is nominated by the Speaker to consider matters of procedure and conduct of business in the House and to recommend any amendments or additions to the Rules that may be deemed necessary. It holds office for such period as the Speaker may specify or until a new Committee is nominated. The recommendations

of the Committee are laid on the Table and within a period of three days beginning with the day on which they are so laid, any Member may give notice of amendments to the recommendations and if notice of any amendment is not received within the specified period, the recommendations are deemed to have been approved by the House. Notice of any amendments to the recommendations of the Committee stands referred to the Committee for its consideration and report.

General Purposes Committee

The General Purposes Committee holds office until a new Committee is constituted and its strength is variable. The Speaker, the Deputy Speaker, the Members of the Panel of Chairpersons, the Chairpersons of all Committees of the House, Leaders of recognized parties and groups in the Vidhan Sabha and such other Members as may be nominated by the Speaker are the Members of this Committee. The Speaker is the *ex-officio* Chairperson of this Committee. It considers and advises on such matters concerning the affairs of the House as may be referred to it by the Speaker from time to time. **(At present this Committee is no longer in existence in Assembly).**

Business Advisory Committee

The Business Advisory Committee consists of seven Members including the Speaker who is the *ex-officio* Chairperson. The Members are nominated and hold office as such till a new Committee is constituted. The function of this Committee, as its name suggests, is to recommend time allocations for different categories of business before the House as may be referred to it by the Speaker in consultation with the Leader of the House. A report of the Committee which consists mainly of the recommended time-table for Bills or groups of Bills and other Government business is presented to the House by the Speaker and if adopted operates as the time allocation order of the House itself; that is to say, that at the appointed hour in connection with any specified business the Speaker in accordance with such order forthwith puts every question necessary to dispose of all outstanding matters in connection with it.

No variation in the Allocation of Time Order is made except on the request of the Leader of the House who notifies orally to the House that there is general agreement for such variation, and such

variation is enforced by the Speaker after taking the sense of the House.

Library Committee

The Speaker nominates for each financial year a Library Committee consisting of not more than six members, one of whom is appointed by him as the Chairperson, the Committee meets from time to time under the direction of the Chairperson, of the Committee or the Speaker. It advises upon matters connected with the Member's Library to the Speaker and is responsible for selecting books for the Library. **(At present this Committee is no longer in existence in Assembly).**

House Committee

The House Committee is nominated for one year and consists of five Members including the Deputy Speaker who is the *ex-officio* Chairperson of the Committee. It considers and advises upon matters connected with the comfort and convenience of the Members of the Vidhan Sabha, such as the catering arrangements in the canteens attached to the Legislature building and the Legislator's Hostel. It also allots accommodation to Members in the Hostel and Flats during the Session of the Vidhan Sabha.

Committee on Petitions

The Committee on Petitions is nominated by the Speaker for one year and not exceeding Seven Members. The functions of the Committee are as under.

- (1) The Committee shall examine every petition referred to it, and if the petition complies with these rules, the Committee may direct that it be circulated. Where circulated of the petition has not been directed that the petition be circulated.
- (2) Circulation of the petition shall be in extension or in summary form as the Committee or the Speaker, as the case may be, may direct.
- (3) It shall also be the duty of the Committee to report to the House on specific complaints made in the petition referred to it after taking such evidence as it deems fit and to suggest remedial measures either in a concrete form applicable to the case under review or to prevent such cases in future.

- (4) The Committee shall also consider representations, and letters received through any authentic mode of communication from various individuals, associations etc. which are not covered under the following clauses and give directions for their disposal:-
- (i) a Bill which has been published under Rule 128 or which has been introduced in the House;
 - (ii) any matter connected with the business pending before the House;
 - (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 Body or a Commission;
 - (b) which should ordinarily be raised in the Parliament or any other State Legislature;
 - (c) which can be raised on a substantive motions or resolution; and
 - (d) for which remedy is available under the law, including rules, regulations, bye-laws made by the Union or state Government or any authority to whom power to make such rules, regulations, etc. is delegated.

Committee of Privileges

The Committee of Privileges which is nominated by the Speaker holds office until a new Committee is nominated, its Chairperson being appointed by the Speaker. It consists of not more than ten Members. It examines every question referred to it and determines with reference to the facts of each case whether a breach of privileges is involved, and if so the nature of the breach; the circumstances leading to it and make such recommendations as it may deem fit.

Committee on Local Bodies and Panchayati Raj Institutions

The Committee on Local Bodies and Panchayati Raj Institutions consists of not more than nine members including Chairperson. The Committee is nominated by the Speaker for one year for the examination of working of the Local Bodies which shall mean and include Notified Area Committees, Municipal Committees, Improvement Trusts and Municipal Corporations and Panchayati Raj Institutions which shall mean and include Panchayat Samities and Zila Parishads. The Committee may examine the audit reports and accounts of the Local Bodies and Panchayati Raj Institutions as may be selected by the Committee and the reports, if any, about Panchayati Raj Institutions and Urban Local Bodies prepared and submitted by the CAG of India laid on the table of the House as well as the reports, if any, of the Examiner, Local Fund Accounts (Now Director, Local Audit, Haryana) laid on the Table of the House. It may also examine in the context of autonomy, whether affairs of the Local Bodies or the Panchayati Raj Institutions are being managed in accordance with the provisions of law. The Committee may also examine any other aspect of the working of any Local Body or the Panchayati Raj Institution, as may be referred to it by the Speaker.

Subject Committee on Public Health, Irrigation, Power and Public Works (B&R)

The Subject Committee on Public Health, Irrigation, Power and Public Works (B&R) consists of not more than nine Members including Chairperson. The Committee is nominated by the Speaker for one year. The Committee may scrutinize the demands for grants and examine the working of these departments and to suggest measures for improvement in administration and in different programmes/schemes/projects, legislation and to advise Government on a policy or

legislation on which Government may consult a Committee. It may also discuss generally and formulate views on-

- (a) State's Five Year Plan Programmes relating to these departments and their implementation;
- (b) Reports of Public Undertakings under these departments;
- (c) Reports of any statutory or other body, including any Commission of Inquiry, which are laid before the House relating to these departments; and
- (d) Annual Performance Report of these departments.

Subject Committee on Food & Supplies

The Subject Committee on Food & Supplies is nominated by the Speaker for a year and shall not consist of more than nine members including Chairperson. The Committee shall broadly scrutinize the demands for grants and examine the working of the department and suggest measure for improvement in administration and in different programmes/schemes/projects ,besides advising the Government on policy matters and discussing State's Five Year Plan and annual performance reports etc. **(At present this Committee is no longer in existence in Assembly).**

Subject Committee on Social Justice & Empowerment, Women & Child Development and Welfare of Scheduled Castes and Backward Classes

The Subject Committee on Social Justice & Empowerment, Women & Child Development and Welfare of Scheduled Castes & Backward Classes is nominated by the Speaker for a year and shall not consist of more than nine members including Chairperson.

The functions of the Committee shall be:-

- (i) to scrutinize the demands for grants;
- (ii) to examine the working of these departments and to suggest measures for improvement in administration and in different programmes/schemes/projects;
- (iii) to examine legislation;

- (iv) to advise Government on a question of policy or legislation on which government may consult a Committee;
- (v) to discuss generally and formulate views on-
 - (a) State's Five Year Plan Programmes relating to these departments and their implementation.
 - (b) Reports of Public Undertakings under these departments;
 - (c) Reports of any statutory or other body, including any Commission of Inquiry, which are laid before the House relating to these departments; and
 - (d) Annual Performance Reports of these departments.

The Subject Committee shall not examine or investigate matters of day-to-day administration. **(At present this Committee is no longer in existence in Assembly).**

Subject Committee on Education, Technical Education, Vocational Education, Medical Education and Health Services

The Subject Committee on Education, Technical Education, Vocational Education, Medical Education and Health Services is nominated by the Hon'ble Speaker shall not consist of more than 9 members including the Chairperson. The term of the office of the members of the Committee shall be one year.

The functions of the Committee shall be-

- (i) to scrutinize the demands for grants;
- (ii) to examine the working of these Departments and to suggest measures for improvement in administration and in different Programmes/schemes/projects;
- (iii) to examine legislation;
- (iv) to advise Government on a question of policy or legislation on which Government may consult a Committee;
- (v) to discuss generally and formulate views on-

- (a) State's Five Year Plan Programmes relating to these departments and their implementation
- (b) Reports of Public Undertakings under these departments;
- (c) Reports of any statutory or other body, including any Commission of Inquiry, which are laid before the House relating to these departments; and
- (d) Annual Performances Report of these Departments.

The Subject Commission shall not examine or investigate matters of day- to-day administration.

General Observations

Since the Committee whether elected by the House or nominated by the Speaker perform their appointed duties on behalf of the House, it follows that their reports embodying their conclusions are presented to the House, such presentation being done in each case by the Chairperson concerned or in his absence by another Member of the Committee.

Reports of Committees

According to practice, the Reports of the Public Accounts, the Estimates, the Public Undertakings, the Welfare of Scheduled Castes, Scheduled Tribes and Backward Classes, the Subordinate Legislation and the Government Assurances Committees are not discussed in the House. They are, however, sent to Government for implementation according to procedure mutually settled by Government and the different Committees.

Proceedings

The proceedings of each Committee are taken down verbatim, sent to the Members and others, if any, who have taken part therein, for verbal corrections and kept on record in the Vidhan Sabha Secretariat. Such proceedings are confidential as well as the conclusions of the Committee till the latter are embodied in reports and presented to the House.

Attendance of persons

All the Committees whether elected by the House or appointed by the Speaker have the power under the Rules to require the attendance of persons or the production of papers or records if such course is felt to be necessary for the discharge of their duties by them.

Venue of Meetings

The meetings of all Committees are normally held at Chandigarh within the precincts of the Vidhan Sabha, but if for some reason or the other, it is felt that for the efficacious disposal of work a Committee meeting may be held elsewhere, that can be done with the prior permission of the Speaker.

III. Constitution of other Committees

A Committee can also be constituted on a motion made by the Assembly either by means of election or by nomination.

IV. Committees appointed by Government

There are a number of departmental Committees appointed by Government to which sometimes Members are nominated either in their *ex-officio* capacity or in their personal capacity. The difference in the two capacities consists in the mode of payment of Traveling Allowance payable to Members for attending these meetings. In the former case, on receipt of the information about the attendance of the Members, their Traveling Allowance Bills are prepared and passed for payment by the Vidhan Sabha Secretariat in accordance with the Haryana Legislative Assembly (Allowances and Pension of Members) Act and Rules made there under while in the latter case the bills are prepared and passed for payment by the Department concerned, subject to the formality of these Bills being countersigned by the Secretary, Vidhan Sabha.

The Speaker is, according to the present practice, not consulted when a Member of Vidhan Sabha is nominated to any of these Committees.

40. Daily Bulletins, Resume and Review

A daily bulletin about the work done by the Assembly is issued each day and is made available to each Member.

In addition, a resume is issued at the end of each Session giving a brief account of the work done by the Vidhan Sabha in the Session. A copy of this publication is supplied to the Members free of cost.

Review of work done by the Vidhan Sabha during the Sessions held during its term is also prepared and printed copies thereof are made available to the Members free of cost.

41. Speeches etc. delivered by the Members and reports of debates and Committees

A typed or written copy of every speech delivered, observation made or supplementary question put in language (Hindi, Punjabi or English) used by a Member and taken down by the official Reporters is sent to the Member concerned in Hindi, Punjabi (Hindi script) or English for making, if necessary, minor verbal corrections. This copy is required to be returned to the Vidhan Sabha Secretariat within 72 hours, when delivered during the Session, and within 15 days when sent by post. If, however, it is not returned within the stipulated time the Reporter's copy is utilized for the printing of the debate and no correction thereafter is accepted.

Printed copies of the debates are, as and when ready, supplied to all Members free of cost. Similarly, copies of Reports of Committees of the Vidhan Sabha, after these have been presented to the House, are supplied to the Members free of cost.

42. Library

The Haryana Vidhan Sabha Library is located in the lounge on the Ground Floor just below the Vidhan Sabha Chamber of the Vidhan Bhawan and stocks of books, reports and other publications on different subjects. A number of dailies, weeklies and monthlies are also available therein.

A Member may borrow from the Library any book or publication (other than a book reference) for a period not exceeding 30 days from the date of issue; provided that-

- (i) no Member at any time shall borrow more than three books;
- (ii) the Secretary may require that any book or volume which is in urgent demand be returned even before a period of 30 days is over; and

- (iii) the Secretary may, on request, extend the period of loan of a book, provided that no other Member in the meantime has asked for it.

The books are issued to Members on pass books maintained for each Member separately.

Books of reference and current newspapers cannot be removed from the Library except for purposes of reference in the House for which permission of the Secretary is required.

43. Vidhan Bhawan

The Vidhan Bhawan contains two Chambers, one for the Haryana Vidhan Sabha and the other for the Punjab Vidhan Sabha.

There is a separate entrance for Members and separate entrance for visitors and others. The Members on coming through their entrance reach the Vidhan Sabha Chamber by means of a ramp.

The only place for the Members to interview people is provided between their entrance hall and the Visitors Hall.

44. Galleries

The Haryana Vidhan Sabha Chamber provides the following categories of Galleries for visitors:—

- (1) Press Gallery;
- (2) Visitor's Gallery;
- (3) Speaker's Gallery;
- (4) V.I.Ps. Gallery; and
- (5) Officers Gallery.

Admissions to different galleries are regulated under orders of the Speaker by the issue of passes by the Secretary on the application of Members including Ministers and others entitled to apply for the same.

No separate gallery for ladies has been provided in the chamber. The first two rows consisting of 21 seats have, however, been earmarked for the ladies. There is a very limited number of seats in the galleries. The seating capacity of each Gallery is as under:—

- | | |
|-----------------------|----|
| (1) Press Gallery | 30 |
| (2) Visitor's Gallery | 46 |

(3) Speaker's Gallery	29
(4) V.I.Ps. Gallery	46 + 14
(5) Officers Gallery (U)	56
(6) Officers Gallery 2nd floor (L)	33 + 1
(7) Ladies Gallery	18 + 3

Members of the public, men as well as women, are admitted into the public Galleries, if applications for the issue of passes for them are made by Members. Children below the age of 12 years are not admitted into the Galleries. Each Member/Minister is entitled to only one pass for the public Galleries. Even the issue of one pass is subject to the availability of accommodation in the Galleries. Applications must be made at least one day before the commencement of the meeting for which the passes are required.

Applications for passes, on the prescribed forms which can be had from the office, should contain full particulars about the persons for whom the passes are required.

45. Allowance payable to Members under the Haryana Legislative Assembly (Allowances and Pension of Members) Act, 1975 and the rules framed under Section 9 thereof.

1. Compensatory Allowance

A Member (Other than the Chief Minister or a Minister or a Minister of State or a Deputy Minister or the Speaker or the Deputy Speaker or the Leader of opposition is entitled to a compensatory allowance at the rate of Rs. 10,000/per mensem (w.e.f. 01.04.2016) from the date on which he takes his oath as Member.

If a Member —

- (a) fails to attend at least ninety per centum of the total number of meetings held in any month; or
- (b) elected during the course of a month fails to attend at least ninety per centum of the total number of meetings held in that month subsequent to the date on which he takes his oath.

He shall not for that month be paid any compensatory allowance other than an allowance at the rate as may be prescribed (at present Rs. 100/-) for every meeting actually attended by him as such member unless he satisfies the Secretary of the Assembly that he was

prevented by reasons of ill health or for any other sufficient cause from attending the required number of meetings.

Provided that no member who draws the compensatory allowance prescribed shall receive a sum greater than ninety per centum of the amount that would be due to him in any one month had he attended the requisite number of meetings.

When in any month there have been no meetings or no meeting is held after the election of a Member during the course of a month, the Member shall be paid full compensatory allowance for such month.

Notwithstanding anything herein before contained, no compensatory allowance shall be paid to any Member in respect of any period during which he was under legal detention (under any law other than the Maintenance of Internal Security Act, 1971) for the time being in force.

2. Salary

A member is entitled to the salary @ Rs. 40,000/-p.m. (w.e.f.01.04.2016) and Petty Grant @ Rs. 15.00 Lac Per annum (w.e.f.1.04.2018).

3. Constituency Allowance

A Member is entitled to a Constituency allowance at the rate of Rs. 60,000/- per mensem (w.e.f 1.04.2016).

“Explanation. –For this purpose, a Member shall include the Chief Minister, a Minister, a Minister of State, a Deputy Minister, the Speaker, the Deputy Speaker and Leader of the Opposition.”

4. Sumptuary Allowance

(i) A Member is entitled to Sumptuary Allowance at the rate of Rs. 10,000/- (ten thousand) per month (w.e.f. 01.04.2016).

(ii) The Chief Minister or a Minister or a Minister of State or a Deputy Minister or the Speaker or the Deputy Speaker or the Leader of Opposition) is entitled to a sumptuary allowance of Rs. 25,000 (twenty five thousand) per mensem (w.e.f. 01.04.2016) from time to time.

5. Office Allowance

A Member (other than the Chief Minister or a Minister or a Minister of State or a Deputy Minister or the Speaker or the Deputy Speaker or the Leader of Opposition) is entitled to an office allowance of Rs. 25,000 per mensem (w.e.f. 01.04.2016).

6. Secretariat Allowance

A Member shall be entitled to Secretariat Allowance @ Rs. 15,000/- per mensem which the Haryana Vidhan Sabha Secretariat may pay to the person to be notified by the Member to the Secretariat to work as his Secretary.

7. Travelling Allowance

Travelling Allowance Bills are presented in the form prescribed, in duplicate, after having been completed and signed by the Members. Travelling Allowance is payable to a Member in respect of every journey performed by him for the purpose of attending a Session of the Vidhan Sabha or a meeting of a Committee or for the purpose of attending to any other business under orders of the Speaker connected with his duties as a Member, from the usual place of residence to the place where the Session or the meeting is held or the other business is to be transacted and for the return journey from such place to his usual place of residence as given below:—

- (i) If a member travels alone or with one companion (spouse or any other dependent family member), he shall be entitled to travel by rail by Air Conditioned 1st Class or by air (executive class) and will be paid an amount equal to the actual rail fare by Air Conditioned 1st Class or air fare (executive class) as the case may be, subject to submission of actual rail/air tickets;
- (ii) for journeys performed by road between places not connected by rail at the rate of {rupees eighteen} per kilometer.

A Member who performs a journey by road by his own car between places connected by rail, either wholly or in part and gives a certificate that he travelled by his own car, may draw travelling allowance at the rate of rupees eighteen per kilometer:

Provided that a Member who performs a journey by road between places connected by rail either wholly or in part, by means of

car not owned by him, he may draw travelling allowance at the rate of rupees eighteen per kilometer but the total amount of travelling allowance for the entire journey shall not exceed the amount which would have been admissible to him had he performed such journey by rail.

If the usual place of residence of a Member is outside Haryana, the Travelling Allowance is calculated as from and to the headquarters of the Constituency from which he is elected. For this purpose Delhi is deemed to be within Haryana.

(iii) Intermediate journeys : When a meeting of the Assembly or a Committee is adjourned for two or more days, a Member who leaves the place of meeting and returns to attend another meeting of the Assembly or Committee, as the case may be, after the period of that break, may draw travelling allowance at the rate of –

(a) single first class fare if the two places are connected by rail; or

(b) rupees eighteen per kilometer in other cases including those where the journey is performed by road by his own car between places connected by rail.

Note: — Travelling Allowance for intermediate journey shall also be admissible on the completion of the business of one Committee and the commencement of the business of another Committee or the termination of the Session of the Assembly and the commencement of the business of a Committee, or *vice versa* at the same place.

8. Incidental Allowance

An incidental allowance is paid to a Member at the rate of nine rupees both for the day of departure from and for the day of arrival at his usual place of residence to attend a meeting and return there to after the meeting.

Explanation: —A break of less than four days between two successive meetings of the Assembly or Committee shall be deemed to be a day or days of attendance for a Member who does not leave the place of the meeting during such break:

Provided that nothing in this section shall entitle any Member to any Travelling or Halting Allowance if such person ordinarily resides or carries on business at any place within five miles of the place at which his attendance is required in connection with his duties as member.

(2) Nothing in sub-section (1) shall debar a Member from claiming Halting Allowance under that sub-section for the day of the meeting merely on the ground that the meeting was adjourned for want of quorum or cancelled for any reason whatsoever, if the member came to know of such adjournment or cancellation after arriving at the place of the meeting.

9. Halting Allowance

A Member is entitled to Halting Allowance at the rate of rupees two thousand per day maximum 15 days in a month attendance at a meeting of the Assembly or Committee or in respect of journeys undertaken under the orders of the Speaker for any other business anywhere connected with his duties as a Member (w.e.f. 01.09.2016).

Provided that if a Member has been ordered to absent himself from a meeting or meetings of the Assembly under the Rules of Procedure and Conduct of Business in the Haryana Legislative Assembly for the time being enforce, he shall not be entitled for such period of absence to the allowance :

Provided further that a Member shall also be entitled to halting allowance:—

- (1) Where he arrives for attending a meeting of the Assembly one or two days earlier to the date of such meeting, or departs from the place of such meeting one or two days immediately after the date on which the Assembly is adjourned *sine-die*, for such one or two days, as the case may be, of arrival and departure; and
- (2) "Every Member is entitled to hire accommodation while on tour to other States as a Member of the Committee of Haryana Vidhan Sabha and claim reimbursement subject to the submission of bills up to Rs. 5,000/- per day:

Provided that a member, who is entitled to stay the Haryana Bhawan or any other Rest House/Guest House maintained by the Government or its department or Public Sector Undertaking/Agencies wholly or substantially found

or controlled by the Government of Haryana, while on tour in National Capital Territory, Delhi, shall before availing the accommodation charges offered under this clause produce a Non Availability Certificate from the competent authority with reference to any/ all such facilities including Haryana Bhawan:

Provided further that reimbursement of Hotel/Guest House charge shall only be admissible when the journey on tour involves overnight stay at destinations(s):”

10. Telephone Allowance

- (i) Every Member is provided with a Telephone at the expense of the State Government at his option, either at his permanent place of residence or at Chandigarh or if for any reasons such facility cannot be provided at such place, at any other place, specified by the Member.
- (ii) A Member provided with a “telephone or one mobile phone” under Para (1) shall be paid an allowance of ‘rupees fifteen thousand’ per mensem (w.e.f. 01.04.2016) or as may be prescribed.
- (iii) Telephone connections from the EPABX have also been provided in each Room in the MLAs Hostel. An amount of Rs. five is only charged per day towards local calls.

Explanation: — for the purposes of (i) & (ii) a Member shall include the Chief Minister, a Minister, a Minister of State, a Deputy Minister, the Speaker, the Deputy Speaker.

***Liability to pay income tax:—** The members’ Allowances shall be exclusive of the tax payable in respect thereof under any law relating to income tax for other time being in force, and such tax shall be born by the State Government. (All the Allowances are exclusive of the Tax except compensatory Allowance)

11. Free Travel Facilities:

(a) Every member (including Members of his family) shall be entitled to travel in India or outside India by any mode of transport i.e. any conveyance including private taxi and the expenses incurred on such journey shall be reimbursed to the member on furnishing a mere statement with regard to utilization of money subject to a maximum of

three lac rupees per annum (w.e.f. 01.04.2016) .The statement shall be furnished in the following manner:—

Certified that I _____ have spent an amount of Rs. _____ for availing of the Free Travel Facility by me and my attendant/my spouse/my legally adopted child/children/my legitimate child/children/my parents/my widowed daughter (s) residing with me and wholly dependent upon me who have actually undertaken journey by air/road/rail/taxi/own car, from _____ to _____ (name of place) from _____ to _____ (period).

The definition of family and mode of transport is as under :—

'family' means the wife or the husband, as the case may be, of a Member his legally adopted children, his legitimate children, his parents and his widowed daughter (s) residing with him and wholly dependent upon him{and includes any other person accompanying him to look after and assist him;

'mode of transport' means any conveyance including private taxi.

(b) Two free non-transferable passes which shall entitle him and his wife or any other person accompanying him to travel at any time by any public service vehicle of Haryana State Transport Undertaking including air conditioned Coach;

(c) One free non-transferable pass which shall entitle him to travel at any time within the State of Haryana or the Union Territory of Chandigarh by any public service vehicle of the Pepsu Road Transport Corporation:

(d) The free passes issued to a Member under (b) and (c) shall be valid for the term of his office and on the expiration of such term, such passes shall be surrendered by him to the Secretary of the Assembly;

(e) Nothing in this section shall be construed as disentitling a Member to any travelling allowance to which he is otherwise entitled under the provisions of this Act or the rules made there under.

12. Submission of claim by Members and mode of payment

In the said rules, for rule 12, the following rule shall be submitted, namely:-

- (1) Bills for salary, compensatory, constituency, telephone, office, sumptuary allowance and medical bills shall be prepared by the Haryana Vidhan Sabha Secretariat and signed by the Drawing and Disbursing Officer for encashment.
- (2) Free travel facility bill shall be prepared on Schedule-I and bills for traveling, halting, incidental and daily allowance shall be prepared on Scheduled II and Free Travel facility bill shall be prepared on Schedule I by the claimant and sent to the Haryana Vidhan Sabha Secretariat for scrutinizing and signed by the Drawing and Disbursing Officer for encashment.
- (3) All type of payment shall be made through Treasury Officer, Haryana Treasury, Chandigarh and directly credited into the claimant's account:

Provided that claims on account of traveling, halting, incidental and daily allowances of Members for attending the meetings of committees appointed by the State Government shall be paid after pre-audit by Accountant General, Haryana."

Any sums that may be due from the Member by way of long term advances i.e. Motor Car Advance/House Building Advance or the interest as an accrued thereof, are deducted in monthly installment as prescribed in the sanction order of the advance and other dues, if any, on account of license fee of MLA Flat/Servant Quarter/Motor Garage allotted to him or the Hostel rent etc. are deducted from his bill and necessary schedules for the purpose are attached to the bill. The bill alongwith the schedules, if any, is presented by the Member at the Treasury opted for encashment.

13. Medical Facilities

Every Member shall be entitled, for himself and for members of his family, to the same medical facilities, as were admissible to a Haryana Government Class I Officer prior to the issue of instructions

issued by the Haryana Government, Health Department's letter No. 2/231/81-IHBIII dated the 6th May, 1986.

Every Member shall be also entitled to the facilities of reimbursement of all such medicines, tonics and artificial limbs etc. which may be prescribed to him but are not available at the Government Hospitals, free of cost provided that only such to which are prescribed by the doctor "as medicine" for the treatment of the patient and not "as food", are admissible.

A Member can claim reimbursement of medical charges on the basis of prescriptions duly signed by his authorized Medical Attendants and cash memos in support of purchase of the prescribed medicines.

Every Member shall also be entitled, for himself and for the members of his family to get medical treatment in case of emergency as 'in-door patient' from a private hospital/Institution or medical practitioner who hold at least an MBBS degree. He shall also be entitled to the facility of reimbursement of expenditure incurred in connection with this medical treatment subject to the following conditions:—

- (a) Room rent, operation fee or procedure fee shall not exceed the charges prevailing in Medical College Hospital, Rohtak/Post Graduate Institute of Medical Education and Research, Chandigarh or All India Institute of Medical Sciences, New Delhi.

Explanation:-(i) if the treatment has been taken from a private hospital/Institution or Medical Practitioner situated in Haryana State, then the room rent operation fee or procedure fee being charged in Medical College Hospital, Rohtak, shall be taken into consideration;

- (ii) if the treatment has been taken from a private hospital institution/medical practitioner situated in Chandigarh the room rent, operation fee or procedure fee being charged in Post Graduate Institute of Medical Education and Research, Chandigarh shall be taken into consideration;
- (iii) if the treatment has been taken from a private hospital institution/medical practitioner situated in Delhi, the

room rent, operation fee or procedure fee being charged in All India Institute of Medical Sciences, New Delhi shall be taken into consideration;

- (iv) if the treatment has been taken from a private hospital institution/medical practitioner situated outside the State of Haryana, Chandigarh and Delhi, the room rent operation fee or procedure fee being charged in All India Institute of Medical Sciences, New Delhi shall be taken into consideration.
- (b) Consultation fee shall not exceed Rs. 200 (two hundred rupees only) per day.
- (c) The claimant shall have to produce a certificate from the doctor concerned to the effect that the treatment was taken in emergency.

Medical charges bills are required to be preferred in the prescribed forms, in duplicate.

- Notes :—*
1. A Member includes the Chief Minister, the Speaker, a Minister, a Minister of State, a Deputy Minister, the Deputy Speaker.
 2. Members of his family means the wife or the husband, as the case may be, of a Member, his legitimate children, his legally adopted Children his parents and his widowed daughters residing with and wholly dependent on him.

Allotment of Vehicles from surplus Defense Stock.

To enable the Legislators to tour their respective Constituencies, the Ministry of Defense have decided to release a total of three vehicles (viz-Jonga/Jeep/Motor Cycle) during the tenure of the House, from the surplus Defense Stock. The applications on the prescribed forms, available in the Vidhan Sabha Secretariat, are required to be routed to the said Ministry through the Vidhan Sabha Secretariat.

Gas Connection Facility

For the convenience of the Legislators, the Ministry of Petroleum have decided to release two L.P.G. (Cooking Gas) connections, i.e. one at the place of their residence/Constituency and the other at the location of the State Legislature, subject to the condition that they do

not already have L.P.G. (Cooking Gas) connections in their names at the place of residence/Constituency and that L.P.G. marketing facilities are available at the place of demand. The Legislators are required to apply to Vidhan Sabha Secretariat for the purpose.

Stenographic Facility

Keeping in view the expanding activities of the Legislators, the facility of Stenographers is available to the Legislators at the District Headquarters. The Deputy Commissioners of the respective Districts have been instructed by the Government in this regard.

Advances to Members

Subject to such conditions and limitations as may be prescribed, a Member of the Haryana Vidhan Sabha is entitled by way of a repayable advances of:—

a) a sum of not exceeding Rs. 60,00,000/- for purchasing a built up house/flat or for the building a house/constructing a flat on the interest of 4% annum.

A member who had drawn repayable advance for purchasing a built house or for building a house for the first time, he may draw repayable advance for the second time immediately after the repayment of principal amount along with interest on previous advance.

On refund of previous advance, a member below the age of 60 years is entitled to draw house building advance for the third time up to Rs. 30 Lac at the same rate of interest/ other terms & conditions.

[Section 3(a) (i) of the Haryana Legislative Assembly (Facilities to Members) Act, 1979]

b) Rs. 10 Lac for major repairs/additions/alterations of the House of MLA on the interest @ 4% per annum.

[Section 3(a) (ii) of the Haryana Legislative Assembly (Facilities to Members) Act, 1979]

c) As on date up to Rs. 20 Lac or anticipated price of Motor Car, whichever is less on interest @ 4% per annum. He/She can draw second car advance also on the repayment of first Motor Car advance along with interest thereon which may be for a period of five years of less in tenure of Vidhan Sabha.

[Section 3 (b) of the Haryana Legislative Assembly (Facilities to Members) Act, 1979]

Provided that the total amount of these repayable advances shall not exceed eighty Lac rupees.

The Speaker or the Deputy Speaker, as the case may be, are deemed to be a Member for the purpose of these facilities.

Some of the conditions are prescribed in the Haryana Legislative Assembly (Facilities to Members) Act, 1979 (as amended upto date) while others have been specified in the rules framed there under.

Application Forms for getting these advances have been prescribed in the aforesaid Rules, copies of which can be had from the Vidhan Sabha Secretariat by the Members desirous of getting the advances.

Recovery of Rent

The rent for the accommodation provided to the Members and other Government dues from them in their capacity as such are payable by them in cash or the same may be deducted under the orders of the secretary from their allowance bills.

46. Facilities to Ex-Members

Pension

Subject to such conditions as have been prescribed in the Haryana Legislative Assembly (Allowances and Pension of Members) Act, 1975 (as amended upto date) every person who, after the commencement of the Constitution of India :—

- (a) has been a Member of —
 - (i) the Haryana Legislative Assembly; or
 - (ii) the Punjab Legislative Assembly; or
 - (iii) the Punjab Legislative Council; or
 - (iv) the Legislative Assembly of the erstwhile State of Patiala and East Punjab States Union; or
 - (v) Partly as a Member of the one and partly as a Member of the other;

Representing any of the territories of the State of Haryana as formed by section 3 of the Punjab

Reorganization Act, 1966 and who is ordinarily resident of the said territories;

- (b) has served as Chief Minister, Minister, Speaker, Minister of State, Deputy Minister, Deputy Speaker, Chief Parliamentary Secretary or Parliamentary Secretary –

Facilities /Amenities to EX-Members:

1.	Pension/Dearness Allowance to Ex-MLAs and conditions of admissibility [Section 7-A (1) of the Haryana Legislative Assembly(Salary, Allowance and Pension) Act,1975]	
	a) Minimum qualifying period and minimum pension.	Rs. 50,000/- per month for the first term plus Dearness Relief admissible to the pensioners of the State Govt. w.e.f. 01.01.2016 and additional pension of Rs. 2,000/- for every additional year of part thereof exceeding the first term. [Section 7-A of the Haryana Legislative Assembly (Salary, Allowance and Pension) Act,1975]
	b) Family pension	The surviving spouse or after his or her death, the children (up to the age of eighteen years) of a Member who was entitled to draw pension, shall be entitled to draw family pension of Rs. 2500/- or fifty percent of the last pension draw whichever is higher, per mensem by the Member + 50 % DP+ Dearness Relief as admissible to the pensioners of the State Govt. [Section 7-A (1) of the Haryana Legislative Assembly(Salary, Allowance and Pension) Act,1975 Rule 7-A(2) of the Haryana Legislative Assembly(Pension) Rules, 1978]
2.	Special Travelling Allowance	Special travelling allowance up to maximum Rs. 10,000.00 PM w.e.f. 04.04.2018 to those pensioners only whose total pension is less than Rs. 1.00 Lac PM & in those cases, total emolument i.e. pension+ Dearness Relief +Special Travelling Allowance should not exceed Rs. 1.00 Lac PM . [Section 7-C of the Haryana Legislative Assembly(Salary, Allowance and Pension of Members) Act,1975]

Free Travelling

The Ex-Legislators are entitled to free travelling facility under Section 7-C of the Haryana Legislative Assembly (Allowances and Pension of Members) Act, 1975, on the production of the passes to be issued by the Transport Department through this Secretariat. The said section is however, reproduced as under:—

“7-C. Free Travelling Facility to certain persons – Every person who is entitled to pension under this Act shall be provided with —

- (a) one free non-transferable pass which shall entitle him to travel at any time by any public service vehicle of the Haryana State Transport Undertaking including deluxe coach;
- (b) one free non-transferable pass which shall entitle him to travel at any time within the State of Haryana or the Union Territory of Delhi or the Union Territory of Chandigarh by any public service vehicle of the Pepsu Road Transport Corporation :

Provided that the journey is performed by him by an air-conditioned vehicle, he shall pay the difference between the fare of such vehicle and that of a deluxe vehicle.”

Explanation

For the purpose of clause (b), a journey shall be deemed to be a journey within the State of Haryana or the Union Territory of Delhi or Chandigarh, where the place of commencement of the journey and the destination thereof are situated in such State or any such Union Territory, or the place of commencement is situated in such State and the destination in any such Union Territory or the place of commencement is situated in one such Union Territory and the destination in another such Union Territory, notwithstanding that the Territory of any other State or Union Territory intervenes.

Medical Reimbursement

Under the Haryana Legislative Assembly (Medical Facilities to Members) Act, 1985, every person who is entitled to pension under section 7-A of the Haryana Legislative Assembly (Allowances and Pension of Members) Act, 1975, shall be entitled to such Medical Facilities for himself and for such Members of his family provided in the rules.

47. Accommodation for Members at Chandigarh/Period of Stay in the room of the Hostel.

Only 40 rooms in the Legislator's Hostel in Sector-3, which is commonly known as the New Legislator's Hostel are placed at the disposal of the Speaker, Haryana Vidhan Sabha for the days of the Session. The remaining 16 rooms in the New Legislator's Hostel are with the Speaker, Punjab Vidhan Sabha. Each member of the Haryana Vidhan Sabha is requested before each Session to intimate the name of another Member with whom he wishes to share accommodation.

All applications received up to the date specified asking for accommodation are placed before the Speaker/House Committee which allots accommodation, as far as possible, in accordance with the wishes of the Members. Those who do not apply within time may get accommodation, subject to availability.

The Members are charged a concessional rent of Rs. 50 per room per day of 24 hours or less. This rent is inclusive of water, electricity and telephone charges. In case a Member desires an additional room, the rent for the said room will be charged @ Rs. 200 per day. Further, if a Member, desires more than two rooms, the rent for the said rooms i.e. in addition to two rooms shall be charged @ Rs. 500/- per room per day.

The rent for the rooms may be paid by the Members in cash with the official in the Hostel, but if that is not done it is deducted from the salary of the Hon'ble Member by the CA/TA Branch of Haryana Vidhan Sabha and deposited to Haryana Government (Treasury Head) Catering is done in the Hostel throughout the year by the Hospitality Organization of the State Government and their tariffs have been approved by the House Committee of the Vidhan Sabha. The charges for board are payable in cash on the spot.

During the inter-session periods, Members can get accommodation there when they come to Chandigarh for attending meetings of the Committees of the Vidhan Sabha or for any other purpose without prior application. Numbers of rooms are reserved for them for their occupation for such occasions.

For the convenience of the Members a EPABX has been installed in the Hostel and telephone extensions have been provided in each of the rooms meant for the use of MLAs only; Canteen,

Dispensary as well as in the Reception. This facility is provided for local calls only.

Prohibition in the room

Liquor and smoking is prohibited in the rooms of the MLA's Hostel, Haryana.

Flats, Servants Quarters & Motor Garages

Apart from the Hostel there are 66 flats available for allotment to Members where independent cooking arrangements can be made and out of which 32 newly constructed flats are attached with Servant rooms and Motor garages but 12 newly constructed flats are without Servant Quarters and Motor Garages and remaining 22 old flats are attached with Servant Quarters and Motor Garages. Such Flats, Servant Quarters and Motor Garages are available in Sector 3 and Sector-4. The Monthly rent of each Flat of Haryana is Rs. 1000/- (Excluding of water and electricity charges). The monthly charges of each Motor Garage is Rs. 200/-. The monthly rent of each Flat of U.T., Chandigarh is Rs. 200/- and the monthly rent of Servant Quarter and Motor Garage is Rs.50/- each respectively.

Out of the total Flats, Servant Quarters and Motor Garages 75% are allotted by the House Committee by draw of lots and remaining 25% are allotted by the Speaker at his own discretion.

The Hostel and the Flats are at a short distance from the Vidhan Bhawan, but omnibuses of Haryana Roadways are made available for transport during Session days from the Hostel to the Vidhan Bhawan and then again after the conclusion of the sitting from the Vidhan Bhawan to the Hostel.

48. Local Addresses

Members should, when they come to Chandigarh, for any length of time, intimate their local addresses to the Receipt and Dispatch Section of the Vidhan Sabha Secretariat to ensure that the Assembly papers reach them; otherwise such papers would be sent to their permanent addresses and this might mean inconvenience to them.

49. Identity Cards for Members/Ex-Members

Identity cards are issued by the Vidhan Sabha Secretariat to each Member for the purpose of identification. Members are requested to keep these cards carefully in their personal custody and

in case of loss, report it immediately to this Secretariat, as also an F.I.R. be lodged in the nearest Police Station. Normally, it is not necessary for Members to show their identity cards to the Watch and Ward Staff on duty at the Vidhan Sabha Chamber; but it will be appreciated that it takes a little time for the staff to know the new Members and, therefore, for some time it is desirable in the interests of the Members themselves to show their identity cards when requested to do so.

These cards are required to be returned to the Secretary, when a Member ceases to be a Member of the Vidhan Sabha. However, separate identity card is issued to the Ex-Member by the Vidhan Sabha Secretariat.

50. Stationery

During the days of the meetings of the Vidhan Sabha each Member is supplied free of cost a pencil and a slip book.

Embossed note papers and envelopes with the inscription "Member, Haryana Vidhan Sabha" are available in the Publication Branch against cash payment. The rates for the different kind of embossed stationery are as given below:—

- (i) D.O. pads of 100 sheets (Small size) Rs. 85.00 per pad English & Hindi.
- (ii) D.O. pads of 100 sheets (Medium Size) Rs. 41 per pad English & Hindi.
- (iii) D.O. Envelops Rs. 0.88 per Envelope.

These rates are fixed by the Controller, Printing and Stationery, Haryana, depending on the cost of paper and printing and are, therefore, subject to change from time to time.

51. Post Office

A Post Office is located for the convenience of the Members over the garages near the main entrance of the Building.

52. (i) Commonwealth Parliamentary Association.

(ii) Indian Parliamentary Association.

(iii) Institute of Constitutional and Parliamentary Studies.

There are two Parliamentary Associations, namely, Commonwealth Parliamentary Association and Indian Parliamentary

Association. There is also an Institute of Constitutional and Parliamentary Studies.

The Haryana Vidhan Sabha has been affiliated to the above mentioned Association/Institute, after passing the necessary resolutions on the 23rd July, 1968. The Group/Branch of the Indian Parliamentary Association/Commonwealth Parliamentary Association were formed in the year 1968 and 1970, respectively. The Haryana Vidhan Sabha has also become corporate Member of the Institute in the year 1968. The Members of the Haryana Vidhan Sabha are eligible for ordinary membership of the Branch/Group by paying an annual subscription of Rs. 10/- in each case. However, they can also become life Members of the Branch/Group by paying Rs. 100/- in each case.

The Members of Haryana Legislative Assembly are eligible to become ordinary Members of the Institute of Constitutional and Parliamentary Studies by paying Rs. 25/- per annum as subscription. They can also become life Members by paying Rs. 250/-.

A Regional Branch of the Institute of Constitutional and Parliamentary Studies has also been functioning in the Haryana Vidhan Sabha Secretariat since 1968.

The Rules of Business of the Commonwealth Parliamentary Association (Haryana Branch), Indian Parliamentary Association (Haryana Group) and the Regional Branch of the Institute of Constitutional and Parliamentary Studies are given as appendixes I, II and III, respectively.

53. Haryana Vidhan Sabha Secretariat

The Vidhan Sabha Secretariat is headed by the Secretary who are assisted in their work by one Additional Secretary, one Joint Secretary, four Deputy Secretaries, five Under Secretaries/one Under Secretary (D), one Secretary to Speaker and one Senior Law Officer.

The Secretariat functions through the Branches mentioned below :—

- (1) Legislation Branch (including Rules Committee, Business Advisory Committee and Committee on Subordinate Legislation).

- (2) Questions Branch (dealing with Questions of Members) dealing with Committee on Government Assurances and work relating to Co-ordination of Committee.
- (3) Accounts Branch dealing with C.A. & T.A. of Members Telephone facilities, Free travelling facilities to Members, recovery of loans from Members, other facilities to Members and other Bills of M.L.As.
- (4) General Branch Allotment of Jeeps to Members out of defence stock, Gas Connections to Members, Free Travelling facilities to Ex-Members, Identity cards for Members/Ministers/Ex-Members and Correspondence regarding stenographic assistance to Members at District Headquarter). Dealing with EPABX and Committee on Petitions.
- (5) Hostel Branch in the MLA's Hostel (dealing with all matters relating to Hostel/MLAs Flats facilities to Members and House Committee).
- (6) Loan and Pension Branch (dealing with Loans and Pension to Members)
- (7) Medical Claim Cell, Medical re-imbusement to Members, Ex-Members and staff to this Sect.
- (8) Chamber Branch (dealing with the Chamber and purchases & maintenance of vehicle).
- (9) Publication Branch (dealing with reporting of proceedings, printing of Debates, Resume etc. etc. and Stationery).
- (10) Committee Branch No. 1 (dealing with Estimates Committee).
- (11) Committee Branch No. II (dealing with Committee on the Welfare of Scheduled Castes, Scheduled Tribes and Backward Classes).
- (12) Committee Branch No. III (dealing with Public Undertakings Committee).
- (13) Public Accounts Committee Branch (dealing with Public Accounts Committee).
- (14) Legal Cell.
- (15) RTI Cell.

- (16) Committee of Privileges.
- (17) Payment Cell.
- (18) Protocol Cell.
- (19) Technical Cell.
- (20) Committee on Local Bodies and Panchayati Raj Institutions.
- (21) Subject Committee on Public Health, Irrigation, Power and Public works (Buildings & Roads).
- (22) Subject Committee on Education, Technical Education, Vocational Education, Medical Education and Health Services.
- (23) Translation Branch.
- (24) Establishment Branch.
- (25) Bills Branch (dealing with Bills etc. of the Staff).
- (26) Notice Office (Receipt and Dispatch Section).
- (27) Library
- (28) Research and Reference Cell (including Press Gallery Committee, I.P.A., C.P.A. and I.C.P.S., who's who of Members and Haryana Vidhan Sabha Secretariat Manual).
- (29) Computer Section (To assist in Computerizing office work and development of software etc.).
- (30) Watch & Ward Officer Branch dealing with Watch & Ward duties, Security arrangements & issuing passes for vehicles of MLAs/Officers/Official.
- (31) Anti Defection Law Branch (Cases of Anti Defection.)
- (32) Committee of Petitions.
- (33) Payment Cell.

54. Location of Offices/Branches

The offices of the Haryana Vidhan Sabha Secretariat are housed in the South-West wing of the Vidhan Bhawan facing the road leading to Civil Secretariat.

The location of some of the important offices of the officers of the Vidhan Sabha and various branches, together with telephone numbers, are indicated below:—

SR. NO.	NAME AND DESIGNATION S/SH./SMT.	EXTENSION NO.	ROOM NO.	TELEPHONE NO.
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FIRST FLOOR

1.	HON'BLE SPEAKER	101	66	2740030 2747075-FAX
2.	HON'BLE CHIEF MINISTER	102	67	2741261
3.	HON'BLE DEPUTY SPEAKER	103	68	2741662 2741663-FAX
4.	RAJENDER KUMAR NANDAL, SECRETARY	104	71	2740785 2740430-FAX
5.	SUBHASH CHANDER, ADDITIONAL SECRETARY	105	69	2740030 2747075-FAX
6.	PS TO DEPUTY SPEAKER	106	70	2741662 2741663-FAX
7.	PS TO SECRETARY	107	70	2740785 2740430-FAX
8.	PARLIMENTARY AFFAIRS MINISTER	109	109	2740783
9.	CHIEF WHIP	112	70	2741263
10.	PS TO HON'BLE SPEAKER	113	69	2740030 2747075-FAX
11.	LEADER OF OPPOSITION	115	CABIN AT GROUND FLOOR	2741163

SECOND FLOOR

12.	SUSHANT DEEP, DEPUTY SECRETARY	201	123 CABIN NO. 1
13.	MUKESH GUPTA, UNDER SECRETARY	202	123 CABIN NO. 2
14.	KANWAR SINGH, UNDER SECRETARY	203	123 CABIN NO. 3

15.	PUSHPENDER, UNDER SECRETARY	204	123 CABIN NO. 4
16.	PURUSHOTTAM DUTT, DEPUTY SECRETARY	205	123 CABIN NO. 5
17.	NAREN DUTT, JOINT SECRETARY	206	123 CABIN NO. 6
18.	DINESH KAUSHIK, DEPUTY SECRETARY	207	123 CABIN NO. 7
19.	PUBLIC UNDERTAKING COMMITTEE/ACCOUNTS OFFICER	208	125
20.	LOCAL BODIES & PANCHAYATI RAJ COMMITTEE	209	125
21.	QUESTION BRANCH/ GOVT. ASSURANCES COMMITTEE/ ESTIMATES COMMITTEE	210	125
22.	EDITOR OF DEBATES	212- 213	126
23.	LOAN & PENSION	214	127
24.	PUBLIC RELATION OFFICER/ RTI BRANCH	215	128
25.	LEGAL CELL/ PRIVILEGE COMMITTEE	216	128
26.	MEDICAL CELL	217	127
27.	COMPUTER BRANCH	219	129
28.	PETITIONS COMMITTEE	129	128
29.	PUBLIC ACCOUNTS COMMITTEE	220	130
30.	CHAMBER BRANCH	221	130
31.	GENERAL BRANCH	222	131
32.	TECHINICAL CELL	111	131
33.	LEGISLATION BRANCH	223- 224	132
34.	ESTABLISHMENT BRANCH	225	133
35.	CA/TA BRANCH	226	134

36.	BILLS BRANCH	227	135
37.	PRESS GALLERY	228	-
38.	PAYMENT CELL	135	135

GROUND FLOOR

39.	VISHNU DEV, UNDER SECRETARY	108	CABIN NO.1
40.	GORAV GOYAL, DEPUTY SECRETARY	119	CABIN NO.2
41.	MAHESH SHARMA, UNDER SECRETARY	133	CABIN NO.3
42.	PARDEEP KAUR, UNDER SECRETARY	303	-
43.	SHOBIT SHARMA, SR. LAW OFFICER	132	-
44.	RESEARCH BRANCH	303	-
45.	LIBRARY	301	-
46.	TELEPHONE EXCHANGE	302	-
47.	NOTICE BRANCH	304	-
48.	CHOWKIDARS	110	-
49.	CANTEEN	306	-

BASMENT

50.	RECEPTION	401		
51.	SC/ST & BC COMMITTEE	402		
52.	SECURITY CABIN	403		
53.	TRANSLATION BRANCH	404		
54.	WWO BRANCH	405		
55.	BARRICADE GATE	406		
56.	STAFF GATE	407		

Haryana Vidhan Sabha EPABX Nos. 2741523, 2743524, 2741525-28
M.L.A. Hostel EPABX Nos. 2740047, 048,304,305,308,312,427 and
2743109.

55. APPENDIX

(1) RULES OF THE HARYANA BRANCH OF THE COMMONWEALTH PARLIAMENTARY ASSOCIATION

Name and Objects

1. *Name* – The name of the organization is the “Commonwealth Parliamentary Association, Haryana Branch”, hereinafter called “this Branch.”

2. *Objects* – This Branch shall do all such things as are incidental or conducive to the attainment of the objects for which the Commonwealth Parliamentary Association, hereinafter called “Association” is formed, viz., to promote understanding and cooperation for common purposes between those engaged in the Parliamentary Government of the Countries of the Commonwealth by the establishment of machinery for the exchange of information and of individual visits and for the organization of Conferences between Members of the Legislatures of the Commonwealth and also to promote understanding and cooperation by similar means between those Members and the members of the Legislature outside the Commonwealth having close political and Parliamentary Association with them.

In particular and without derogation from the generality of the objects of the Association set forth in the Constitution of the Association viz:—

- (a) *Introduction and hospitality* – This Branch shall use its best endeavor to provide introduction and hospitality for Members visiting from other countries. The Secretary of the Branch in the country visited, having been notified of the intended arrival of a Member by the Secretary of the Branch to which that Member belongs and having been presented with a letter of introduction for purpose of identification, shall arrange for him a cordial reception and provide him with personal introduction if so desired. In all cases where a member is visiting the country where the Headquarters of the General Council are situated, the Members shall be provided also with an introduction to the Secretary-General who shall arrange for the visiting

Members to meet those interested in the General Council at social and other gatherings.

- (b) *Travel Facilities* – The Association shall endeavor to secure special terms for its Members when visiting those countries where branches exist. With this in view, the Secretary of this Branch, with the assistance of the Secretary-General wherever necessary or advisable, shall be responsible for negotiations with land, water and air transport, Boards or Companies operating in or from the territory of this Branch.
 - (c) *Publications* – Every Member shall be entitled to receive the “Journal of the Parliaments of the Commonwealth”, and on request, the “Summary of Congressional proceedings, U.S.A.”, the “Report on Foreign Affairs”, or any other periodical, publication or any issue of special information, which may hereafter be authorized and published by the General Council shall be circulated in the manner determined by the General Council.
 - (d) *Parliamentary Privileges* – The Association shall endeavor to arrange for its Members visiting any country in which a Branch exists to receive preferential treatment in the matter of access to the Galleries, lobbies, Dining and Smoking Rooms of the Legislature of that country for the purpose of hearing Debates and meeting other Members of the Association.
 - (e) *Special Information* – The Secretary General and the Secretaries of the Branches shall endeavor to provide special information on any subject which Members may wish to investigate.
3. *Office* – The office of the Branch shall be located in the Vidhan Bhawan, Chandigarh.
4. *Ordinary Members* – Any sitting Member of the Haryana Legislative Assembly shall be entitled to become an Ordinary Member of this Branch, without election, on payment of the subscription for the current year.
5. *Associates* – Any Member of this Branch upon ceasing to be a Member of the Haryana Legislative Assembly or Ex-Member of any

Branch of the Association permanently residing in Haryana may, subject to the approval of the Executive Committee, become an Associate of this Branch, subject to the provisions of Rules 6 and 7, upon payment of the subscription for the current year. Associates shall not be entitled to take part in the management of this Branch.

6. *Visiting Members, Honorary Members and Associates* – All Ordinary Members of Main Branches or Auxiliary Branches or Affiliated Branches or Associated Groups in other Legislatures who may be visiting Haryana, shall be accepted without Election and without subscription as Honorary Members of this Branch during their visit to Haryana. For the purpose of this Rule a visit to Haryana shall ordinarily mean a visit of not more than three months in duration, but the Executive Committee shall have power to extend the period in individual cases.

7. *Life Member and Life Associates* – Any sitting Member of the Haryana Legislative Assembly shall be entitled to become without election, a life Member of this Branch on payment of the prescribed Life Subscription. A life Member ceasing to be a Member of the Haryana Legislative Assembly shall become a Life Associate without payment of any further subscription. Ex-Members of this or any other Branch permanently residing in Haryana and desiring to rejoin or join this Branch may be elected by the Executive Committee as Life Associates on payment of a life subscription.

8. *Privileges of Members and Associates* – Ordinary Members and Life Members shall be entitled to all the privileges set out in Rule 2.

Associates and Life Associates shall be entitled to all such privileges, with the exception of those headed (c) and (d) in Rule 2 which can only be granted to Ordinary Members and Life Members of this Branch.

Visiting Members shall be given a “Privilege” ticket which on being produced to any official of the Haryana Legislative Assembly shall entitle them :-

- (a) to use the Speaker’s Gallery of the Legislative Assembly for the purpose of hearing debates, and the Library of the Haryana Legislative Assembly under conditions to be determined by the competent authority;

- (b) to enter the lobbies and corridors of the House and pass through it;
- (c) to use any Dining and Refreshment rooms specified on their Privilege ticket but not to bring any guests with them; and
- (d) to exercise any other privileges specified on their Privilege ticket.

Visiting Associates of Branches in other Legislatures shall be afforded such privileges as the Executive Committee shall determine.

9. *Subscriptions* — The Annual Subscription of this Branch for Ordinary Members or Associates, other than Visiting Members or Associates shall be ten rupees per annum, payable by the end of February each year. The Life Subscription shall be one hundred rupees.

Explanation:— Annual Subscription means subscription for one calendar year.

10. *Payment of Subscriptions* — Every Member or Associate other than a Visiting Member or Associate shall, upon joining this branch, pay the Annual Subscription for the year.

11. *Unpaid Subscription* — A Notice shall be issued by the middle of January every year to all Members drawing their attention to the fact that under the rules of this Branch their subscription would fall due on the last day of February following. If any Member's subscription remains unpaid for one month from the date of which it becomes payable, a second notice shall be issued requesting him to pay the subscription within a month and if this subscription remains unpaid for a month after the date of such notice, the Member shall cease to be a Member of this Branch, and his name shall be removed from the list of Members:

Provided that a Member whose name has been so removed from the list of Members shall be re-enrolled as a Member without election by the Executive Committee if his subscription for the year is paid before the end of the calendar year.

A Member who has not regularly paid his subscription in accordance with these rules shall not be eligible for appointment or election as one of a Delegation to visit the country of any other Branch.

12. *Resignation from Membership* – A Member or Associate may, at any time, resign from Membership of this Branch by giving notice to the Principal Secretary : provided that such notice shall not affect the liability of the Member to pay the subscription for the current year.

13. *Officers* – The Officers of this Branch shall be the President, the Vice-Presidents and the Treasurer.

14. *President* – The Speaker, Haryana Legislative Assembly shall be the *ex-officio* President of this Branch: provided he is a Member of the Branch and willing to accept such office. If the Speaker declines to accept the Office or ceases to be a Member of this Branch, and then the Executive Committee shall have power to elect a President from amongst the Members of the Branch, subject to confirmation at its next Annual General Meeting.

15. *Vice-Presidents* – The Leader of the House and the Leader of the Opposition shall be the *ex-officio* Vice-Presidents of this Branch, provided they are Members of this Branch, and agree to act as Vice-Presidents.

In the event of any of them ceasing to be a Member of this Branch, or declining to accept such office, the Executive Committee shall have power to elect a Vice-President from amongst the Members of this Branch, subject to confirmation at its next Annual General Meeting.

16. *Treasurer* – The Treasurer shall be elected from amongst the Members of the Branch at the Annual General Meeting on the nomination of the Executive Committee and shall hold office until the next Annual General Meeting.

17. *Secretary* – (1) The Secretary, Haryana Legislative Assembly shall act as *ex-officio* Secretary of the Branch.

(2) The Secretary shall be assisted in his duties by the Officers and staff of the Haryana Legislative Assembly Secretariat.

18. *Executive Committee* – The management of the affairs of this Branch shall be vested in an Executive Committee consisting of not more than 8 Members of whom the President, Vice-Presidents and the Treasurer shall be *ex-officio* and remaining Members shall be elected at the Annual General Meeting from the Ordinary Members of this Branch. The Committee shall hold office until the next election.

19. *Retirement from the Executive Committee* – At the Annual General Meeting all the Members of the Executive Committee other than the *ex-officio* President and *ex-officio* Vice-Presidents, shall retire from office, but shall be eligible for re-election.

20. *Casual Vacancies* – The Executive Committee may fill any casual vacancy occurring among the officers of this Branch, or in the Executive Committee, by electing a suitable person from among the Ordinary Members to fill the vacancy and any person so elected shall hold office for the un expired period of the term of office of the person in whose place he has been elected.

21. *Conduct of Business of the Executive Committee* – The Executive Committee may regulate the conduct of its business in such a manner as it deems fit.

Question arising at any meeting of the Executive Committee shall be decided by a majority of votes. In case of equality of votes, the Chairperson of the meeting shall have a second or casting vote.

The Secretary may, in consultation with the President and shall on receipt of a requisition from any three Members of the Executive Committee, summon a meeting of the Executive Committee. The quorum for a meeting of the Executive Committee shall be three.

22. *Annual General Meeting* – The Annual General Meeting of this Branch shall ordinarily be held in Chandigarh in March every year, or on such date and at such place as the Executive Committee shall direct. At this meeting the Annual Report and the Accounts of this Branch, and any other business of which is not less than seven clear days notice has been given, shall be considered:

Provided that the President of the meeting, may in his discretion, dispense with the requirement of the period of notice for the consideration of any important matter.

Notice of the Annual General Meeting of this Branch, with copies of the Annual Report and of the Accounts of the preceding year, shall be delivered or posted to each Member of this Branch resident in Haryana not less than fourteen clear days before the date appointed for such a meeting, and shall show the business to be transacted thereat, provided that any Member may bring before the Annual General Meeting any business other than that stated in the said notice if seven clear days before the date of the meeting, notice in writing of

his intention so to do shall have been received by the Secretary, who shall send or post a copy thereof to each Member of the Branch at least three days before the date of the Annual General Meeting.

23. Special General Meeting – A Special General meeting may be convened at any time and place appointed by the Executive Committee.

On receipt of a requisition in writing from not less than 10 Members of this Branch, the Executive Committee shall summon a Special General Meeting. The requisition shall contain a statement of the business for which the meeting is to be called.

Not less than ten clear days notice shall be given of any Special General Meeting of this Branch, provided that the Executive Committee may, for reasons of urgency, convene a Special General Meeting of this Branch at a shorter notice.

No business shall be transacted at a Special General Meeting other than that specified in the notice convening the meeting.

24. Quorum – No business shall be transacted at any General Meeting unless a quorum is present at the time when the Meeting proceeds to business. One tenth of the total number of Members, the fraction, if any, being ignored, shall form the quorum.

If a General Meeting has to be adjourned for want of a quorum, no quorum shall be necessary for the adjourned meeting:

Provided that the adjourned meeting shall not be held at a notice of less than three days.

25. Voting – Question arising at a General Meeting of this Branch shall be decided by a majority of votes. Every Member shall have one vote. In case of equality of votes, the President of the meeting shall have a second or casting vote:

Provided that no Member shall be entitled to vote on any question at a General Meeting of this branch unless he has been a member of this branch for at least 30 days prior to the date of the meeting.

26. Membership of the Executive Committee – Every Ordinary Member of this Branch entitled to vote at its Annual General Meeting shall be eligible for election to the Executive Committee on being duly proposed and seconded by an Ordinary Member.

Nomination shall be handed into the Secretary, seven clear days prior to the Annual General Meeting and shall contain the name of the proposer and the seconder and a declaration that the Member nominated has consented to serve upon the Executive Committee, if elected.

27. *Appointment of Delegates to Conferences and Representatives on the General Council* – The Executive Committee shall appoint from among the members of this Branch delegates to attend the Conferences of the Commonwealth Parliamentary Association to be held from time to time, and, when occasion requires, shall select representatives who shall serve on the General Council of the Association in accordance with the provisions laid down in its Constitution or as determined from time to time by the General Council.

No Member who has not been on the roll of this Branch for a minimum period of three months shall be eligible for appointment as a Member of any delegation to attend Parliamentary Conferences or as a Member of the General Council, or to represent this Branch outside Haryana.

28. *Arrangements of affairs in the event of General Election to the Haryana Legislative Assembly* – In the event of the general election to the Haryana Legislative Assembly the Office-bearers and the Executive Committee shall carry on the affairs of this Branch until the election of the Speaker, the other office-bearers and the remaining members of the Executive Committee.

29. *Alteration of Rules* – These Rules may be altered at an Annual General meeting or at a Special General Meeting of this Branch, provided that due notice has been given of the proposal to alter them.

APPENDIX – II

RULES RELATING TO THE INDIAN PARLIAMENTARY ASSOCIATION, HARYANA STATE LEGISLATIVE ASSEMBLY GROUP

1. *Title.* – There shall be a 'Parliamentary Group' of the Haryana State Legislative Assembly hereinafter referred to as 'The Haryana Group' affiliated to the Indian Parliamentary Association.

2. *Objects.* – The aim of the Haryana Group is to do such things as are incidental and conducive to the attainment of the object for which the Indian Parliamentary Association is formed i.e. to provide principally a forum where Members of Parliament as also of the State Legislatures, irrespective of party affiliations, meet and discuss freely questions of policies with reference to matters of common interest, such as Education, Public Health, Internal Trade and Commerce, Food and Agriculture, Local Self-Government, i.e., matters enumerated in Lists II and III of the Seventh Schedule to the Constitution of India so as to be helpful to each other in the molding of such policies and in evolving a common or uniform point of view in respect of such questions and to advance national unity by affording opportunities or personal contacts.

3. *Office.* – The office of the Haryana Group shall be located in the Haryana Vidhan Sabha Secretariat, Vidhan Bhawan, Chandigarh.

4. *Ordinary Members.*

- (1) Any sitting Member of the Haryana Vidhan Sabha shall be entitled to become a Member of the Haryana Group on payment of the subscription.
- (2) An Ordinary member of the Haryana Group on ceasing to be a Member of Haryana Vidhan Sabha may become an affiliated Member, without any election.
- (3) Every Ordinary Member or affiliated Member who joins the Haryana Group shall be taken to have given his assent to the aims and objects of the Haryana Group as set out in Rule 2.

5. *Affiliated Members.*

- (1) Ex-members of the Haryana Vidhan Sabha may be elected by the Executive Committee of the Haryana Group as affiliated Members of the Haryana Group on payment of the subscription.
- (2) All candidates for affiliated membership shall be proposed by an Ordinary Member of the Haryana Group and seconded by another Ordinary Member.
- (3) An Affiliated member on becoming a member of the Haryana Vidhan Sabha may become an Ordinary Member without any election.

(4) An Affiliated Member shall be entitled to the following facilities only –

- (a) to get letters of introduction to the Secretaries of Parliament, of other State Legislatures in the Indian Union and of Parliaments in foreign countries in connection with his visits thereto;
- (b) to be provided, if possible, with the information on any subject of public importance; and
- (c) to participate in the activities of the Haryana Group other than those relating to management of the Haryana Group.

(5) An Affiliated Member shall not be entitled to representation at meetings of Conference of the Inter-Parliamentary Union nor to the travel concession provided to Ordinary members.

6. Subscription

- (1) Every Member upon joining the Haryana Group shall pay an annual subscription of Rs.10/-. The life subscription shall be Rs. 100/-.
- (2) If any Member fails to pay the annual subscription at the prescribed rate for two consecutive years, the President may remove the name of the Member from the Membership of the Haryana Group.

Explanation. — Annual subscription means subscription for one calendar year.

7. President.

- (a) The Speaker of the Haryana Vidhan Sabha shall be the *ex-officio* President of the Haryana Group.
- (b) If the President is not present at any meeting of the Haryana Group or the Executive Committee, the Haryana Group or the Executive Committee shall choose another member to act as President for that meeting.

8. Vice Presidents. – The Deputy Speaker of the Haryana Vidhan Sabha and the Leader of the Opposition in the Haryana Vidhan Sabha shall be the *ex-officio* Vice-Presidents of the Haryana Group:

Provided that when an Ordinary Member in the Haryana Group ceases to be a Member of the Haryana Vidhan Sabha he shall be considered to have relinquished the charge of that office with effect from that date.

9. *Secretary.*— The Secretary, Haryana Vidhan Sabha, shall act as *ex-officio* Secretary of the Haryana Group.

10. *Executive Committee.* — The management and control of the affairs of the Group shall be vested in an Executive Committee consisting of not more than 8 Members of whom the President and Vice-President shall be *ex-officio* and the remaining shall be elected.

11. Meetings.

- (1) The Annual General Meeting of the Haryana Group shall ordinarily be held in March every year on such date, time and place as the President may fix.
- (2) The President may also having regard to the business call General Meeting of the Haryana Group from time to time.
- (3) The President may call meetings of the Executive Committee from time to time as may be necessary.
- (4) On a requisition in writing of not less than 15 Members of the Haryana Group, the President shall summon a special General Meeting.

12. *Quorum.*— The quorum of the meetings of the Executive Committee shall be three and that at the General Meetings shall be, as near as may be 1/10 of total number of Members, the fraction if any, being ignored.

13. *Voting.*— Every Member shall have one vote. Questions shall be determined by a majority of Members present and voting. In case of an equality of votes the person presiding shall have a second or casting vote.

14. *Business to be placed before the Annual General Meeting.*— The following business shall be placed before the Annual General Meeting—

- (i) report of work done in the year with a statement of account;
- (ii) election of the Executive Committee; and

(iii) appointment of an Auditor.

15. *Duties of the Secretary.*— The duties of the Secretary shall be—

- (i) to keep records of all meetings of the Haryana Group as also of the Executive Committee.
- (ii) to keep in custody all records of Haryana Group.
- (iii) to keep true and correct accounts of the receipts and disbursements and to get the same audited;
- (iv) to submit draft of the Annual Report before the Executive Committee;
- (v) to convene meetings as directed by the President; and
- (vi) to carry out such other direction as the Haryana Group, the Executive Committee or the President may give.

16. *Arrangements of affairs in the event of general election to the Haryana Vidhan Sabha.* — In the event of the General election to the Haryana Vidhan Sabha the office-bearers and the Executive Committee shall carry on the affairs of the Haryana Group until the election of the Speaker, the other office-bearers and the remaining Members of the Executive Committee.

17. *Amendments to Rules.* — Any amendment to these rules shall be proposed at the Annual General Meeting of the Haryana Group. Notice of the proposed amendment shall be given in writing to the Secretary Seven days before the date of the meeting.

APPENDIX – III

RULES OF BUSINESS OF THE REGIONAL BRANCH (HARYANA) OF THE INSTITUTE OF CONSTITUTIONAL AND PARLIAMENTARY STUDIES

1. These rules may be called the Rules of Business of the Regional Branch (Haryana) of the Institute of Constitutional and Parliamentary Studies.

2. In these rules, unless the context otherwise requires, —

- (a) 'Regional Branch' shall mean the Regional Branch (Haryana) of the Institute of Constitutional and Parliamentary Studies.
- (b) 'Chairman' means the Chairman elected under rule 7.

- (c) Member' means, Members of the Institute of Constitutional and Parliamentary Studies, enrolled through this Branch.
- (d) All other expressions not used in these rules but have been defined in the Constitution of the Institute or in the Bye-Laws thereof shall have the same meanings, as have been defined in the Constitution of the Institute or Bye-Laws thereof.

3. *Office:* – The office of the Branch shall be located at such place as the Chairman may from time to time determine.

4. *General Body:*– All persons enrolled through this Branch as Life/Ordinary/Corporate members of the Institute of Constitutional and Parliamentary Studies, and residing in the State of Haryana, shall form General Body of this Branch.

5. *Functions of the Branch:*– Subject to the General control of the Executive Council/Standing Committee this Branch shall within its area of jurisdiction engage in any activities conducive to the attainment of the objects of the Institute and shall arrange its own programme but shall not undertake any publications except with the express approval of the Chairman/Standing Committee/Executive Council of the Institute.

The decision of the Institute or its Executive Council/Standing Committee shall be binding upon this Branch.

6. *Executive Committee:* –The management and control of the affairs of this Branch shall be vested in an Executive Committee, consisting of not more than seven Members of whom the Chairman shall be *ex-officio* and the remaining shall be elected by the General Body at its Annual General Meeting from amongst its Members for one year.

7. *Chairman:*– The Chairman of this Branch shall be elected by the General Body at its Annual General Meeting from amongst its Members and shall hold office until the election of his successor, but shall be eligible for re-election.

8. *Honorary Secretary:*– The Honorary Secretary shall be elected by the General Body at its Annual General Meeting from amongst its Members and shall hold office for one year, or till the election of his successor whichever is later, but shall be eligible for re-election.

9. *Honorary Treasurer:* – The Honorary Treasurer shall be elected by the General Body at its Annual General Meeting from amongst its Members and shall hold office for one year, or till the election of his successor whichever is later, but shall be eligible for re-election.

10. *Honorary Auditor:*– The Honorary Auditor shall be elected by the General Body at its Annual General Meeting from amongst its Members and shall hold office for one year, or till the election of his successor whichever is later, but shall be eligible for re-election.

11. *Meetings:*– The Annual General Meetings of this Branch shall be convened as and when deemed necessary by the Chairman provided that it shall meet at least once a year.

12. *Special General Meeting:*– A Special General Meeting may be convened at any time and place appointed by the Executive Committee.

On receipt of the requisition in writing from not less than 10 Members, the Executive Committee shall summon a Special General Meeting. The requisition shall contain a statement of the business for which the meeting is to be called.

Not less than ten clear days' notice shall be given of any Special General Meeting of this Branch, provided that the Executive Committee may, for reasons of urgency, convene a Special General Meeting of this Branch at a shorter notice.

No business shall be transacted at a Special General Meeting other than that specified in the notice convening the meeting.

13. *Quorum:*– No business shall be transacted at any General Meeting unless a quorum is present at the time when the meeting proceeds to business. One-tenth of the total number of members, the fraction, if any, being ignored, shall form the quorum.

If a General Meeting has to be adjourned for want of a quorum, no quorum shall be necessary for the adjourned meeting :

Provided that the adjourned meeting shall not be held at a notice of less than three days.

14. *Voting:*– Questions arising at a General Meeting of this Branch shall be decided by a majority of votes, the Chairman of the meeting shall have a second or casting vote in case of tie.

15. *Business before the Annual General Meeting*:- The following business shall be placed before the Annual General Meeting —

- (i) Report of work done in the year with a statement of accounts; and
- (ii) Elections of the Chairman, Executive Committee, Honorary Secretary, Honorary Treasurer and the Honorary Auditor.

16. *Submission of Annual Report of its Activities and Achievements of the Institute*:- The Branch shall by the first week of June each year, forward to the Executive Chairman or the Director of the Institute an annual report of its activities and achievements during the preceding year as that the same may be suitably incorporated in the annual report of the Institute.

The official year for this purpose shall mean from 1st April to 31st March next.

17. *Funds of the Branch*:- Besides its share of the annual fees of the Institute and the contribution made by the Institute, this Branch shall be free to raise such other funds as it may think desirable by subscriptions or grants.

The funds of this Branch shall be kept in a Scheduled Bank in the joint name of the Chairman and/or Secretary and Treasurer.

18. *Duties of the Honorary Secretary*:- The duties of the Honorary Secretary shall be —

- (i) to keep records of all meetings of this Regional Branch as also of the Executive Committee;
- (ii) to keep in custody all records of this Branch;
- (iii) to keep true and correct accounts of the receipts and disbursements and to get the same audited;
- (iv) to submit draft of the Annual Report before the Executive Committee;
- (v) to convene meetings as directed by the Chairman; and
- (vi) to carry out such other directions as the Regional Branch, the Executive Committee or the Chairman may give.

19. *Closing down of the Regional Branch:*— In the event of closing down or ceasing to function of this Regional Branch all its surplus assets shall be carried to the Institute.

20. *Amendment to Rules of Business:*— Any amendment to these rules of business shall be proposed at the Annual General meeting of this Regional Branch. Notice of the proposed amendment(s) shall be given in writing to the Secretary seven days before the date of the meeting.

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