



**RULES OF PROCEDURE
AND
CONDUCT OF BUSINESS
IN
MEGHALAYA LEGISLATIVE ASSEMBLY**

**MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT,
SHILLONG - 1, 2018.**

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Preface to the Seventh Edition

The Seventh Edition of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly incorporates the amendment on Rule 228, 239,242(1), 242-B(1), 246, 251, 257, 259,260-C(a), 260-O(1), 244(1), 245-B and 313 passed by the House on 20th April, 2018 on the recommendation of the Rules Committee, Meghalaya Legislative Assembly.

Dated : Shillong
The 25th April, 2018.

ANDREW SIMONS
Commissioner & Secretary,
Meghalaya Legislative Assembly.

Preface to the Eighth Edition

The Eighth Edition of the Rules of Procedure and Conduct of Business incorporates the amendment to Rule 205.

The Meghalaya Legislative Assembly constituted a new Assembly Committee on Environment. The new Committee is included in the Rules of Procedure and Conduct of Business as adopted by the House on the 27th November, 2018. Accordingly, new Rules 260 R & 260 S has been inserted.

The Eighth Edition of the Rules of Procedure and Conduct of Business in Meghalaya Legislative Assembly, therefore, incorporates all the amendments affected up-to-date.

Dated : Shillong
The 28th November, 2018.

ANDREW SIMONS
Commissioner & Secretary,
Meghalaya Legislative Assembly.

Preface to the Fifth Edition

The Fifth Edition of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly incorporates the amendment on Rule 2(1)(i) and Rule 260 O(2) passed by the House on 24th September, 2015 on the recommendation of the Rules Committee, Meghalaya Legislative Assembly.

Andrew Simons
Commissioner & Secretary,
Meghalaya Legislative Assembly.

Dated : Shillong
The 4th January, 2016.

Preface to the Sixth Edition

The Sixth Edition of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly incorporates the amendment on Rule 2(1)(h) and inclusion of Rule 2 (1) (Q), passed by the House on 9th September, 2016 on the recommendation of the Rules Committee, Meghalaya Legislative Assembly.

Andrew Simons
Commissioner & Secretary,
Meghalaya Legislative Assembly.

Dated : Shillong
The 19th January, 2016.

PREFACE

The Assam Re-organisation (Meghalaya) Act, 1969, (Act No. 55 of 1969) provided for the formation within the State of Assam of an autonomous State, known as Meghalaya.

When the autonomous State of Meghalaya came into being from 2nd April, 1970 with a Legislature of its own, the Rules of Procedure and standing orders with respect to the Assam Legislative Assembly of the State of Assam in force immediately before the commencement of the Act had effect in relation to the Legislative Assembly of the autonomous State of Meghalaya with modifications and adaptation made therein by the Governor of Assam exercising his functions as Governor in relation to Meghalaya. The Rules of Procedure had, therefore, been modified and adapted in pursuance of the provision of sub-section (2) of section 47 of the aforesaid Act for functioning of the Legislative Assembly of the autonomous State of Meghalaya.

Again, the Parliament had enacted the North Eastern Areas (Re-organisation) Act, 1971 (Act No. 81 of 1971) providing along with others for the formation of the full-fledged State of Meghalaya.

On becoming the full-fledged State of Meghalaya on the 21st January, 1972, and according to sub-section (4) of Section 27 of the said Act, the Rules of Procedure and Conduct of Business of the Provisional Legislative Assembly of the autonomous State of Meghalaya as in force immediately before the appointed day, and until rules were made under clause (1) of Article 208 of the Constitution of India should be Rules of Procedure and Conduct of Business of the Provisional Legislative Assembly of the State of Meghalaya and of the Legislative Assembly of the State of Meghalaya when duly constituted under the provisions of the Constitution subject to such adaptations made therein by the Speaker of the Provisional Legislative Assembly of the State of Meghalaya.

So, in relation to the Provisional Legislative Assembly of the State of Meghalaya the Rules of Procedure and Conduct of Business of the Legislative Assembly of Assam as modified and adapted for the purpose of the Legislative Assembly of the autonomous State of Meghalaya as aforesaid were further adapted by the Speaker of the Provisional Legislative Assembly of the State of Meghalaya in pursuance of sub-section (4) of Section 27 of the North-Eastern Areas (Re-organisation) Act, 1971, **vide** Notification No. RU.I/MLA/72/101, dated the 28th February, 1972, in the **Gazette of Meghalaya**, Extraordinary, dated the 29th January, 1972.

In order to make the Rules as adapted available in a handy manner the said Rules are contained in the following pages in their final shape.

N. C. HANDIQUE
Secretary,
Meghalaya Legislative Assembly.

Preface to the Second Edition

The Rules of Procedure and Conduct of Business in Assam Legislative Assembly as adapted and modified for the purpose of Meghalaya Legislative Assembly were amended by the Rules Committee from time to time. The Rules have, therefore, been reprinted incorporating all the amendments effected up-to-date for the convenience of all concerned.

Dated : Shillong
The 27th July, 1976.

D. S. KHONGDUP
Secretary,
Meghalaya Legislative Assembly.

Preface to the Third Edition

The Third Edition of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly incorporates all the amendments effected till April, 1981.

Dated : Shillong
The 30th June, 1981.

D. S. KHONGDUP
Secretary,
Meghalaya Legislative Assembly.

Preface to the Fourth Edition

The Meghalaya Legislative Assembly had in recent past, constituted new Assembly Committees in line with that of Lok Sabha viz. Committee on Empowerment of Women, Budget Committee and Standing Committees. The new Committees are included in the Rules as adopted by the House on the recommendation of Rules Committee. Accordingly, new Rules after Rule 260 have been inserted in this Edition.

The Fourth Edition of the Rules of Procedure and Conduct of Business in Meghalaya Legislative Assembly, therefore incorporates all the amendments effected upto date for the convenience of all concerned.

Dated : Shillong
The 28th October, 1999.

E. L. LYTTAN
Secretary,
Meghalaya Legislative Assembly.

the holding of election and the Secretary shall send to every Member notice of the date so fixed.

(2) At any time before 3.30 P.M. on the day preceding the date so fixed, any Member may nominate another Member for election by delivering to the Secretary a nomination paper signed by himself as proposer and by a third Member as seconder and stating :-

- (a) the name of the Member nominated, and
- (b) that the proposer has ascertained, that such Member is willing to serve as Speaker, if elected.

(3) The nomination paper shall be delivered to the Secretary either by the candidate himself or by the proposer or seconder in person.

(4) In the case of a new Assembly, the Member appointed by the Governor to perform the duties of the office of Speaker pending the election of a Speaker and in any other case the Deputy Speaker or other Member presiding shall read out to the Assembly the names of the Members who have been duly nominated together with those of the proposers and seconds and if only one Member has been so nominated, shall declare that Member to be elected. If more than one member has been so nominated, the Assembly shall proceed to elect a Speaker by ballot, and in case of two candidates the candidate obtaining the larger number of votes shall be declared elected. In case of equality of votes, it shall be determined by the drawing of lots.

(5) For the purpose of sub-rule (4), a Member shall not be deemed to have been duly nominated or be entitled to vote if he and his proposer and seconder have not, before reading out of the names by the person presiding, made the oath or affirmation as members of the Assembly.

(6) Where more than two candidates have been nominated and at the first ballot :-

- (a) one of such candidates obtains more votes than the aggregate votes obtained by the other candidates he shall be declared elected;
- (b) if no candidate obtains more votes than the aggregate

CHAPTER I

Short title and definitions

1. These rules may be called “The Rules of Procedure and Conduct of Business in Meghalaya Legislative Assembly”. **Short title**
2. (1) In these rules, unless the context otherwise requires :- **Definitions**
 - (a) “Assembly” means the Meghalaya Legislative Assembly;
 - (b) “Constitution” means the Constitution of India;
 - (c) “Finance Minister” means the Minister in-charge of the Finance Department or any other Minister authorised to perform his functions.
 - (d) “Gazette” means the **Gazette of Meghalaya**;
 - (e) “Assembly Committee” means a Committee which is appointed or elected by the House or nominated by the Speaker and which works under the direction of the Speaker and presents its report to the House or to the Speaker and the Secretariat for which is provided by the Assembly Secretariat;
 - (f) “Lobby” means the Division Lobbies or any other place specified by the Speaker within the precincts of the Assembly premises;
 - (g) “Member in-charge of the Bill” means in the case of Government Bill any Member acting on behalf of the Government and in any other case the Member who has introduced the Bill;
 - (h) “Minister” means a Member of the Council of Ministers, a Minister of State or a Deputy Minister.
 - (i) “Precincts of the House” means and includes the Chamber, Lobbies, Galleries in the temporary Assembly Complex at Rilbong from the Main Gate,

(excluding the premises of Arts and Culture Department) the Libraries in Assembly Hostel and Old High Court Complex, the Old Assembly Secretariat Complex and such other places as the Speaker may from time to time specify.

- (j) “Private Member” means a Member other than a Minister;
- (k) “Private Members’ Business” means business of which notice is given by Private Members but does not include Motion of thanks for Governor’s Address;
- (l) “Secretary” means the Secretary to the Assembly and includes any person for the time being performing the duties of the Secretary;
- (m) “Session” means the whole period from the time the Assembly meets to the time when it is prorogued;
- (n) “Table” means the Table of the House;
- (o) “Leader of the House” means the Chief Minister, or any other Member elected as such by the Ruling Party and recognised by the Speaker;
- (p) “Leader of the Opposition” means the Leader of the largest recognised party in the Opposition and recognised as such by the Speaker.
- (q) “Parliamentary Secretary” means any person appointed under The Meghalaya Parliamentary Secretaries (Appointment, Salaries, Allowances and Miscellaneous Provisions) Act, 2005.

(2) Words and expressions used in the Constitution and not defined above shall in these rules, unless the context otherwise requires, have the meanings assigned to them in the Constitution.

CHAPTER II

Summons to Members, Seating, Oath or Affirmation and Roll of Members

Summoning of Assembly

3A. The Chief Minister shall in consultation with the Speaker advise the Governor for summoning the Assembly under Article 174 of the Constitution.

3B. On issue of such summons by the Governor, the Secretary shall issue a summon to each member specifying the date and place for a Session of the House at least ten days before the date of commencement of the Session :

Summons to Member

Provided that when a Session is called at short notice or emergently, the summons may not be issued to each Member separately but an announcement of the date and place of the Session shall be published in the Gazette and Members shall be informed by telegram.

4. The Members shall sit in such order as the Speaker may determine.

Seating of Members

5A. A Member who has not already made and subscribed an oath or affirmation, in pursuance of Article 188 of the Constitution, may do so at the commencement of a sitting of the Assembly or at any other time of the sitting of the Assembly as the Speaker may direct or on any day after giving previous notice in writing to the Secretary.

Oath of Affirmation

5B. No Member shall be entitled to take part in any proceedings of the House, unless he has made and subscribed an oath or affirmation in pursuance of Article 188 of the Constitution.

6A. There shall be a Roll of Members of the Assembly, which shall be signed in the presence of the Secretary by every Member, after taking oath or affirmation before taking his seat.

Roll of Members

6B. There shall be an Attendance Register in which a Member other than the Speaker, the Deputy Speaker and the Ministers shall sign once in 10 (ten) days while attending the Assembly.

Attendance Register

CHAPTER III

Election of Speaker and Deputy Speaker and Panel of Chairmen

7. (1) When at the beginning of the new Assembly or owing to a vacancy in the office of the Speaker the election of a Speaker is necessary, the Governor shall fix a date for

Election of Speaker by the Assembly

12A. The Speaker shall have the power to adjourn the House whenever he deems necessary but he shall not exercise his power to adjourn the House sine die without the consent of the House :

Provided that, when he adjourns the House for a particular time it shall not exceed a period of one week:

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

CHAPTER V

Governor's Address and Message to the Assembly

Governor's Address

13. (1) At the commencement of the first session after each general election to the Legislative Assembly and at the commencement of the first session of each year, the Governor shall address the Assembly as required by Article 176 of the Constitution :

Provided that the making of the prescribed oath or affirmation by a Member and in the case of first session held after each general election to the Legislative Assembly, the election of Speaker shall precede the Governor's Address.

(2) After the delivery of the speech by the Governor the Speaker shall report to the Assembly that the Governor had been pleased to make a speech and shall lay a copy of the speech on the Table.

(3) On such report being made, notice may be given of a motion of thanks discussing the Governor's Address. On receipt of notice on such a motion or even if no such notice is received, the Speaker shall allot a date and time as early as possible compatible with the state of business of the House for discussion of the matters referred to in the address given by the Governor. In case of a motion being moved, such motion shall be duly proposed and seconded.

(4) The address as having been adopted with or without

votes obtained by the other candidates, the candidate who has obtained the smallest number of votes shall be excluded from the election and the balloting shall proceed, the candidate obtaining the smallest number of votes at each ballot being excluded from the election, until one candidate obtains more votes than the remaining candidate or than the aggregate votes of the remaining candidates, as the case may be.

(7) Where at any ballot any of three or more candidates obtain equal number of votes and one of them has to be excluded from the election under sub-rule (6), the determination as between the candidates whose votes are equal of the candidate who is to be excluded shall be by drawing of lots.

(8) A nomination paper may be withdrawn by the candidate or the proposer before the Assembly meets on the day fixed for the election of the Speaker.

8. (1) When either at the beginning of a new Assembly or owing to the existence of any vacancy in the office of a Deputy Speaker at any time during the life of an Assembly, the election of a Deputy Speaker is necessary, the Governor, when there is no Speaker, or the Speaker when there is a Speaker, shall fix a date for the holding of the election and the Secretary shall send to every Member notice of the date so fixed, unless the same is announced to the House by the Speaker in the latter case.

Election of Deputy Speaker

(2) At any time before 3.30 P.M. on the day preceding the date so fixed any Member may nominate another Member for election by delivering to the Secretary a nomination paper signed by himself as proposer and by a third Member as seconder, and stating :-

- (a) the name of the Member nominated; and
- (b) that the proposer has ascertained that such Member is willing to serve as Deputy Speaker, if elected.

(3) Nomination paper shall be delivered to the Secretary either by the candidate himself or by the proposer or seconder in person.

(4) The election shall take place at a meeting of the Assembly.

(5) On the date fixed for elections, the Speaker or the person, presiding shall read out to the Assembly, the names of the Members who have been duly proposed together with the names of their proposers and seconders, and if only one Member has been so proposed for election, shall declare that person duly elected. If more than one person has been so proposed, the Assembly shall proceed to elect a Deputy Speaker by ballot, and in case of two candidates, the candidate obtaining the larger number of votes shall be declared elected.

(6) For the purpose of sub-rule (5), a Member shall not be deemed to have been duly nominated or be entitled to vote if he and his proposer and seconder have not, before the reading out of the names by the person presiding made the oath or affirmation as members of the Assembly.

(7) Where more than two candidates have been nominated and at the first ballot :-

- (a) one of such candidates obtains more votes than the aggregate votes obtained by the other candidates he shall be declared elected;
- (b) if no candidate obtains more votes than the aggregate votes obtained by the other candidates the candidate who has obtained the smallest number of votes shall be excluded from the election and the balloting shall proceed, the candidate obtaining the smallest number of votes at each ballot being excluded from the election until, one candidate obtains more votes than the remaining candidate or than the aggregate votes of the remaining candidates, as the case may be.

(8) Where at any ballot any of the three or more candidates obtained an equal number of votes and one of them has to be excluded from the election under sub-rule (7), the determination as between the candidates whose votes are equal of the candidates who is to be excluded, shall be by drawing of lots.

(9) A nomination paper may be withdrawn by the candidate or proposer before the Assembly meets on the day fixed for the election of the Deputy Speaker.

9. (1) At the commencement of the Assembly or from time to time, as the case may be, the Speaker shall nominate from amongst the Members a panel of not more than four Chairmen, any one of whom may preside over the House in the absence of the Speaker and the Deputy Speaker when so requested by the Speaker or, in his absence, by the Deputy Speaker. **Panel of Chairmen**

(2) A Chairman nominated under sub-rule (1) shall hold office until a new panel of Chairmen is nominated.

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

10A. The Speaker may by order in writing delegate to the Deputy Speaker such of his powers and function as he may deem fit and for such period as may be determined by the Speaker. **Delegation of powers to the Deputy Speaker**

CHAPTER IV Sitting of the House

11. The Assembly shall ordinarily sit from 10 a.m. to 2 p.m. on all week days except on Sunday, Saturday, Friday and holidays. On Friday it shall sit from 10 a.m. to 12 noon. **Hours of sittings**

Provided that the Speaker may in his discretion according to the exigencies of the business, adjourn earlier or extend the hour.

Provided further that the first day of the sitting of the Assembly may meet earlier or later.

11 A. A sitting of the House shall be deemed to be duly constituted when it is presided over by the Speaker or other Member competent to preside over a sitting of the House under the Constitution of these Rules. **When is sitting of the House duly constituted**

12. The Speaker shall determine the time when a sitting of the House shall be adjourned **sine die**. **Adjournment of the House**

Members' Business to be transacted on those days and the time may be allotted by the Speaker in consultation with the Leader of the House and the Leader of the Opposition :

Provided further that during the period from the date of presentation of the Budget till the passing of the same, the Speaker may, in consultation with the Business Advisory Committee, allot any one or more of the days for Private Members' Business for the various stages of discussion on the Budget and in that event an equal number of days shall be allotted for Private Members' Business during the same session at such time as the Speaker may decide, in addition to the days of Private Members' Business which are otherwise admissible.

(2) The Speaker may allot different days for the disposal of different classes of Private Members' Business; and on days so allotted for any particular class of business, business of that class shall have precedence.

Business outstanding at end of day 24. All business appointed for any day and not disposed of on that day shall stand over until the next day of the session available for business of the class to which it belongs.

(b) Provisional Programme and List of Business

Provisional Programme 25. A provisional programme of business for the session shall be circulated to each of the Members of the Assembly by the Secretary at least seven days ahead of the commencement of the Assembly :

Provided that the Speaker may relax the rule in exceptional circumstances.

List of business 26. (1) A list of business for the day shall be prepared by the Secretary and shall be circulated to all Members on the previous day.

(2) Save as otherwise provided in these rules, no business requiring notice shall be set down for a day earlier than the day after that on which the period of the notice necessary for that class of business expires.

(3) No business not included in the list of business for the day shall be transacted at any meeting without the leave of the Speaker.

amendment shall be forthwith communicated to the Governor by the Speaker.

14. On such day or days or part of any day, the Assembly shall be at liberty to discuss the matters referred to in such address on a motion of thanks moved by a Member and seconded by another Member. **Scope of discussion**

15. Amendments may be moved to such motion of thanks in such form as may be considered appropriate by the Speaker. **Amendments**

16. (1) Notwithstanding that a day has been allotted for discussion on the Governor's Address :- **Other business that may be taken up**

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

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

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

(3) The discussion on the Address shall be interrupted in the course of a sitting by an adjournment motion under Rule 61.

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

18. The Speaker may, if he thinks fit, prescribe a time limit for speeches after taking the sense of the House. **Time limit for speeches**

Governor's Address under Article 175(1) 19. The Speaker may allot time for the discussion of the matters referred to in the Governor's Address under Article 175 (1) of the Constitution.

Messages from Governor 20. Where a message from the Governor for the Assembly under Article 175 (2) of the Constitution is received by the Speaker, he shall read the message to the Assembly and give necessary directions in regard to the procedure that shall be followed for the consideration of matters referred to in the message. In giving these directions, the Speaker shall be empowered to suspend or vary the rules to such an extent as may be necessary.

CHAPTER VI Arrangement of Business, Provisional Programme and List of Business

(a) Arrangement of Business

Arrangement of Government Business 21. On days allotted for the transaction of Government business, such business shall have precedence and the Secretary shall arrange that business in such order as the Speaker may, after consultation with the Leader of the House, 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.

Precedence of Private Members' Bills 22. (1) On a day allotted for the disposal of Private Members' Bills, such Bills shall have relative precedence in the following order, namely :-

(a) Bills in respect of which the motion is that leave be granted to introduce the Bill;

(b) Bills returned by the Governor with a message under Article 200 or Article 201 of the Constitution;

(c) Bills in respect of which a motion has been carried that the Bill be taken into consideration;

- (d) Bills in respect of which the report of a Select Committee has been presented;
- (e) Bills which have been circulated for the purpose of eliciting public opinion thereon;
- (f) Bills introduced and in respect of which no further motion has been made or carried;
- (g) Other Bills;

(2) The relative precedence of Bills falling under the same clause of sub-rule (1) shall be determined by ballot to be held in accordance with the orders made by the Speaker and on such day and in such manner as the Speaker may direct:

Provided that the motion in respect of Bills falling under clause (a) of sub-rule (1) shall be entered in the list of business in the order in which notices of such motions have been received in point of time;

Provided further that the relative precedence of Bills falling under clause (f) of sub-rule (1) shall be determined by ballot in accordance with such directions as the Speaker may give.

(3) The Speaker may, by special order make such variations in the relative precedences of Bills set out in sub-rule (1) as he may consider necessary or convenient.

22A. The relative precedence of resolutions, notices of which have been given by private Members shall be determined by ballot, to be held in accordance with the orders made by the Speaker, on such day as the Speaker may direct. **Precedence of Private Members' Resolutions**

23. (1) Every Tuesday and Thursday in every session shall be allotted for Private Members' Business: **Allotment of time for Private Members' Business and precedence of Business**

Provided that the Speaker may in his discretion allot any other day if these days are holidays or if any Government business is allotted on those or any of those days:

Provided further that the Speaker may allot these days for disposal of Government Business in case there is no Private

questions if, in his opinion, it infringes the rules regarding question or if a sufficient or reasonable number of supplementary question has already been put in respect of the same question.

(4) The unstarred questions and answers included in the list for the day will be called serially only if time permits, but they shall be printed in the proceeding under the heading “Unstarred Question”.

(5) If any 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 the Minister to whom the question is addressed shall circulate the reply to the question to the Members within three days and unless otherwise directed by the Speaker, no oral reply shall be required to such questions.

Minister may ask for notice of supplementary question

35. When a supplementary question is asked at any meeting of the Assembly and the Minister in-charge asked for notice, the Member who puts the question shall, if he desires to have an answer during the session supply the copy of the question to the Secretary to the Assembly. If the question is not disallowed by the Speaker, it will be immediately forwarded to the administrative Department concerned with the request that it may be answered as soon as possible within the session.

Subject matter of questions

36. A question must relate to a matter of administration for which the Government is responsible. Its purpose shall be the eliciting of information of suggesting action on a matter of public importance.

Conditions of admissibility of questions

37. No question may be asked which does not satisfy the following conditions, namely :-

(1) It must not bring in any name or statement not strictly necessary to make the question intelligible.

(2) If it contains a statement by the Member himself the Member asking it must make himself responsible for the accuracy of the statement.

(3) It must not contain arguments, inferences, ironical or offensive expression, imputation, epithets or defamatory statements.

CHAPTER VII

Meetings, quorum and language of the Assembly

27. The quorum to constitute a meeting of the Assembly shall be ten Members including the person presiding at the moment: **Quorum**

Provided that if at any time during the meeting of the Assembly the House falls short of quorum, the Speaker shall suspend the proceedings of the House and order the bell to be rung and if the House is made within the first ringing of the bell, or if necessary after the second ringing of the bell, as the Speaker may direct, the business of the House shall proceed otherwise the Speaker shall adjourn the House for lack of quorum.

28. The business of the Assembly shall be transacted in English: **Language of the Assembly**

Provided that a Member may address the Assembly in his own mother tongue, only when he makes over to the Speaker and the Secretary a copy of the English version of his intended speech at least half an hour before the commencement of the sitting on which he proposes to speak and also circulates such copies to the Members at his own initiative immediately before he delivers his speech on the floor of the House.

29. No proceedings of the Assembly shall be deemed to be, or ever to have been, invalid by reason of any rule not being, or not having been complied with; but in case of any such non compliance, any Member may raise a point of order. **Proceedings not invalid for failure to comply with rules**

29A. The manuscript copy of the speech made by the Member concerned will be supplied to the Member within five days of making the speech and the member concerned will correct the speech and return the same within fifteen days. If the speech is not corrected and returned within the aforesaid time, it may be printed without correction and no objection regarding the correctness of the speech will be entertained.

CHAPTER VIII
(a) Questions

Time for questions 30. Unless the Speaker otherwise directs the first hour of every meeting shall be available for the asking and answering of questions.

Notice of ordinary questions 31. Unless the Speaker otherwise directs not less than fifteen clear days' notice of a question shall be given.

Form of notice of questions 32. Notice of a question shall be given in writing to the Secretary and shall specify the official designation of the Minister to whom the question is addressed and the nature of the question (starred or unstarred).

Ordinary "Starred" and "Un starred" Questions 33. (1) Ordinary questions may be either "starred" or "unstarred".

(2) Separate notices shall be given for starred and unstarred questions. Starred questions should be distinguished by an asterisk "*" :

Provided that questions requiring elaborate statistical information or reports may not be starred.

(3) Starred questions shall be answered orally and the answers to unstarred questions shall be printed or typed along with the questions.

(4) (a) Printed or typed copies of unstarred question and answers shall be laid on the Table half an hour before the Speaker takes his seat.

(b) Only printed or typed copies of starred questions to be answered on a particular day shall be circulated amongst the Members on the previous evening.

(5) No Members shall be permitted to ask more than five starred questions for oral answers on any day.

(6) Unless the Speaker otherwise directs no question shall be placed on the list of questions for answer until twelve days have elapsed from the day when notice of such question was given by the Secretary to the Department concerned :

Provided that the Speaker may fix the date on which replies should be received from the Department :

Provided further that the list of questions for answer on any particular day may be furnished to the Members in advance :

(7) Whenever full information relating to a question cannot be collected within the time limit fixed for reply to such question, interim reply to the question shall be given, and when full information on such question has been collected, final reply shall be furnished not less than three clear days before the prorogation of the House:

Provided that when final reply cannot be furnished under the provision of this rule, the same shall be forwarded to the Assembly Secretariat by the Department concerned within one month from the date of prorogation for the information of the Member asking the question :

Provided further that when reply to the question cannot be furnished within the prescribed period of one month from the date of prorogation, the Speaker, may, on request by the Department concerned, extend the time for submission of the final reply :

Provided still further that when the Department concerned is unable to send the final reply within the time so allowed by the Speaker, the Minister concerned shall make a statement explaining the reasons for the inability of his Department to furnish the reply when the House next re-assembles.

34. (1) Any Member may put supplementary questions to a starred question after it is called by the Speaker for the purpose of further elucidating any matter of fact regarding which an answer has been given. But such supplementaries to a particular question from any one Member should not normally exceed five in number.

(2) Members shall be permitted to put any supplementary question or ordinary unstarred questions with the permission of the Speaker.

(3) The Speaker may disallow any supplementary

Supplementary question on ordinary starred and unstarred questions

Withdrawal or postponement of questions

46. A Member may, by notice given at any time before the sitting for which his question has been placed on the list, withdraw his question or postpone it to a later day to be specified in the notice and on such later day, the question shall be placed on the list after all questions which have not been so postponed :

Provided that a postponed question shall not be placed on the list until two clear days have expired from the day when the notice of postponement has been received by the Secretary.

Unanswered starred question on last day of session

47. Replies to any starred questions which remain unanswered on the last day of the session, shall be circulated to the Members, and such replies shall form part of the proceedings of the last day.

(b) Short Notice Questions**Short notice questions**

48. (1) A question relating to a matter of public importance may be asked with notice shorter than fifteen clear days and if the Speaker is of opinion that the question is of an urgent character he may, in consultation with the Minister concerned, fix a day for the reply to such a question.

(2) Such question will be called immediately after the starred questions listed for the day have been disposed of, and if the question hour has either been dispensed with or has not been provided for, it may be called for answer as the first Item of business, and if there is any new Member to take oath or affirmation then immediately thereafter.

(3) If the Minister is unable to answer the question at short notice and the Speaker is of opinion that the question is of sufficient public importance to be orally answered in the House, he may direct that the question be treated as a starred question and be given priority and answered accordingly.

(4) Where two or more Members give short notice questions on the same subject and one of the questions is accepted for answer at short notice, the names of the other Members shall be bracketed with the name of the Member whose question has been accepted for answer :

(4) It must not ask for an expression of opinion or the solution of a hypothetical proposition.

(5) It must not refer to the character or conduct of any person except in his official or public capacity.

(6) It must not be of excessive length.

(7) It shall not repeat in the same session in substance questions already answered or to which an answer has been refused.

(8) It shall not require information set forth in easily available documents or in ordinary works or reference.

(9) It shall not ask for information on a matter which is under adjudication by a Court of Law having jurisdiction in any part of India.

(10) It shall not ordinarily ask about matters pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions or any commission or court of enquiry appointed to enquire into, or investigate any matter but may refer to matters concerned with procedure or subject or stage of enquiry, if it is not likely to prejudice the consideration of the matter by the tribunal or commission or court of enquiry.

(11) It shall not reflect on the character or conduct of any person whose conduct can only be challenged on a substantive motion.

(12) It shall not make or imply a charge on personal character.

(13) It shall not ask for information on trivial vague and meaningless matters.

(14) It shall not ordinarily seek information on matters of past history.

(15) It shall not relate to a matter with which a Minister is not officially connected.

(16) It shall not relate to day-to-day administration of

Local Bodies or other semi-autonomous bodies. The Speaker may, however, allow questions which arise out of their relations with the Government or refer to breaches of law or rules or relate to important matters involving general welfare.

(17) It shall not refer to debates in the current session.

(18) It shall not criticise decisions of the House of the State Legislature.

(19) It shall not seek Information about matters, which in their nature are secret, such as, decisions or proceedings of the Cabinet, advice given to the Governor by Law Officers and other subjects, the disclosure of which is against public interest.

(20) It shall not deal with matters before a Committee appointed by the House or with matters within the jurisdiction of the Chairman of a Select Committee or the authorities of the House.

(21) It shall not refer discourteously to a friendly foreign country.

(22) It shall not raise questions of policy too large to be dealt within the limits of an answer to question.

(23) In matters which are or have been the subject of controversy between the Union Government and the State Government no question shall be asked except as to matters of fact, and the answer shall be confined to statement of facts.

Speaker to decide Admissibility of questions

38. The Speaker shall decide on the admissibility of a question under Rule 37 and shall disallow any question which, in his opinion, is an abuse of the right of questioning or is in contravention of the rules.

Speaker to decide, if a question is to be treated as starred or unstarred

39. If in the opinion of the Speaker any question put down for oral answer is of such a nature that written reply would be more appropriate, the Speaker may direct that such question be placed in the list of questions for written answers :

Provided that the Speaker may, if he thinks fit, call upon the Member who has given notice of a question for oral answer to state in brief his reasons for desiring an oral answer and, after considering the same, may direct that the question be included in the list of questions for written answer.

40. The Speaker may within the period of notice disallow any question or any part of the question on the ground that it relates to a matter which is not primarily the concern of the Government of the State and if he does so, the question or part of the question shall not be placed in the list of questions.

Power to disallow questions

41. Questions which have not been disallowed shall be entered in the list of questions and shall be called on the day when it appears in the list of questions, if the time made available for the questions permits, in the order in which they stand in the list before any business is entered upon at the meeting.

List of questions

42. A question may be addressed by a Member to a private Member provided the subject matter of the question relates to some Bill, resolution or other matter connected with the business of the House for which that Member is responsible and the procedure in regard to such question shall, as far as may be, be the same as that followed in the case of questions addressed to a minister with such variations as the Speaker may consider necessary or convenient.

Questions to private Members

43. Questions shall be put and answers given in such manner as the Speaker may, in his discretion, determine.

Questions how to put

44. The Speaker may, in his discretion, allow the questions of an absent Member to be put by another Member duly authorised to do so in writing, but it shall come after the disposal of all other questions listed for the day. In all such cases previous intimation, of such authority shall be given to the Speaker.

Questions of absent Member

45. The Speaker at the request of a Minister/Member may direct that an answer to a question which has been called may be given on the ground of public interest even though the question is not put or the Member in whose name it stands is absent.

Answer to questions not put

No formal motion

52. 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 desirous of taking part in the discussion may be permitted to do so by the Speaker.

Time limit for speeches

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

CHAPTER XA**Calling attention to a matter of urgent public importance****Calling attention to a matter of urgent public importance**

54. (1) A Member may, with the previous permission of the Speaker, call the attention of a Minister to any matter of urgent public importance and of recent occurrence and the Minister may make a brief statement or ask for time to make a statement at a later hour or date.

(2) There shall be no debate on such statement at the time it is made.

(3) Not more than one such matter shall be raised at the same sitting.

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

(5) 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.

CHAPTER XI**Statement made by a Minister****Statement by a Minister**

55. A statement may be made by a Member on a matter of public importance with the consent of the Speaker but no question shall be asked at the time the statement is made.

Provided that the Speaker may direct that all the notices be consolidated into a single notice, if in his opinion it is desirable to have a single self-contained question covering all the important points raised by Members, and the Minister shall then give his reply to the consolidated question :

Provided further that in the case of a consolidated question, the names of all the Members concerned may be bracketed and shown against the question in the order of priority of their notice.

(5) Where a member desires an oral answer to a question at a shorter notice, he shall briefly state the reasons for asking the question with short notice. Where no reasons have been assigned in the notice of the question, the question shall be returned to the Member.

(6) The Member who has given notice of the question shall be in his seat to read the question when called by the Speaker and the Minister concerned shall give a reply immediately :

Provided that when a question is shown in the names of more than one Member, the Speaker shall call the name of the first Member or, in his absence, any other name.

(7) In other respects, the procedure for short notice questions shall be the same as for ordinary questions for oral answer, with such modifications as the Speaker may consider necessary or convenient.

CHAPTER IX**Half-an-hour discussion on matter arising out of answers to questions**

49. (1) The Speaker shall allot half-an-hour or such time as he deems fit for raising discussion on a matter of sufficient public importance which has been the subject of a recent question, oral or written, and the answer to which needs elucidation on a matter of fact.

Discussion on a matter of public importance arising out of answers to questions

(2) A Member wishing to raise a matter shall give notice in writing to the Secretary three days in advance of the day on which the matter is desired to be raised, and shall shortly specify the point that he wishes to raise :

Provided that the notice shall be accompanied by an explanatory note stating the reasons for raising discussion on the matter in question :

Provided further that the notice shall be supported by the signatures of at least another Member :

Provided further that the Speaker may with the consent of the Minister concerned waive the requirement concerning the period of notice.

(3) The Speaker shall decide whether the matter is of sufficient public importance to be put down for discussion and may not admit a notice which in his opinion, seeks to revise the policy of Government. Not more than one such matter shall be raised on a particular day.

(4) If more than two notices have been received and admitted by the Speaker, the notice which is prior in point of time shall have precedence :

Provided that if any matter put down for discussion on a particular day is not disposed of on that day it shall not be set down for any other day, unless the member so desires, in which case it shall be included in the ballot for the next available day.

(5) There shall be no formal motion before the House nor voting. The Member who has given notice may make a short statement and it will be open for discussion. The Minister concerned shall give a short reply :

Provided that if the Member who has given notice is absent, the other Member who has supported the notice may, with the permission of the Speaker, initiate the discussion.

CHAPTER IXA Zero Hour

49A. Immediately after the question hour and before the list of business of the day is entered upon, any member who wants to raise any matter of grave importance which cannot be raised under any other provisions of the Rules of Procedure and Conduct of Business, can do so with the previous permission of the Speaker provided, however, that the member raising such a matter shall not make any speech.

CHAPTER X Discussion on a matter of urgent public importance for short duration

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

Provided that the notice shall be accompanied by an explanatory note stating reasons for raising discussion on the matter in question :

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

51. If the Speaker is satisfied after calling for such information from the Member who has given notice and from Minister concerned as he may consider necessary, that the matter is urgent and is of sufficient importance to be raised in the House at an early date, he may admit the notice and in consultation with the Leader of the House fix the date on which such matter may be taken up for discussion and allow such time for discussion, not exceeding two and a half hours, as he may consider appropriate in the circumstances : **Speaker to decide admissibility**

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

Secretary shall take necessary steps with a view to obtaining the sanction, or recommendation of the President or the Governor, as the case may be. A copy of the Bill shall be sent to the Minister concerned for information. If no such sanction or recommendation is obtained, the notice shall not be valid and the Bill shall not be introduced, moved or taken into consideration.

(3) The period of notice of a motion for leave to introduce a Bill under this rule shall be one month unless the Speaker allows the motion to be made at shorter notice.

(4) The Speaker may disallow a notice of a Bill in case the Bill does not comply with the requirements of Sub-rule (1) of Rule 66 or Rule 67.

**Notice of
Identical Bill**

65A. When a Bill is pending before the House, notice of an identical Bill, whether received before or after the introduction of the pending Bill, shall be removed from, or not entered in the list of pending notices, as the case may be, unless the Speaker otherwise directs.

**Introduction of
a Bill dependent
on another Bill
pending before
the House**

65B. A Bill which is dependent wholly or partly upon another Bill pending before the House, may be introduced in the House in anticipation, of the passing of the Bill on which it is dependent :

Provided that the second Bill shall be taken up for consideration and passing in the House only after the first Bill has been passed by the House and assented to by the Governor or the President, as the case may be.

**Financial
memorandum
and money
clauses**

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

(2) Clauses or provisions in Bills involving expenditure from public funds shall be printed in thick type or in italics.

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

CHAPTER XII

**Motion for adjournment on a matter
of public importance**

56. (1) A motion for an adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance may be made with the consent of the Speaker. **Motion for adjournment**

(2) The Speaker shall decide whether the matter to be discussed is definite and whether it is of urgent public importance.

57. The right to move the adjournment of the Assembly for the purpose of discussing a definite matter of urgent public importance shall be subject to the following restrictions, namely :- **Restriction on power to make motion**

- (i) not more than one such motion shall be made at the same sitting;
- (ii) not more than one matter can be discussed on the same motion, and the motion must be restricted to a specific matter of recent occurrence;
- (iii) the motion must not revive discussion on a matter which has been discussed in the same session;
- (iv) the motion must not anticipate a matter which has been previously appointed for consideration, or with reference to which a notice of motion has been previously given, regard being had to the probability of the matter anticipated being brought before the House within a reasonable time;
- (v) the motion must not deal with a matter on which a resolution could not be moved;
- (vi) the motion shall not deal with any matter which is under adjudication by a Court of Law having jurisdiction in any part of India;

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

(viii) that it must not relate to a matter which is not primarily the concern of the Government of the State.

Method of giving notice

58. Notice of an adjournment motion shall be given at least one hour before the commencement of the sitting on the day on which the motion is proposed to be made to each of the following :-

- (i) the Speaker;
- (ii) the Minister concerned;
- (iii) the Secretary.

Motion for discussion on matters before tribunals commissions

59. No motion which seeks to raise discussion on a matter pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions or any commission or court of enquiry appointed to enquire into or investigate any matter shall ordinarily be permitted to be moved :

Provided that the Speaker may in his discretion allow such matter being raised in the House as is concerned with the procedure or subject or stage of enquiry, if the Speaker is satisfied that it is not likely to prejudice the consideration of such matter by the statutory tribunal, statutory authority, commission or court of enquiry.

Mode of asking for leave-to move adjournment motion

60. (1) The Speaker, if he gives consent under Rule 56 and holds that the matter proposed to be discussed is in order, shall, after the questions and before the List of Business is entered upon, call the Member concerned who shall rise in his place and ask for leave to move the adjournment of the House :

Provided that where the Speaker has refused his consent under Rule 56 or is of opinion that the matter proposed to be discussed is not in order, he may, if he thinks it necessary, read the notice of motion and state the reasons for refusing consent or holding the motion as being not in order.

(2) If objection to leave being granted is taken, the Speaker shall request those Members who are in favour of

leave being granted to rise in their places, and if not less than ten Members rise accordingly, the Speaker shall intimate that leave is granted. If less than ten Members rise, the Speaker shall inform the Member that he has not the leave of the House.

61. The motion shall be taken up at such hour as the Speaker may decide. **Time for taking up motion**

62. The Speaker may, if he is satisfied that there has been adequate debate, put the question at such hour as he decides but such debate will not continue for more than four hours. **Closure of debate**

63. The Speaker shall prescribe time limit for speeches. **Time limit for speeches**

CHAPTER XIII

Legislation (a) Introduction

64. The Speaker on a request being made to him may order the publication of any Bill together with the Statement of Objects and Reasons and financial memorandum accompanying it in the Gazette, although no motion has been made for leave to introduce the Bill. In that event it shall not be necessary to move for leave to introduce the Bill, and, if the Bill is afterward introduced, it shall not be necessary to publish it again. **Publication of Bills before introduction**

65. (1) Any Member, other than a Minister, desiring to move for leave to introduce a Bill, shall give notice of his intention, and shall, together with the notice, submit a copy of the Bill and an explanatory Statement of Objects and Reasons which shall not contain argument : **Notice of motion for leave to introduce Private Members' Bills**

Provided that the Speaker may, if he thinks fit, revise the Statement of Objects and Reasons.

(2) If the Bill is a Bill which, under the Constitution, cannot be introduced without the previous sanction, or recommendation of the President or the Governor, the

(ii) that the Bill be recommitted, either :-

- (a) without limitation, or
- (b) with respect to particular clauses or amendments only, or
- (c) with instructions to the Select Committee to make some particular or additional provision in the Bill.

(2) If the Member in-charge moves that the Bill be taken into consideration any Member may move, as an amendment, that the Bill be recommitted.

Scope of debate on report of Select Committee

76. The debate on a motion that the Bill as reported by the Select Committee be taken into consideration shall be confined to consideration of the report of the Committee and the matter referred to in that report or any alternative suggestions consistent with the principle of the Bill.

(c) Consideration and Amendment of Bills

Notice of amendments

77. (1) If notice of a proposed amendment has not been sent to the Secretary two clear days before the day on which the Bill is to be considered, any Member may object to the moving of the amendment, and such objection shall prevail, unless the Speaker, in his discretion, allows the amendment to be moved.

(2) The Secretary shall cause a copy of every notice of a proposed amendment to be made available for the use of each member;

Provided that this rule shall not apply in the case of an Appropriation Bill.

Condition of admissibility of amendments

78. The following conditions shall govern the admissibility of amendment to clauses or schedules of a Bill :-

(i) An amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates.

(ii) An amendment shall not be inconsistent with any previous decision of the House on the same question.

67. A Bill involving proposals for the delegation of legislative power shall further be accompanied by a memorandum explaining such proposals and drawing attention to their scope and stating also whether they are of normal or exceptional character.

Explanatory memorandum to Bills delegating legislative powers

68. As soon as possible after the Governor has promulgated an Ordinance under Clause (1) of Article 213 of the Constitution printed copies of such Ordinance shall be made available to the Members of the Assembly. Within six weeks from the re-assembly of the Assembly, any member may, after giving three clear days notice to the Secretary, move a resolution disapproving the Ordinance.

Discussion of Governor's Ordinances

69. (1) Whenever a Bill seeking to replace an Ordinance with or without modification is introduced in the House there shall be placed before the House along with the Bill a statement explaining the circumstances which has necessitated immediate legislation by Ordinance.

Statement in connection with Ordinances

(2) Whenever an Ordinance which embodies wholly or partly or with modification the provisions of a Bill pending before the House is promulgated, a statement explaining the circumstances which had necessitated immediate legislation by Ordinance shall be laid on the Table at the commencement of the session following the promulgation of the Ordinance.

70. (1) If a motion for leave to introduce a Bill is opposed, the Speaker after permitting, if he thinks fit, a brief explanatory statement from the Member who moves and from the Member who opposes the motion, may, without further debate, put the question thereon :

Motion for leave to introduce a Bill

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

(2) If such motion be carried, the Secretary shall read the title of the Bill, and the Bill shall thereupon be deemed to be introduced in the Assembly.

71. As soon as may be after a Bill has been introduced, the Bill, unless it has already been published, shall be published in the Gazette.

Publication

(b) Motion after introduction**Motion after introduction**

72. When a Bill is introduced, or on some subsequent occasion, the Member in-charge may make one of the following motions in regard to the Bill, namely :-

(a) that it be taken into consideration by the Assembly either at once or at some future day to be then mentioned; or

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

(c) that it be circulated for the purpose of eliciting public opinion thereon :

Provided that if a member gives notice of a particular motion specified in (a), (b) and (c), he shall not be permitted to move a different motion :

Provided further that no such motion shall be made until after copies of the Bill have been made available for the use of members, and that any Member may object to any such motion being made unless copies of the Bill have been so available for four days before the motion is made and such objection shall prevail unless the Speaker, in his discretion, allows a motion to be made.

Discussion of Bill First Reading

73. (1) On the day on which any such motion is made, or on any subsequent day to which the discussion is postponed, the principle of the Bill and its provisions may be discussed generally but the details of the Bill shall not be discussed further than is necessary to explain its principle.

(2) At this stage no amendments to the Bill may be moved, but if the Member in-charge moves that the Bill :-

(a) be taken into consideration, any Member may move as an amendment that the Bill be referred to a Select Committee or be circulated for the purpose of eliciting public opinion thereon by a date to be mentioned in the motion :

Provided that if an amendment or a motion for appointment of a Select Committee has been moved under this rule any Member may move that the House give instructions to the Select Committee

to which the Bill is proposed to be referred to make some particular or additional provision in the Bill and if necessary or convenient to consider and report on amendments which may be proposed to the original Act which the Bill seeks to amend;

(b) be referred to a Select Committee, any member may move as an amendment that the Bill be circulated for the purpose of eliciting public opinion, by a date as may be mentioned in the motion.

(3) Where a motion that a Bill be circulated for the purpose of eliciting public opinion has been carried in the Assembly and the Bill has been circulated in accordance with that direction and opinions have been received thereon by the date mentioned in the motion, the Member in-charge, if he wishes to proceed with the Bill thereafter, shall move that the Bill be referred to a Select Committee, unless the Speaker, in his discretion, allows a motion to be made that the Bill be taken into consideration.

74. No motion that a Bill be taken into consideration or be passed shall be made by any Member other than the Member in-charge of the Bill or by any other Member authorised by him and permitted to do so by the Speaker and no motion that a Bill be referred to a Select Committee or be circulated or re-circulated for the purpose of eliciting public opinion thereon shall be made by any Member other than the Member in-charge except by way of amendment to a motion made by the Member in-charge.

Persons by whom motions in respect of Bills may be made

Explanation - For the purpose of this rule Member in-charge of the Bill, means in the case of a Government Bill, any member acting on behalf of the Government and in any other case, the member who has introduced the Bill.

75. (1) After the presentation of the final report of a Select Committee on a Bill the Member in-charge may move :-

Procedure on report after presentation

(i) that the Bill as reported by the Select Committee be taken into consideration, but any Member may object to its being so taken into consideration if a copy of the report has not been available for the use of Member for four days and such objection shall prevail unless the Speaker, in exercise of his discretion, allows the report to be taken into consideration; or

- (c) the Bill is to be replaced subsequently by another Bill which includes all or any of its provisions in addition to other provisions;

and if such leave is granted, no further motion shall be made with reference to the Bill.

Provided that where a Bill is under consideration by a Select Committee of the House, notice of any motion for the withdrawal of the Bill shall automatically stand referred to the Committee and after the Committee has expressed its opinion in a report to the Assembly, the motion shall be set down in the List of Business.

Explanatory statement by member who moves or opposes withdrawal motion

93. If a motion for leave to withdraw a Bill is opposed, the Speaker may, if he thinks fit, permit the Member who moves and the Member who opposes the motion to make brief explanatory statements and may thereafter without further debate, put the question.

(e) Passing of Bills

Passing of Bills-Third Reading

94. (1) If no amendment be made when a motion that a Bill be taken into consideration has been agreed to by the Assembly, the Bill may at once be passed.

(2) If any amendment be made, any member may object to the passing of the Bill at the same meeting; and such objection shall prevail unless the Speaker, in his discretion, allows the Bill to be passed.

(3) Where the objection prevails, the Bill shall be brought forward again at a future meeting, and may then be passed with or without further amendment.

Scope of Debate

95. The discussion on a motion that the Bill or the Bills as amended, as the case may be, be passed shall be confined to the submission of arguments either in support of the Bill or for the rejection of the Bill. In making his speech a Member shall not refer to the details of the Bill further than is necessary for the purpose of his arguments which shall be of a general character.

- (iii) An amendment shall not be such as to make the clause which it proposes to amend unintelligible or ungrammatical.
- (iv) If an amendment refers to, or is not intelligible without a subsequent amendment or schedule, notice of the subsequent amendment or schedule shall be given before the first amendment is moved, so as to make the series of amendments intelligible as a whole.
- (v) The Speaker shall determine the place at which an amendment shall be moved.
- (vi) The Speaker may disallow an amendment which is, in his opinion frivolous or meaningless.
- (vii) An amendment may be moved to an amendment which has already been proposed.

79. If any member desires to move an amendment which under the Constitution cannot be moved without the previous sanction or recommendation of the President or the Governor, the Secretary shall forward the same to the President or the Governor as the case may be with a copy to the Minister concerned for necessary sanction or recommendation and the amendment shall not be moved unless such sanction or recommendation is received.

Sanction or recommendation of the President or the Governor to be annexed to notice of amendment

Provided that no previous sanction or recommendation of the Governor shall be required, if an amendment seeks to :-

- (a) abolish or reduce the limits of the tax proposed in the Bill or amendment, or
- (b) increase such tax up to the limits of an existing tax.

[Rules 80 omitted]

81. The Speaker shall have power to select the new clauses or amendments to be proposed, and may, if he thinks fit, call upon any member who has given notice of an amendment to give such explanation of the object of the amendment as may enable him to form a judgement upon it.

Selection of new clauses or amendments

Arrangement of amendments 82. Amendments of which notice has been given shall, as far as practicable, be arranged in the list of amendments, issued from time to time, in the order in which they may be called. In arranging amendment raising the same question at the same point of a clause, precedence may be given to an amendment moved by the Member in-charge of the Bill. Subject as aforesaid, amendments may be arranged in the order in which notices thereof are received.

Order of amendments 83. Amendments shall ordinarily be considered in the order of the clauses to which they respectively relate.

Second Reading

Mode of moving amendments 84. When a motion that a Bill be taken into consideration has been carried, any member may, when called upon by the Speaker, move an amendment to the Bill of which he has previously given notice :

Provided that in order to save time and repetition of arguments, a single discussion may be allowed to cover a series of inter-dependent amendment.

Withdrawal of amendments 85. An amendment moved may, by leave of the House but not otherwise, be withdrawn, on the request of the Member moving it. If an amendment has been proposed to an amendment the original amendment shall not be withdrawn until the amendment proposed to it has been disposed off.

Submission of Bills, clause by clause 86. Notwithstanding anything contained in the foregoing rules, it shall be in the discretion of the Speaker when motion that a Bill be taken into consideration has been carried, to submit the Bill or any part of the Bill, to the Assembly, clause by clause. When this procedure is adopted, the Speaker shall call each clause, separately, and when the amendments relating to it have been dealt with, shall put the question “that this clause or (as the case may be) this clause as amended, stand part of the Bill”.

Postponement of clause 87. The Speaker may, if he thinks fit, postpone the consideration of a clause.

Consideration of schedule 88. The consideration of the schedule or schedules, if any, shall follow the consideration of clauses. Schedules shall be put from the Chair, and may be amended in the same manner as clauses, and the consideration of new

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

Provided that the Speaker may allow the schedule or schedules, if any, being considered before the clauses are disposed of along with a clause or otherwise as he may think fit.

89. The Speaker may, if he thinks fit, put as one question clause and/or schedules, or clauses and/or schedules as amended, as the case may be, together to the vote of the House :

Voting on group of clauses and schedules

Provided that, if a member requests that any clause or schedule, or any clause or schedule as amended, as the case may be, be put separately, the Speaker shall put that clause or schedule, or clause or schedule as amended, as the case may be, separately.

90. Clause One, the Enacting Formula, the Preamble, if any, and Title of a Bill shall stand postponed until the other clauses and schedules (including new clause and new schedules) have been disposed of and the Speaker shall then put the question : “That Clause One, or the Enacting Formula, or the Preamble or the Title (or that Clause One, Enacting Formula, or the Preamble or the Title as amended, as the case may be) do stand part of the Bill”.

Clause One, Enacting Formula, Preamble and Title of Bill

(d) Adjournment of debate on and withdrawal of Bills

91. At any stage of a Bill which is under discussion in the House, a motion that the debate on the Bill be adjourned may be moved with the consent of the Speaker.

Adjournment of debate on Bill

92. The Member in-charge of a Bill may at any stage of the Bill move for leave to withdraw the Bill on the ground that :-

Withdrawal of Bill

- (a) the legislative proposal contained in the Bill is to be dropped; or
- (b) the Bill is to be replaced subsequently by a new Bill which substantially alters the provisions contained therein; or

Notice of presentation 111. A Member shall give advance intimation to the Secretary of his intention to present a petition.

Presentation of petition 112. A petition may be either presented by a member or be forwarded to the Secretary, if the member does not present it himself and the Secretary shall report it to the Assembly. The report shall be made in the form set out in the Second Schedule. No debate shall be permitted on the presentation, or the making of such report.

Form of petition 113. A Member presenting a petition shall confine himself to a statement in the following form :-

“Sir, I beg to present a petition signed by
petitioner(s) regarding”

And do debate shall be permitted on this statement.

Reference to Committee on Petitions 114. Every petition shall, after presentation by a member or report by the Secretary, as the case may be, stand referred to the Committee on Petitions.

CHAPTER XV Resolutions

Notice of resolutions and order of moving them 115. (1) A Member who wishes to move a resolution shall give 10 clear days' notice before the date appointed for the disposal of Private Members' Resolutions and shall together with the notice submit a copy of the resolution which he wishes to move.

(2) No Member shall, except with the permission of the Speaker, be permitted to send in notice of more than five resolutions during one session of the Assembly.

(3) Every resolution of which 10 clear days' notice has been given, shall be included in the ballot to be held, as hereinafter provided in these rules :

Provided that not more than one resolution standing in the name of a Member shall be included in the Order of Business for the day in question.

96. (1) Where a Bill is passed by the House, the Speaker shall have power to correct patent errors and make such other changes in the Bill as are consequential upon the amendments accepted by the House and the Bill passed and so revised shall be signed by the Speaker.

In case the Bill passed is a Money Bill, the Speaker shall sign and certify the same in accordance with the provision of Clause (4) of Article 199 of the Constitution.

(2) After a Bill has been so authenticated by the Speaker, the Secretary shall send the authenticated copy to the Government for assent.

(3) One copy of the Bill so assented to and received from the Government shall be preserved for verification and record and shall not be allowed to pass out of the custody of the House without the permission of the Speaker.

(f) Reconsideration of Bills returned by the Governor

97. (1) When a Bill passed by the Assembly is returned to the Assembly by the Governor with a message requesting that the Assembly do reconsider the Bill or any specified provisions thereof or any such amendments as are recommended in his message, the Speaker shall read the message of the Governor in the Assembly, if in session, or if the Assembly is not in session, direct that it may be circulated for the information of the Members.

(2) The Bill as passed by the Assembly and returned by the Governor for reconsideration shall there after be laid on the Table.

98. At any time after the Bill has been so laid on the Table, any Minister in the case of a Government Bill, or, in any other case, any Member may give notice of his intention to move that the amendments recommended by the Governor be taken into consideration.

99. On the day on which the motion for consideration is set down in the List of Business which shall, unless the Speaker otherwise directs be not less than two days from the receipt of the notice, the Member giving notice may move that the amendments be taken into consideration.

Correction of patent errors

Reconsideration of Bills returned by the Governor

Notice of motion for consideration of amendments

Motion for consideration

Scope of debate 100. The debate on such a motion shall be confined to consideration of matters referred to in the message of the Governor or any suggestion relevant to the subject matter of the amendment recommended by the Governor.

Consideration of amendments 101. If motion that the amendments recommended by the Governor be taken into consideration is carried, the Speaker shall put the amendments to the House in such manner as he thinks most convenient for consideration.

Procedure on consideration of amendments 102. An amendment relevant to the subject matter of an amendment recommended by the Governor may be moved, but no further amendment shall be moved to the Bill unless it is consequential upon, incidental or alternative to an amendment recommended by the Governor.

Passing again of Bill 103. When all the amendments have been disposed off, the Member giving notice of the motion under Rule 98 may move that the Bill as originally passed by the Assembly be passed again, or passed again as amended, as the case may be.

Disagreement of the House with message 104. If the motion that the amendments recommended by the Governor be taken into consideration is not carried, the member giving notice of the motion under Rule 98 may at once move that the Bill as originally passed by the Assembly be passed again without amendment.

CHAPTER XIV **Petitions**

Scope of petitions 105. Petitions may be presented or submitted to the Assembly with the consent of the Speaker on :-

- (i) a Bill which has been published under Rules 64 or which has been introduced in the Assembly;
- (ii) any matter connected with the business pending before the Assembly; and
- (iii) any matter of general public interest provided that it is not one -

(a) which falls within the cognizance of a court of law having jurisdiction in any part of India or a court of enquiry or a statutory tribunal or authority or a quasi-judicial body, or a Commission;

(b) which should ordinarily be raised in Parliament or any other State Legislature;

(c) which can be raised on a substantive motion or resolution; or

(d) for which remedy is available under the law, including rules, regulations, bye-laws, made by the Central or State Government or an authority to whom power to make such rules, regulations, etc., is delegated.

106. (1) The general form of petition set out in the First Schedule, with such variation as the circumstances of each case require, may be used, and, if used, shall be sufficient. **General form of petition**

(2) Every petition shall be couched in respectful, decorous and temperate language.

(3) Every petition shall be in English. If any petition in any other Indian language is made, it shall be accompanied by a translation in English and signed by the petitioner.

107. The full name and address of every signatory to a petition shall be set out therein and shall be authenticated by his signature, and if illiterate by his thumb impression. **Authentication of petition**

108. Letters, affidavits or other documents shall not be attached to any petition. **Documents not to be attached**

109. (1) Every petition shall, if presented by a Member, be countersigned by him. If a petition is made in any Indian language its translation in English shall also be countersigned by the Member presenting it. **Counter signature**

(2) A Member shall not present a petition from himself.

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

Members' day after their priority is determined by a fresh ballot held in accordance with these rules.

Splitting of resolution 128. When any resolution involving several points has been discussed, the Speaker may divide the resolution, and put each or any point separately to the vote, as he may think fit.

Repetition of resolution 129. Resolutions which are admitted for a particular session shall stand lapsed along with the prorogation of the session :

Provided that any resolution or resolutions which are under discussion shall be concluded during the session and for that purpose if necessary, the Speaker may extend time for such discussion.

Copy to Government 130. A copy of every resolution which has been passed by the Assembly shall be forwarded to the Government of the State.

CHAPTER XVA Special Motions

Special motions to get precedence over other motions 130A. Whenever any report or any matter of urgent public importance and of recent occurrence is brought before the House, any Member can move a motion for the discussion of that matter. Such a motion will get precedence over motions under Rule 131. The Speaker shall fix the time and date for discussion of such a motion.

CHAPTER XVI Motions

Discussion on a matter of public interest by motions 131. (1) Save in so far as is provided by the Constitution or by these rules, a motion on a matter of general public interest can be discussed only with the consent of the Speaker.

Notice of motion (2) Notice of a motion shall be given in writing addressed to the Secretary :

(4) Notwithstanding anything herein before contained seven days' notice shall be sufficient in respect of resolution of which notice is given by a Minister or the Advocate General.

116. 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 for action, or Call Attention to a matter of situation for consideration by Government; or in such other form as the Speaker may consider appropriate. **Form of resolution**

117. Subject to the restrictions contained in these rules, a resolution may be moved on matter of general public interest : **Form and contents of Resolution**

Provided that no resolution shall be admissible which does not comply with the following conditions, namely :-

- (a) it shall be clearly and precisely expressed and shall raise one definite issue;
- (b) it shall not contain arguments, inferences, ironical expressions, imputation, innuendoes or defamatory statements;
- (c) it shall not refer to the conduct or character of any person except in his official or public capacity ;
- (d) it shall not relate to any matter which is under adjudication by a court of law having jurisdiction in any part of India;
- (e) it shall not reflect upon the conduct of the President as distinct from the Government of India or any Governor as distinct from the State Government;
- (f) it shall not reflect upon the conduct in the exercise of his or its judicial functions, of any Judge or Court of Law having jurisdiction in any part of India; and
- (g) it shall not refer to a matter which is not primarily the concern of the State Government.

Ballot for determining relative precedence

118. For the purpose of determining the relative precedence of resolutions of which 10 clear days' notice has been given the Secretary will prepare a numbered list of all such resolutions and on such day as the Speaker may appoint, ballot will be held by the Secretary at which any member who wishes to attend may do so.

Speaker to decide admissibility of resolution

119. The Speaker shall decide whether a resolution or a part thereof is or is not admissible under these rules and may disallow any resolution or a part thereof when in his opinion it is an abuse of the right of moving a resolution or calculated to obstruct or prejudicially affect the procedure of the House or is in contravention of these rules.

Raising discussion on matters before tribunals, commission, etc.

120. No resolution which seeks to raise discussion on a matter pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions or any commission or court of enquiry appointed to enquire into, or investigate, any matter shall ordinarily be permitted to be moved :

Provided that the Speaker may, in his discretion, allow such matter being raised in the House as is concerned with the procedure or subject or stage of enquiry, if the Speaker is satisfied that it is not likely to prejudice the consideration of such matter by the statutory tribunal, statutory authority, commission or court of enquiry.

Motion and withdrawal of resolutions

121. (1) A Member in whose name a resolution appears on the List of Business shall, when called on, either : -

- (a) decline to move the resolution, in which case he shall confine himself to a mere statement to that effect, or
- (b) move the resolution, in which case he shall commence his speech by a formal motion in the terms appearing on the list of business.

(2) If the Member when called on is absent, the resolution standing in his name shall be considered to have been withdrawn :

Provided that with the consent of such absent Member and with the permission of the Speaker any other Member may move the resolution :

Provided further that if such a resolution stands in the name of another Member present in the House, such Member may be permitted by the Speaker to move that resolution.

122. The discussion of a resolution shall be strictly limited to the subject of the resolution. **Limit of discussion**

123. After a resolution has been moved, any Member may, subject to all the rules relating to resolutions, move any amendment to such resolution, a copy of which shall be given to the Member moving the resolution. **Amendments**

124. (1) If a copy of such amendment has not been sent to the Secretary one clear day before the day fixed for the discussion of the resolution, any Member may object to the moving of the amendment, and such objection shall prevail unless the Speaker, in his discretion, allows the amendment to be moved. **Notice of amendments**

(2) The Secretary shall, if time permits, cause every amendment to be printed, and send a copy for the information of each member.

125. No speech on a resolution shall, except with the permission of the Speaker, exceed fifteen minutes in duration. **Time Limit for speeches**

Provided that the Mover of a resolution, when moving the same and the Minister concerned when speaking for the first time, may speak for thirty minutes or for such longer time as the Speaker may permit.

126. (1) A Member who has moved a resolution or amendment to a resolution shall not withdraw the same except by leave of the House. **Withdrawal of resolution**

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

127. A resolution which has been listed for discussion on a particular day, if it is not discussed on that day shall be renumbered with other resolution of which 10 clear days' notice is given and listed for discussion on the next Private **Resolution not discussed**

Speaker and the Leader of the House one day in advance of the day on which it is made.

(4) On such statement no debate shall be allowed :

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

CHAPTER XVIII **Removal of Speaker and Deputy Speaker**

Resolution removal of Speaker and Deputy Speaker

135. Any resolution to remove the Speaker or the Deputy Speaker from office, of which at least fourteen days' notice as required under Article 179 of the Constitution has been given, shall be read to the Assembly by the person presiding who shall then request the Members who are in favour of leave being granted to move the resolution to rise in their places, and if not less than one-fifth of the total number of Members of the House rise accordingly, the person presiding shall allow the resolution to be moved. If less than one-fifth of the total number of Members of the House rise, the person presiding shall inform the Member who may have given the notice, that he has not the leave of the Assembly to move it.

If notice of a "No-Confidence Motion" against the Speaker or the Deputy Speaker is tabled, the House shall not be adjourned till the provisions of these rules are complied with and the motion on No-confidence is disposed of finally.

Leave of House to take up resolution

136. (1) Subject to the provisions of Article 181 of the Constitution, the Speaker or the Deputy Speaker or such other person as is referred to in Clause (2) of Article 180 of the Constitution shall preside when a motion under Rule 135 is taken up for consideration.

(2) The member in whose name the motion stands on the List of Business shall, except when he wishes to withdraw it, move the motion when called upon to do so, but no speech shall be permitted at this stage.

Provided that no member shall, except with the permission of the Speaker, be permitted to send notice of more than four motions during one session of the Assembly.

If the number of motion admitted by the Speaker is more than one a ballot shall have to be held for giving precedence to a particular motion.

(3) In order that a motion may be admissible it shall satisfy the following conditions, namely, that :-

Conditions of admissibility of motion

- (i) it shall raise substantially one definite issue;
- (ii) it shall not contain arguments, inferences, ironical expressions, imputation or defamatory statements;
- (iii) it shall not refer to the conduct or character of persons except in their public capacity;
- (iv) it shall be restricted to a matter of recent occurrence;
- (v) it shall not raise a question of privilege;
- (vi) it shall not revive discussion of a matter which has been discussed in the same session;
- (vii) it shall not anticipate discussion of a matter which is likely to be discussed in the same session;
- (viii) it shall not relate to any matter which is under adjudication by a Court of Law having jurisdiction in any part of India; and
- (ix) it shall not relate to a matter which is not primarily the concern of the Government of the State.

(4) The Speaker shall decide on the admissibility of a motion and may disallow a motion or a part thereof.

Speaker to decide admissibility of motion

Allotment of time for discussion of motion

(5) Any motion tabled by a Member to discuss a statement or report made by a Minister under Rule 55 may also be the subject matter of the discussion.

Time limit for speeches

(6) The Speaker may, if he thinks fit, prescribe a time limit for speeches.

Motion for raising discussion on matters before tribunals, commissions, etc.

132. No motion which seeks to raise discussion on a matter pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions or any commission or court of enquiry appointed to enquire into, or investigate, any matter shall ordinarily be permitted to be moved:

Provided that the Speaker may, in his discretion, allow such matter being raised in the House as is concerned with the procedure or subject or stage of enquiry if the Speaker is satisfied that it is not likely to prejudice the consideration of such matter by the statutory tribunal, statutory authority, commission or court of enquiry.

CHAPTER XVII**THE MINISTRY****No-confidence and resignation****Motion of no-confidence in the Ministry**

133. (1) A Motion expressing want of confidence in the whole Ministry or a motion censuring a Minister or a group of Ministers or a motion disapproving the action or actions of a Minister may be made with the consent of the Speaker :

Provided that no motion expressing want of confidence shall be made against an individual Minister or a group of Ministers :

Provided further that no motion expressing want of confidence in the Ministry shall be allowed to be made, if a similar motion has been made in the same session.

(2) The Speaker shall not give his consent to make a motion under the preceding Sub-rule, unless the following conditions are fulfilled namely :-

(a) the Member desiring to move the motion has before the commencement of the sitting of the day, given a written notice to the Secretary of his intention to move the motion together with a copy of the motion;

(b) leave to make the motion has been asked for after the questions and before the List of Business of the day is entered upon.

(3) If the Speaker is of opinion that the motion is in order he shall read the motion to the Assembly and shall request those Members who are in favour of leave being granted to rise in their places and, if not less than ten members of the House rise accordingly, the Speaker shall intimate that leave is granted and that the motion will be taken on such day not being more than ten days and not less than twenty-four hours from the time at which leave is asked, as he may appoint.

(4) If less than ten Members rise, the Speaker shall inform the Member that he has not the leave of the Assembly.

(5) The Speaker shall, at the appointed hour on the allotted day or the last of the allotted days, as the case may be, forthwith put every question necessary to determine the decision of the House on the motion.

(6) The Speaker may, if he thinks fit, prescribe a time limit for speeches.

134. (1) A Member who has resigned the office of Minister may, with the consent of the Speaker, make personal statement in explanation of his resignation.

Personal statement by Minister on resignation

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

(3) A copy of the statement shall be forwarded to the Speaker and the Leader of the House one day in advance of the day on which it is made :

Provided that in the absence of a written statement, the points, or the gist of such statement shall be conveyed to the

(2) The three motions mentioned in Clauses (a), (b) and (c) of the preceding Sub-rule will have priority in the order they have been mentioned.

**Conditions
admissibility of
Cut Motions**

146. In order that a notice of motion for reduction of the amount of demand may be admissible, it shall satisfy the following conditions namely :-

- (i) it shall relate to one demand only;
- (ii) it shall be clearly expressed and shall not contain arguments, inferences, ironical expressions, imputations, innuendoes or defamatory statement;
- (iii) it shall be confined to one specific matter which shall be stated in precise terms;
- (iv) it shall not reflect on the character or conduct of any person whose conduct can only be challenged on a substantive motion;
- (v) it shall not make suggestions for the amendment or repeal of existing laws;
- (vi) it shall not refer to a matter which is not primarily the concern of the Government of the State;
- (vii) it shall not relate to expenditure charge on the Consolidated Fund of the State;
- (viii) it shall not relate to a matter which is under adjudication by a court of law having jurisdiction in any part of India;
- (ix) it shall not raise a question of privilege;
- (x) it shall not revive discussion on a matter which has been discussed in the same Session and on which a decision has been taken;
- (xi) it shall not anticipate a matter which has been previously appointed for consideration in the same Session;

137. On the appointed day the resolution shall be included in the List of Business to be taken up after the questions and before any other business for the day is entered upon. **Inclusion of resolution in the List of Business**

138. Except with the permission of the Speaker or the person presiding, a speech on the resolution shall not exceed fifteen minutes in duration : **Time limit for speeches**

Provided that the Mover of the resolution when moving the same may speak for such longer time as the Speaker or the person presiding may permit.

CHAPTER XIX

(a) Budget

139. The annual Financial Statement or the estimated receipt and expenditure of the State in respect of every Financial year (hereinafter referred to as “the Budget”) shall be presented to the Assembly on such days’ as the Governor may decide. **Presentation of the Budget**

140. No discussion of the Annual Financial Statement shall take place on the day on which it is presented. **Discussion on the Budget**

141. (1) A separate demand shall ordinarily be made in respect of the grant proposed for each Department of the Government provided that the Minister in-charge of the Finance Department may, in his discretion, include in one demand grants proposed for two or more Departments, or make a demand in respect of expenditure, such as Famine Relief and Insurance and Interest, which cannot readily be classified under particular Departments. **Demands for Grant**

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

(3) Subject to these rules, the Annual Financial Statement shall be presented in such a form as the Minister in-charge of the Finance Department may consider best fitted for its consideration by the Assembly.

Details of new Scheme etc., to be supplied to Members (4) When a demand or any part of it relates to any new scheme or revision of scales of pay allowances or creation of a new appointment, all materials details of such scheme or revision or appointment shall as far as practicable be supplied to all Members at least five clear days' before the demand is made.

Stages of Budget debate 142. The Budget shall be dealt with by the Assembly in two stages, namely :-

- (i) a general discussion, and
- (ii) the voting of demands for grants.

(b) General Discussion

General discussion 143. (1) On a day or days to be appointed by the Speaker subsequent to the day on which the Budget is presented and for such time as the Speaker may allot for this purpose, the Assembly shall be at liberty to discuss the Budget as a whole or any question of principle involved therein, but no motion shall be moved at this stage, nor shall the Budget be submitted to the vote of the Assembly.

Right of reply by Finance Minister (2) The Finance Minister shall have a general right of the reply at the end of the discussion.

Time limit for speeches (3) The Speaker may, if he thinks fit, prescribe a time limit for speeches.

(c) Demands for Grants

Voting of Demands 144. (1) The voting of demands for grants shall take place on such days as the Speaker in consultation with the Leader of the House and the Business Advisory Committee may allot for the purpose.

(2) On a day allotted under Sub-rule (I) for the voting of demands for grants no other business shall be taken up before 2 p.m. or at 12 noon if it is Friday except with the consent of the Speaker :

Provide that nothing in this rule shall be deemed to prohibit the asking and answering of questions during the time allowed under these rules.

(3) On the last day of the days so allotted at 2 p.m. or at 12 noon if it is Friday, the Speaker shall forthwith put every question necessary to dispose of all outstanding matters in connection with the demands for grant, and the consideration thereof shall not be anticipated by any motion for adjournment or be interrupted in any manner whatsoever nor shall any dilatory motion be moved in regard thereto.

145. (1) A motion may be moved to reduce the amount of a demand in any of the following ways :- **Cut Motions**

- (a) "that the amount of the demand be reduced to Rs.1" representing disapproval of the policy underlying the demand. Such a motion shall be known as "Disapproval of policy Cut". A Member giving notice of such motion shall indicate in precise terms the particulars of the policy which he proposes to discuss. The discussion shall be confined to the specific point on points mentioned in the notice and it shall be open to Members to advocate an alternative policy;
- (b) "that the amount of the demand be reduced by a specified amount" representing the economy that can be effected. Such specified amount may be either a lump-sum reduction in the demand or omission or reduction of an item in the demand. The motion shall be known as "Economy Cut". The notice shall indicate briefly and precisely the particular matter on which discussion is sought to be raised and speeches shall be confined to the discussion as to how economy can be effected;
- (c) "that the amount of the demand be reduced by Rs.100" in order to ventilate a specific grievance which is within the sphere of the responsibility of the Government of the State. Such motions shall be known as "Token Cut" and the discussion thereon shall be confined to the particular grievance specified in the motion.

(5) If an Appropriation Bill is in pursuance of a supplementary grant in respect of an existing service the discussion shall be confined to the items constituting the same and no discussion shall be raised on the original grant nor the policy underlying it save in so far as it may be necessary to explain or illustrate a particular item under discussion.

(6) The Speaker, may fix the time limit for the discussion of the Appropriation Bill.

(e) Finance Bill

Finance Bill

155. (1) In this rule “Finance Bill” means the Bill ordinarily introduce in each year to give effect to the financial proposals of the Government of Meghalaya for the next following Financial Year and includes a Bill to give effect to supplementary financial proposals for any period.

(2) At any time after introduction in the Assembly of a Finance Bill, the Speaker may allot a day or days, jointly or severally, for completion of all or any of the stages involved in the passage of the Bill by the Assembly and when such allotment has been made the Speaker shall, at 2 p.m. on the allotted day or 12 noon if it is Friday, or the last of the allotted days, as the case may be, forthwith put every question necessary to dispose off all the outstanding matters in connection with the stage or stages for which the day or days have been allotted;

Provided that if the Minister has a right of reply to the debate on the motion which is under discussion at 1 p.m. on the day or at 11 a.m. if it is a Friday and has not commenced his reply at that hour, the Speaker shall enquire how much time not exceeding one hour he requires for his reply, and shall call upon any Member for the time being addressing the Assembly to resume his seat at such time as will leave available before 2 p.m. or 12 noon if it is a Friday, the amount of time which the Minister has stated that he requires for his reply.

(xii) it shall not ordinarily seek to raise a discussion on a matter pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial function or any commission or court of enquiry appointed to enquire into, or investigate, any matter :

Provided that the Speaker may, in his discretion, allow such matter being raised in the House as is concerned with the procedure or stage of enquiry, if the Speaker is satisfied that it is not likely to prejudice the consideration of such matter by the statutory tribunal, statutory authority, commission or court of enquiry; and

(xiii) it shall not relate to a trifling matter.

147. The Speaker shall decide when a Cut Motion is or is not admissible under these rules and may disallow any Cut Motion when in his opinion it is an abuse of the right of moving Cut Motion or it is calculated to obstruct or prejudicially affect the procedure of the House or is in contravention of these rules.

The Speaker to decide admissibility of Cut Motions

148. (1) If notice of a motion to reduce any demand for grant has not been given three clear days' previous to the day on which the demand is under consideration any Member may object to the moving of motion, and such objection shall prevail, unless the Speaker allows the motion to be made.

Notice of Cut Motions

(2) No amendment to motions to reduce any grant shall be permissible.

149. (1) Notwithstanding anything contained in the preceding rule, motions may be made for grants in advance in respect of the estimated expenditure for unexpected and exceptional grants under Article 206 of the Constitution.

Votes on credit and exceptional grants

(2) Such demands shall be dealt with by the Assembly in the same manner as demands for grants in connections with the Budget and the rules on the subject shall apply to such demands subject to such modification as the Speaker may deem necessary.

Vote on account 150. (1) A motion for vote on account shall state the total sum required, and the various amounts needed for each Department or service or item of expenditure which compose that sum shall be stated in schedule appended to the motion.

(2) Amendments may be moved for the reduction of the whole grant or for the reduction or omission of the items whereof the grant is composed.

(3) Discussion of a general character shall be allowed on the motion or any amendment moved thereto but the details of the grant shall not be discussed further than is necessary to develop the general point.

(4) In other respect, a motion for vote on account shall be dealt within the same way as if it were a demand for grant.

Supplementary additional, excess and exceptional grants and votes on credit 151. Supplementary, additional, excess and exceptional grants and votes on credit shall be regulated by the same procedure as is applicable in the case of demands for grants subject to such adaptations, whether by way of modification, addition or omission, as the Speaker may deem to be necessary or expedient.

Scope of discussion on supplementary grants 152. The debate on the supplementary grants shall be confined to the items constituting the same and no discussion may be raised on the original grants nor policy underlying them save in so far as it may be necessary to explain or illustrate the particular items under discussion.

Token grants 153. When funds to meet proposed expenditure on a new service can be made available by re-appropriation, a demand for the grant of a token sum may be submitted to the vote of the Assembly and, if the Assembly assents to the demands, fund may be so made available.

(d) Appropriation Bill

154. (1) As soon as may be after the grants have been made by the Assembly there shall be introduced a Bill to provide for the appropriation out of the Consolidated Fund of the State of all money required to meet :-

Appropriation Bill

- (i) the grants so made by the Assembly; and
- (ii) the expenditure charged on the Consolidated Fund of the State, but not exceeding in any case the amount shown in the Budget presented to the Assembly.

(2) The provision of the rules relating to Bill shall apply to the Appropriation Bills introduced under this rule :

Provided that no amendment shall be proposed to any such Bill which will have the effect of varying the amount or altering the destination of any grant so made or of varying the amount of any expenditure charged on the Consolidated Fund of the State and the decision of the Speaker, as to whether an amendment is inadmissible under this Sub-rule shall be final :

Provided further that the Speaker may suspend the operation of any such rule for the timely completion of the financial business.

(3) The debate on an Appropriation Bill shall be restricted to matters of public importance or administrative policy implied in the grants covered by the Bill which have not already been raised while the relevant demands for grants were under consideration.

(4) The Speaker may, in order to avoid repetition of debate, require Members desiring to take part in discussion on an Appropriation Bill to give advance intimation of the specific points they intend to raise, and he may withhold permission for raising of such of the point as in his opinion appear to be repetitions of the matters discussed on a demand for grant or as may not be of sufficient public importance.

- (1) Motion under Rule 162 that the matter be taken into consideration; or
- (2) Motion that the report of the Privilege Committee be taken into consideration; or
- (3) Motion under Rule 169 that the petition be taken into consideration; or
- (4) Motion under Rule 170 that the question of the breach of privilege, as contained in the report of the Committee, be taken into consideration;

any Member may move a substantive motion indicating the commission of a breach of privilege and also suggesting the action to be taken by the House, and any other Member may move an amendment to the said motion. After a brief discussion of the motion, and amendments, if any, the Speaker shall put the question.

D-Special procedure relating to complaint against Members

Notice to Member complained against

167. Where the complaint is to be made against a Member, the Member should be given prior notice by the complainant, petitioner or Secretary of the Committee, as the case may be. In case no prior notice has been given, the House may adjourn the consideration of the matter till notice is given to the Member concerned or it may decline to entertain the complaint. The Member complained against shall attend the House in his place on the day fixed by the House or proposed by the complainant as the case may be. If he is unable to attend, the House may further postpone the consideration of the matter; but if he in the opinion of the House willfully absents himself, the House may proceed with the matter in his absence.

Member to be heard

168. As soon as the question of the motion founded on the complaint is proposed by the Speaker, the Member complained against shall be given an opportunity to be heard in explanation or exculpation. In the case of a complaint founded upon document he may be given that opportunity immediately after the document is read. If the Member complained against wants to offer an explanation at an earlier stage, it will be in the discretion of the Speaker to permit him to do so.

(3) Where the question or one of the questions required by Sub-rule (2) to be put at 2 p.m. or at 12 noon if it is a Friday, on the allotted day or the last of the allotted days is that the Bill be passed, Sub-rule (2) shall have effect notwithstanding that amendments to the Bill have been made.

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

(5) On motion that the Finance Bills be taken into consideration, a Member may discuss matters relating to general administration, local grievances so far as it relates to any provision of the Finance Bill within the sphere of the responsibility of the Government of Meghalaya or monetary or financial policy of Government.

(6) In other respects the rules applicable to Bills in Chapter VIII of these rules shall apply.

156. Notwithstanding that a day has been allotted for other business under Rules 143, 144, 154 or 155 a motion or motions for leave to introduce a Bill or Bills may be made and a Bill or Bills may be introduced on such day with permission of the Speaker before the Assembly enters on the business for which the day has been allotted.

Business that can be taken up on a day allotted for Financial business

157. In addition to the powers exercisable under these the Speaker may exercise all such powers as are necessary for the purpose of the timely completion of all financial business including allotment of time for the disposal of various kinds of such business, and where time is so allotted, he shall, at the appointed hour, put every question necessary to dispose off all the outstanding matters in connection with the stage or stages for which time has been allotted.

Time limit for disposal of financial business

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

CHAPTER XX

Question of Privilege

Breach of privilege, how brought to the notice of the House

158. A breach of privilege, either of a Member or of the House or of a Committee thereof, may, with the consent of the Speaker, be brought to the Notice of the House.

- (i) by a complaint from a Member;
- (ii) by a petition; or
- (iii) by a report from a Committee :

Provided that if the breach is committed in actual view of the House, the House may take action without complaint.

A-Complaint by a Member

Notice of a complaint of Member

159. A Member wishing to make a complaint of a breach of privilege shall give notice in writing to the Secretary before the commencement of the sitting on the day on which it is proposed to be made. If the complaint is founded upon a document the original thereof shall accompany the notice.

Condition for the admissibility of a question of privilege

160. The right to raise a question of privilege shall be governed by the following conditions :-

- (i) not more than one question shall be raised at the same sitting;
- (ii) the question shall be restricted to a specified matter of recent occurrence;
- (iii) the matter requires the intervention of the House.

Presentation of complaint

161. If the Speaker gives his consent under Rule 158, the Member making the complaint shall, after questions and before the List of Business is entered upon, read his complaint and may make a short statement relevant thereto. If the complaint is founded upon a document, it shall be read by the Member complaining or, if so directed by the Speaker, by the Secretary. The Speaker, after hearing any other Member if necessary, shall decide whether the complaint is in order or not :

Provided that the Speaker may, if he is satisfied about the urgency of the matter, allow a question of privilege to be raised at any time.

162. If the Speaker, holds the matter proposed to be discussed in order, he shall refer it to the Committee of Privileges for the report within a period to be specified, unless he is of opinion that the matter is such as may be disposed off by the House without reference to the Committee, in which case the Member making the complaint shall make a motion that the matter be taken into consideration forthwith or at some future time.

Speaker to refer the matter to the Committee of Privileges

163. The Speaker may issue such directions as may be necessary for regulating the procedure in connection with all matters connected with the consideration of the question of privilege either in the Committee of Privileges or in the House.

Power of Speaker to give directions

B-Complaint by a Petition

164. When a petition complaining a breach of privilege has been received and after the Speaker gives his consent thereto, the petition or such portion thereof as relates to breach of privilege shall be read to the House by the Secretary. The House may forthwith take the petition into consideration or direct that it be taken into consideration at some future time within which it may be printed and copies of it supplied to Members or refer it to Committee of Privileges for report within a period to be specified.

Complaint by a petition

C-Complaint by a Committee

165. After the presentation of the report of the Committee of a House containing a complaint of breach of privilege, the Chairman or, in his absence, any other member of the Committee may move that the question of the breach of privilege be taken into consideration forthwith or at some future time.

Complaint by a Committee

166. After any of the following motions is agreed to by the House :-

Substantive Motion

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

Regulation, rules, etc., as amended to be laid on the Table

184. If regulation, rule, Sub-rule, bye-law, etc., is modified in accordance with the amendment passed by the Assembly, the amended regulation, rule, Sub-rule, bye-law, etc., shall be laid on the Table.

For Rules relating to Committee on Subordinate Legislation see Chapter XXV of these rules.

CHAPTER XXII

Resignation and Vacation of Seats in the House

Vacation of Seats in the House

185. (1) The seat of a Member shall be declared vacant under Clause (4) of Article 190 of the Constitution on a motion by the Leader of the House or by such other Members to whom he may delegates his functions in this behalf.

(2) If the motion referred to in Sub-clause (1) is carried, the Secretary shall cause the information to be published in the Official Gazette and shall forward a copy of the notification to the Governor and to the Election Commission.

CHAPTER XXIIA

Leave of absence from the sitting of the House

Leave of absence from the sitting of the House

185 A. (1) A Member desiring permission of the House to remain absent from the sitting thereof under Clause (4) of Article 190 of the Constitution shall make an application in writing to the Speaker.

(2) An Application under Sub-rule (1) shall specify the period for which leave of absence is required, indicating also the date of commencement and of termination of such leave of absence and the grounds for it:

Provided that leave of absence applied for at any time shall not exceed a period of sixty days.

169. The House then shall proceed on to discuss the motion and the Member complained against may remain in the House but shall not take part in the discussion unless called upon to offer any further explanation or apology.

Withdrawal of Member concerned

E-General

170. Except where the breach of privilege is committed in the actual view of the House or of a Committee, the House shall at some proper stage of the proceedings before the sentence is passed give an opportunity to the person charged to be heard in explanation or exculpation of the offence complained against him :

Opportunity to Person charged

Provided that if the matter has been referred to the Privileges Committee and the person charged has been heard before the Committee, it will not be necessary for the House to give him that opportunity unless the House directs otherwise.

171. The Speaker may summon the party charged by notice or warrant to appear before the House or the Committee of Privileges at any stages of the proceedings.

Summoning the party charged

172. The House, like the House of Commons in the United Kingdom, has the power under Article 194 of the Constitution to inflict amongst others the following punishment :-

Punishment

- (1) admonition,
- (2) reprimand,
- (3) imprisonment, for such term as may be decided by the House but it shall not extend beyond the prorogation or dissolution of the House whichever is earlier, and
- (4) suspension or expulsion of a Member for a period not exceeding 30 days or till prorogation or dissolution of the House whichever is earlier.

173. In case the House finds a charge of breach of privilege groundless, it may order the payment of an amount not exceeding Rs.500 as cost to the party charged by the party complaining.

Groundless complaint

Execution of Order of the House 174. The Speaker, or any person authorised by him in his behalf, shall have the power to execute all the orders passed and sentences inflicted by the House.

Brevity of debate 175. The debate at all stages on question involving breach of privilege shall be brief.

Power of Speaker to refer question of privilege to Committee 176. Notwithstanding anything contained in these rules, the Speaker may refer any question of privilege to the Committee of Privileges for examination, investigation or report.

F-Intimation to Speaker of arrest, detention etc., and release of a member.

Intimation to Speaker by Magistrate of arrest, detention, etc., of a Member 177. When a Member is arrested on criminal charge or for a criminal offence or is sentenced to imprisonment by a court or is detained under an execute order, the committing judge, magistrate or executive authority as, the case may be, shall immediately intimate such fact to the Speaker indicating the reasons for the arrest, detention or conviction, as the case may be, as also the place of detention or imprisonment of the Member in the appropriate form set out in the Third Schedule.

Intimation to Speaker on release of a member 178. When a Member is arrested and after conviction released on bail pending an appeal or otherwise released, such fact shall also be intimated to the Speaker by the authority concerned in the appropriate form set out in the Third Schedule.

Treatment of communications received from Magistrate 179. As soon as may be, the Speaker shall after he has received a communication referred to in Rule 177 or Rule 178 read it out in the House if in Session, or if the House is not in Session, direct that it may be circulated for the information of the Member :

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

G-Procedure regarding service of a legal process and arrest within the precincts of the Assembly

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

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

**CHAPTER XXI
Subordinate Legislation**

182. (1) Every regulation, rule, bye-law, order notification framed in pursuance of the Constitution or of the legislative functions delegated by the Assembly to a subordinate authority shall be laid before the House. **Laying of regulation, rules, etc., on the Table**

(2) The period specified in the Constitution or the relevant Act for which such regulation, rule, bye-law, or notification is required to be laid may comprise in one Session or in two successive Sessions of the House.

(3) If, before the expiry of the Session in which it is so laid or the Session immediately following, the Assembly agrees in making any modification in the regulation, rule, bye-law, order or notification or the Assembly agrees that it shall not be made, the regulation, rule, bye-law, order in notification shall thereafter have effect only in such modified form or be of no effect, as the case may be :

Provided that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

183. The Speaker shall, in consultation with the Leader of the House, fix a day or days or part of a day as he may think fit for the consideration and passing of any amendment to such regulation, rule, Sub-rule, bye-law, etc., of which notice may be given by any Member : **Allotment of time for discussion of amendment**

Objection to membership of Committee

195. Where an objection is taken to the inclusion of a Member in a Committee on the ground that the Member has a personal pecuniary or direct interest of such an intimate character that it may prejudicially affect the consideration of any matter to be considered by the Committee, the procedure shall be as follows :-

- (a) the Member who has taken objection shall precisely state the ground of his objection and the nature of the alleged interest, whether personal, pecuniary or direct of the proposed Member in the matters coming up before the Committee;
- (b) after the objection has been stated, the Speaker shall give an opportunity to the Member proposed on the Committee against whom the objection has been taken to state the position;
- (c) if there is dispute on facts, the Speaker may call upon the Member taking objection and the Member against whose appointment on the Committee objection has been taken, to produce documentary or other evidence in support of their respective cases;
- (d) after the Speaker has considered the evidence so tendered before him, he shall give his decision which shall be final;
- (e) until the Speaker has given his decision the Member against whose appointment on the Committee objection has been taken shall continue to be a Member thereof if elected or nominated and take part in discussion, but shall not be entitled to vote; and
- (f) if the Speaker hold that the Member against whose appointment objection has been taken as personal, pecuniary direct interest in the matter before the Committee he shall cease to be a member thereof forthwith:

Provided that the proceedings of the sitting of the Committee at which such member was present shall not in anyway be affected by the decision of the Speaker.

Resignation of seats in Assembly

186. (1) A Member who desires to resign his seat in the Assembly shall intimate in writing under his hand addressed to the Speaker, his intention to resign his seat in the Assembly in the following form and shall not give any reason for his resignation :-

To,

The Speaker, Meghalaya Legislative Assembly, Shillong.

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

Yours faithfully,
Member of the Assembly.

Place

Date

Provided that where any Members give any reason or introduces any extraneous matter the Speaker shall omit such words, phrases or matter and the same shall not be read out in the House.

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

Provided that when the Assembly is not in Session, the Speaker shall inform the House immediately after the House re-assembles that the said Member has resigned his seat in the Assembly and may direct the same be published in the Official Gazette.

(3) The Secretary shall as soon as may be after the Speaker has received such intimation from a Member resigning his seat in the Assembly notify the vacancy in the Official Gazette and shall cause a copy of the notification to be communicated to the Governor and to the Election Commission.

CHAPTER XXIII**Communication between the Governor and the Assembly**

Communication from the Governor to the Assembly 187. (1) Communication from the Governor to the Assembly shall be made to the Speaker by written message signed by the Governor or if the Governor is absent from the place of meeting of the Assembly, his message shall be conveyed to the Speaker through the Leader of the House or through such person as the Leader may delegate.

Communication from the Assembly to the Governor (2) Communication from the Assembly to the Governor shall be made :-

- (i) by formal address after motion made and carried in the Assembly;
- (ii) through the Speaker.

CHAPTER XXIV**Secret Sitting of the Assembly**

Secret Sitting 188. (1) On a request being made for a secret sitting of the Assembly by any Member the Speaker, in consultation with the Leader of the House, will decide the necessity of such a sitting and if it is so decided, fix a day or part thereof for sitting of the Assembly in secret.

(2) When the Assembly sits in secret no stranger shall be permitted to be present in the Chamber, Lobby or Galleries.

Provided that person authorised by the Speaker may be present in the Chamber, Lobby or Galleries.

Report of the proceedings 189. The Speaker may cause a report of the proceedings of a secret sitting to be issued in such manner as he thinks fit, but no other person present shall keep a note or record of any proceedings or decision of a secret sitting, whether in part or full or issue any report of, or purport to describe, such proceedings.

Procedure in other respects 190. The procedures in all other respects in connection with secret sitting shall be in accordance with such directions as the Speaker may give.

191. (1) When it is considered that the necessity for maintaining secrecy in regard to the proceedings of a secret sitting has ceased to exist and subject to the consent of the Speaker, a motion may be moved by the Leader of the House or any Member authorised by him that the proceedings in the Assembly during a secret sitting be no longer treated as secret. **Lifting of ban of secrecy**

(2) On adoption by the Assembly of the motion under Sub-rule (1), the Secretary shall cause to be prepared a report of the proceedings of the secret sitting, and shall as soon as practicable publish it in such form and manner as the Speaker may direct.

192. Subject to the provisions of Rule 191, disclosure of proceedings or decisions of a secret sitting by any person in any manner shall be treated as a gross breach of privilege of the House. **Disclosure of proceedings or decisions**

CHAPTER XXV
Assembly Committees
(a) General

193. In this Chapter, unless the context otherwise requires, "Committee" means and includes "Assembly Committee" as defined in Sub-rule (1) of rule 2. **Committee to include Assembly Committee**

194. (1) The members of a Committee shall be appointed or elected by the Assembly on a motion made or nominated by the Speaker, as the case may be. **Appointment of Committee**

(2) No Member shall be appointed to a Committee if he is not willing to serve on it. The proposer shall ascertain whether the Member whose name is proposed by him is willing to serve on the Committee.

(3) Casual vacancies in the Committee shall be filled by appointment or election by the Assembly on a motion made or nomination by the Speaker, as the case may be, and any Member appointed, elected or nominated to fill such vacancy shall hold office for the unexpired portion of the term for which the member in whose place he is appointed, elected or nominated would have normally held office.

Power to send for persons papers and records	<p>211. A Committee shall have power to send for persons and records :</p> <p>Provided that if any question arises whether the evidence of a person or the production of a document is relevant for the purposes of the Committee, the question shall be referred to the Speaker whose decision shall be final :</p> <p>Provided further that Government may decline to produce a document on the ground that its disclosure would be prejudicial to the safety or interest of the State.</p>
Counsel for a witness	<p>212. A Committee may, under the direction of the Speaker, permit a witness to be heard by a counsel appointed by him and approved by the Committee.</p>
Evidence on oath	<p>213. (1) All evidence shall be taken on oath.</p> <p>(2) The form of the oath shall be as follows :-</p> <p>“I swear in the presence of Almighty God (or solemnly affirm) that the evidence which I shall give in this case shall be true, that I will conceal nothing, and that no part of my evidence shall be false”.</p>
Procedure for examining witness	<p>214. The examination of witnesses before a Committee shall be conducted as follows :-</p> <ol style="list-style-type: none"> (i) The Committee shall, before a witness is called for examination, decide the mode of procedure and the nature of questions that may be asked of the witness. (ii) The Chairman of the Committee may first ask the witness such question or questions as he may consider necessary with reference to the subject matter under the consideration or any subject connected therewith according to the mode of procedure mentioned in Clause (i) of this rule. (iii) The Chairman may call other members of the Committee one by one to ask any other questions. (iv) A witness may be asked to place before the Committee any other relevant points that have not been covered and which a witness thinks are essential to be placed before the Committee. (v) A verbatim record of proceedings of the Committee shall, when a witness is summoned to give evidence, be kept.

Explanation :- For purpose of this rule the interest of the Member should direct, personal or pecuniary and separately belong to the person whose inclusion in the Committee is objected to and not in common with the public in general or with any class or section thereof or on a matter of State Policy.

196. Except as otherwise provided in Rule 242, 242B, 244 and 245A, the term of office of all the members of all Assembly Committees shall be for a period of one year from the date of constituting the Committee or till a new Committee is constituted in accordance with these rules :

Term of Office of Committee nominated by the Speaker

Provided that the term of office of the member of a Select Committee shall terminate on the presentation of their report to the House.

197. A member may resign his seat from a Committee by writing under his hand addressed to the Speaker.

Resignation from the Committee

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

Chairman of Committee

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

(2) If the Chairman is for any reason unable to act, the Speaker may appoint another Chairman in his place.

(3) If the Chairman is absent from any sitting, the Committee shall choose another member to act as Chairman for that sitting.

199. The Secretary of the Assembly shall be the Secretary of all Assembly Committees.

Secretary of the Committee

200. (1) The quorum to continue sitting of a Committee shall be, as near as may be one-third of the total number of members of the Committee.

Quorum

(2) If at any time fixed for any sitting of the Committee, or if at any time, during any such sitting, there is no quorum the Chairman of the Committee shall either suspend the sitting until there is a quorum or adjourn the sitting to some future day.

(3) When the Committee has been adjourned in pursuance of Sub-rule (2) on two successive dates fixed for sittings of the Committee the Chairman shall report the fact to the House :

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

Discharge of members absent from sittings of Committee

201. If a member is absent from two or more consecutive sittings of a Committee without the permission of the Chairman, a motion may be moved in the House for the discharge of such members from the Committee :

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

Casting vote of Chairman

202. All questions at any sitting of a Committee shall be determined by majority of votes of the members present and voting.

Voting in Committee

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

Power to appoint sub-committee

204. (1) A Committee may appoint one or more sub-committees each having the powers of the undivided Committee, to examine any matter that may be referred to them and all the reports of such sub-committees shall be deemed to be the reports of the whole Committee, if they are approved at a sitting of the whole Committee.

(2) The order of reference to a sub-committee shall clearly state the point or points of investigation. The report of the sub-committee shall be considered by the whole Committee.

205. (1) The sitting of a Committee shall be held on such days and on such hour as the Chairman of the Committee may fix.

Sittings of Committee

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

(2) The Committee shall sit at least one in a month.

(3) In the event of any Committee failing to hold meeting for 2 (two) consecutive months, the Speaker will exercise his power to reconstitute the members of the Committee.

206. A Committee may sit whilst the Assembly is sitting provided that on a division being called in the Assembly, the Chairman of the Committee shall suspend the proceedings in the Committee for such time as will in his opinion enable the members to vote in a division.

Committee may sit whilst Assembly is sitting

207. The sittings of a Committee shall be held in private. No persons shall disclose the proceedings of any Committee.

Sitting of Committee in private

208. The sittings of a Committee shall be held within the precincts of the Assembly House, and if it becomes necessary to change the place of sittings outside the Assembly House, the matter shall be referred to the Speaker whose decision shall be final.

Venue of sittings

209. All persons other than members of the Committee and officers of the Assembly Secretariat shall withdraw whenever the Committee is deliberating.

All strangers to withdraw when Committee deliberates

210. (1) A witness may be summoned by an order signed by the Secretary and shall produce such documents as required for the use of Committee.

Power to take evidence or call for documents

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

(3) No documents submitted to the Committee shall be withdrawn or altered without the knowledge and approval of the Committee.

Report of Committee 230. The time table in regard to business as settled by the Committee shall be reported by the Speaker to the Assembly and circulated to the members.

Allocation of time table 231. As soon as may be after the report has been made to the House a motion may be moved by a member of the Committee designated by the Speaker; “that this Assembly agrees with the allocation of time proposed by the Committee in regard to such and such Bills or Bill or other Government business” and if such a motion is accepted by the House, it shall take effect as if it were an order of the House :

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

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

Disposal of outstanding matters at the appointed hour 232. At the appointed hour, in accordance with the Allocation of the Time Order for the completion of a particular stage of a Bill, the Speaker shall forthwith put every question necessary to dispose off all the outstanding matters in connection with the stage of the Bill.

Variation in the Allocation of Time Order 233. No variation in the Allocation of Time Order shall be made except on the request of the Leader of the House who shall notify orally to the House that there was general agreement for such variation, which shall be enforced by the Speaker after taking the sense of the House.

(c) Select Committee

Composition of the Select Committee 234. (1) The Minister in-charge and the Member who introduced the Bill, shall be members of the Committee.

(2) The other members of the Select Committee shall be named in the motion proposing reference to the Committee and their appointment shall be subject to the vote of the Assembly :

(vi) The evidence tendered before the Committee may be made available to all the members of the Committee.

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

216. (1) A Committee may direct that the whole or a part of evidence or a summary thereof may be laid on the Table. **Evidence report and proceedings treated as confidential**

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

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

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

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

218. (1) Where the House has not fixed any time for the presentation of a report by a Committee, the report shall be presented within one month of the date on which reference to the Committee was made: **Report of Committee**

Provided that the Assembly may at any time on a motion being made, direct that the time for the presentation of the report by the Committee be extended to a date specified in the motion.

(2) Reports may be either preliminary or final.

(3) The report of the Committee shall be signed by the Chairman on behalf of the Committee.

Provided that in case the Chairman is absent or is not readily available the Committee shall choose another member to sign the report on behalf of the Committee.

Availability of report to Government before presentation

219. A Committee may, if it thinks fit, make available to Government any completed part of its report before presentation to the Assembly. Such report shall be treated as confidential until presented to the Assembly.

Presentation of Report

220. (1) The report of a Committee shall be presented to the Assembly by the Chairman or in his absence by any member of the Committee.

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

Printing, publication or circulation of report prior to its presentation to Assembly

221. The Speaker may, on a request being made to him and when the Assembly is not in Session, order the printing, publication or circulation of a report of a Committee although it has not been presented to the Assembly. In that case the report shall be presented to the Assembly during its next Session at the first convenient opportunity.

Power to make suggestions of procedure

222. A Committee shall have power to pass resolution on matters of procedure relating to that Committee for the consideration of the Speaker, who may make such variations in procedure as he may consider necessary.

Power of Committee to make detailed rules

223. A Committee may, with the approval of the Speaker, make detailed rules of procedure to supplement the provisions contained in the rules in this Chapter.

Power of Speaker to give directions

224. (1) The Speaker may from time to time issue directions to the Chairman of a Committee as he may consider necessary for regulating its procedure and the organization of its work.

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

225. Any business pending before a Committee shall not lapse by reason only of the prorogation of the Assembly and the Committee shall continue to function notwithstanding such prorogation.

Business before Committee not to lapse on prorogation of Assembly

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

Unfinished work of Committee

227. Except for matters for which special provision is made in the rules relating to any particular Committee the general rules in this Chapter shall apply to all Committees; and if and so far as any provision in the special rules relating to a Committee is inconsistent with the general rules, the former rules shall prevail.

Applicability of general rules to Committee

(b) Business Advisory Committee

228. At the commencement of the House or from time to time, as the case may be, the Speaker may nominate a Committee called the Business Advisory Committee consisting of not more than ten members including the Speaker who shall be the Chairman of the Committee.

Constitution of the Business Advisory Committee

229. (1) It shall be the function of the Committee to recommend the time that should be allocated for the discussion of the stage or stages of such Governments Bills and other business as the Speaker, in consultation with the Leader of the House, may direct for being referred to the Committee.

Function of Committee

(2) The Committee shall have the power to indicate in the proposed time table the different hours at which the various stages of the Bill or other business shall be completed.

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

together with the balance sheets and statements of profit and loss account which the Governor may have required to be prepared or are prepared under the provisions of the statutory rules regulating the financing of a particular corporation, trading or manufacturing scheme or concern or project and the report of the Comptroller and Auditor General thereon;

- (b) to examine the statement of accounts showing the income and expenditure of autonomous and semi-autonomous bodies, the audit of which may be conducted by the Comptroller and Auditor General of India either under the directions of the Governor or by a statute of the State Assembly ; and
- (c) to consider the report of the Comptroller and Auditor General in cases where the Governor may have required him to conduct an audit of any receipts or to examine the accounts of stores and stocks.

(4) If any money has been spent on any service during a financial year in excess of the amount granted by the House for that purpose, the Committee shall examine with reference to the facts of each case the circumstances leading to such an excess and make such recommendations as it may deem fit.

Constitution of Committee

242. (1) The Committee shall consist of not more than ten members, who shall be elected by the House from amongst its Members according to the principle of proportional representation by means of single transferable vote :

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

(2) The term of office of the members of the Committee shall not exceed 30 months from the date of first formation.

Provided that, subject to such vote one or more Members may, upon the motion of the Minister-in-charge or of the Members who introduced the Bill be added to the Committee at a subsequent meeting of the Assembly.

235. Members who are not members of a Select Committee may, with the permission of the Chairman, be present during the deliberations of the Committee but shall not address the Committee nor sit in the body of the Committee.

Members other than members of Committee may be present at a meeting

Provided that a Minister may, with the permission of the Chairman, address the Committee of which he may not be a member.

(d) Report by Select Committee

236. (1) As soon as may be, after a Bill has been referred to a Select Committee, the Select Committee shall meet from time to time in accordance with Rule 205 to consider the Bill and shall make a report thereon within the time fixed by the Assembly :

Report of Committee

Provided that where the Assembly has not fixed anytime, for the representation of the report by a Select Committee, the report shall be presented before the expiry of three months from the date on which the Assembly adopted the motion for the reference of the Bill to the Select Committee :

Provided further that the Assembly may at anytime, on a motion being made, direct that the time for the presentation of the report by the Select Committee be extended to a date specified in the motion.

(2) The Select Committee shall in their report state whether the publication of the Bill directed by these rules has taken place, and the date on which the publication has taken place.

(3) Where a Bill has been altered, the Select Committee may if they think fit, include in their report a recommendation to the member-in-charge of the Bill that his text motion should be a motion for circulation or where the Bill has already been circulated, for re-circulation.

(4) Any member of the Select Committee may record a minute of dissent on any matter or matters connected with the Bill or dealt within the report.

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

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

Presentation of report 237. The report of the Select Committee on a Bill together with the minute of dissent, if any, shall be presented to the Assembly by the Chairman or in his absence by any other member of the Committee.

Printing and publication of report 238. The Secretary shall cause every report of a Select Committee to be printed, and a copy of the report shall be made available for the use of every Member of the Assembly. The report, and the Bill, as reported by the Select Committee, shall be published in the Gazette.

(e) Committee on Petitions

Constitution of Committee on petitions 239. At the commencement of the Assembly, or from time to time, as the case may be, the Speaker shall nominate a Committee on petitions consisting of not less than ten members :

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

Functions Committee 240. (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

circulation of the petition has not been directed, the Speaker may at any time direct that the petition be circulated.

(2) Circulation of the petition shall be **inextenso** 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.

(f) Committee on Public Accounts

241. (1) There shall be a Committee on Public Accounts for the examination of accounts showing the appropriation of sums granted by the Assembly for the expenditure of the Government of Meghalaya, the annual finance accounts of the Government of Meghalaya, and such other accounts laid before the Assembly as the Committee may think fit. **Function of Committee on Public Accounts**

(2) In scrutinising the Appropriation Accounts of the Government of Meghalaya and the report of the Comptroller and Auditor General thereon, it shall be the duty of the Committee to satisfy itself :-

- (a) That the money shown in the accounts as having been disbursed were legally available for, and applicable to, the service or purpose to which they had been applied or charged;
- (b) that the expenditure conforms to the authority which governs it; and
- (c) that every re-appropriation has been made in accordance with the provisions made in this behalf under rules framed by competent authority.

(3) It shall also be the duty of the Committee :-

- (a) to examine the statement of accounts showing the income and expenditure of State corporations, trading and manufacturing schemes, concerns and projects

(j) Committee of Privileges

Constitution of Committee of Privileges 246. At the commencement of the Assembly or from time to time, as the case may be, the Speaker shall nominate a Committee of Privileges consisting of not more than ten members.

Examination of question by Committee 247. (1) The Committee shall examine every question referred to it and determine 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.

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

Consideration of reports 248. (1) After the report has been presented, the Chairman or any member of the Committee or any other member may move that the report be taken into consideration, whereupon the Speaker may put the question to the Assembly.

(2) Before putting the question to the Assembly the Speaker may permit a debate on the motion, not exceeding half an hour in duration and such debate shall not refer to the details of the report further than is necessary to make out a case for the consideration of the report by the House.

(3) After the motion made under Sub-rule (1) is agreed to, the Chairman or any member of the Committee or any other member, as the case may be, may move that the Assembly agrees or disagrees or agrees with amendments, with recommendations contained in the report.

Priority for consideration of report of Committee 249. A motion that the report of the Committee be taken into consideration shall be accorded the priority assigned to a matter of privilege under *Rule 161*, unless there has been undue delay in bringing it forward :

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

(g) Committee on Public Undertakings

242-A. There shall be a Committee on Public Undertakings for the examination of the working of the public undertakings or such other undertakings as may be referred to by the Speaker from time to time. The functions of the Committee shall be :- **Function of Committee on Public Undertakings**

- (a) to examine the reports and accounts of the public undertakings specified in the Fourth Schedule, and of such undertakings as may be referred to the Committee by the House/Speaker from time to time;
- (b) to examine the reports, if any, of the Comptroller and Auditor General on the public undertakings;
- (c) to examine, in the context of the autonomy and efficiency of the public undertakings whether the affairs of the public undertakings are being managed in accordance with sound business principles and prudent commercial practices ; and
- (d) to exercise such other functions vested in the Committee on Public Accounts and the Committee on Estimates in relating to the public undertakings specified above as are not covered by *clauses (a), (b) and (c)* above and 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 of commercial functions of the public undertakings;
- (ii) matters of day-to-day administration;
- (iii) matters for the consideration of which machinery is established by any special statute under which a particular public undertaking is established.

Constitution of Committee

242-B (1). The Committee shall consist of not more than ten members, who shall be elected by the House from amongst its members according to the principle of proportional representation by means of single transferable vote.

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

(2) The term of office of the members of the Committee shall not exceed 30 months.

(h) Committee on Estimates**Function of Committee on Estimates**

243. There shall be a Committee on Estimates for the examination of such of the estimates as may deem fit to the Committee or are specifically referred to it by the House or the Speaker. The functions of the Committee shall be :-

- (a) to report what economies, improvements in organisations, efficiency or administrative reforms, 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.

Constitution of Committee

244. (1) The Committee shall consist of not more than ten members, who shall be elected by the House from amongst its Members according to the principle of proportional representation by means of single transferable vote :

Provided that a Minister shall not be elected a member of the Committee, and that if a Member, after his election to the Committee, is appointed a Minister, he shall cease to be

a member of the Committee from the date of such appointment.

(2) The term of office of members of the Committee shall not exceed 30 months from the date of its first formation.

245. The Committee may continue the examination of the estimates from time to time throughout the Financial Year and report to the House as its examination proceeds. It shall not be incumbent on the Committee to examine the entire estimate of any one year. The Demands for Grants may be finally voted notwithstanding the fact that the Committee has made no report.

Examination of Estimates by Committee**(i) Committee on Welfare of Scheduled Tribes, Scheduled Castes and Other Backward Classes**

245-A. There shall be a Committee on the Welfare of Scheduled Tribes, Scheduled Castes and Other Backward Classes to advise the Government of Meghalaya in formulating facilities and Schemes for the welfare of the members of the Scheduled Tribes, Schedules Castes and Other Backward Classes of the State of Meghalaya and also to consider such other matters connected with or incidental thereto or which are specifically referred to it by the House or by the Speaker.

Function of Committee

245-B. *“The Committee shall consist of twelve members of whom ten shall be nominated by the Speaker and two other persons who are not members of the House, shall be co-opted by the other Members of the Committee to give representation to the members of the Scheduled Castes and Other Scheduled Tribes (OST)”*.

Constitution of Committee

Provided that a Minister shall not be nominated a member of the Committee and that if a Member after his/her nomination to the Committee is appointed a Minister, he/she shall cease to be a member of the Committee from the date of such appointment.

245-C. The term of office of the members of the Committee shall be fifteen months from the date of constitution.

shall be deemed to have been approved by the House and on the expiry of the said period the Speaker shall cause the amendments to the rules as recommended by the Committee to be circulated and published in the Gazette.

(4) The amendments to the rules shall come into force on their publication in the Gazette unless otherwise specified.

(n) Committee on the Empowerment of Women

Function of Committee on Empowerment of Women

260A. (1) There shall be a Committee on the Empowerment of Women. The functions of the Committee shall be :-

- (a) to report on the measures to be taken by the Government of Meghalaya for improving the status/ conditions of women *vis-a-vis* the reports of the National Commission for Women from time to time in respect of matters falling within the purview of the Government;
- (b) to examine the measures taken by the Government to secure equality, status and dignity for women in all matters;
- (c) to examine the measures taken by the Government for comprehensive education and adequate representation of women in services and other fields;
- (d) to report on the working of the welfare programmes for women;
- (e) to report on the action taken by the Government on the measures proposed by the Committee; and
- (f) to examine such other matters as may deem fit to the Committee or are specifically referred to it by the House or by the Speaker.

Other Assembly Committees not to consider matters exclusively assigned to this Committee

260B. The other Assembly Committees, including the Departmentally related Standing Committees, shall not, as far as possible, consider the matters which are exclusively assigned to this Committee under the Rules.

(k) Committee on Subordinate Legislation

250. There shall be a Committee on Subordinate Legislation to scrutinize and report to the Assembly whether the powers to make regulations, Rule, Sub-rules, bye-laws, etc., conferred by the Constitution or delegated by the Assembly are being properly exercised within such delegation.

Function of Committee on Subordinate Legislation

251. The Committee shall consist of not more than ten members who shall be nominated by the Speaker :

Constitution of Committee

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

252. Each regulation, Rule, Sub-rule, bye-law, etc., framed in pursuance of the provisions of the Constitution or Legislative functions delegated by Assembly to a subordinate authority and which is required to be laid before the House, hereinafter referred to as "Order", shall, subject to such rule as the Speaker may, in consultation with the Leader of the House prescribe, be numbered centrally and published in the Gazette immediately after it is promulgated.

Numbering and publication Orders

253. After each such Order referred to in Rule 252 is laid before the House, the Committee shall, in particular, consider -

Duties of Committee

- (i) whether it is in accord 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 with in an Act of the Assembly;
- (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 unexpected 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 its publication or in laying it before the Assembly; and
- (ix) whether for any reasons its form or purport calls for any elucidation.

**Report of
Committee**

254. (1) If the Committee is of opinion that any order should be annulled wholly or in part, or should be amended in any respect, it shall report that opinion and the grounds thereof to the Assembly.

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

**Powers of
Speaker to
give direction**

255. The Speaker may issue such directions as he may consider necessary for regulating the procedure in connection with all matters connected with the consideration of any question of Subordinate Legislation either in the Committee or in the Assembly.

(l) Committee on Government Assurances

**Functions of
Committee on
Government
assurances**

256. There shall be a Committee on Government Assurances to scrutinize the assurances, promises, undertaking, etc., given by Minister from time to time on the floor of the Assembly and to report on :-

- (a) the extent to which such assurances, promises, undertakings, etc., have been implemented ; and

- (b) where implemented, whether such implementation has taken place within the minimum time necessary for the purpose.

257. The Committee shall consist of not more than ten members who shall be nominated by the Speaker : **Constitution of Committee**

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

(m) Rules Committee

258. There shall be a Committee on Rules to consider matters of Procedure and Conduct of Business in the Assembly and to recommend any amendments or addition to these rules that may deem necessary. **Function of Rules Committee**

259. The Committee on Rules shall be nominated by the Speaker and shall consist of ten members including the Chairman of the Committee. The Speaker shall be the *ex-officio* Chairman of the Committee. **Constitution of Committee**

260. (1) The recommendation of the Committee shall be laid on the Table and within a period of seven days, beginning with the day on which they are so laid, any Member may give notice of any amendment to such recommendations. **Laying of Report on the Table**

(2) Any notice given by a Member of any amendment to the recommendations of the Committee shall stand referred to the Committee who shall consider it and make such changes in their recommendations as the Committee may consider fit. The final report of the Committee after taking into consideration the amendment suggested by the Members shall be laid on the Table. Thereafter, on the House agreeing to the report on a motion made by a member of the Committee, the amendments to the rules as approved by the Assembly, shall be circulated to the Members and published in the Gazette.

(3) If notice of such amendments has not been given within seven days, the recommendations of the Committee

(P) Budget Committee**Constitution of the Committee**

260 O. (1) There shall be a Budget Committee of the Meghalaya Legislative Assembly consisting of ten members who shall be nominated by the Speaker. The Commissioner and Secretary, Finance and the Secretary, Planning Department shall be the Members of the Committee.

260 O. (2) As per existing definition, it says “The Deputy Speaker shall be the Chairman of the Committee”. The Committee in its meeting held on 30th June, 2015 decided that the word “**the Deputy Speaker**” be substituted by the word “**the Speaker**”. The Rule will now be read as follows :

260 O (2) The Speaker shall be the Chairman of the Committee.

Functions of the Committee

260P. The function of the Committee shall be scrutinise the estimates and Budget proposals prepared by the Accounts Branch of the Meghalaya Legislative Assembly. The Secretary of the Assembly will place the Budget estimates before the Budget Committee nominated by the Speaker and the Committee shall finally submit the estimates after scrutinisation to the Speaker along with the recommendations, if any, for approval of the Speaker.

Budget Estimates not subject to scrutiny

260Q. The Budget Estimates as recommended by the Committee and after approval of the Speaker shall be forwarded to Finance Department for incorporation in the State Annual Budget as a matter of course. The Budget Estimates as forwarded shall not be subject to scrutiny by the Finance Department or any other Committee of the Government. If the Finance Department has any suggestion to make, it shall be submitted to the Speaker for his consideration and the decision of the Speaker shall be final. In the event of any difference of opinion between the Speaker and the Finance Department, the decision of the Speaker shall be final as it is for the Speaker to decide what is necessary for the Meghalaya Legislative Assembly and its Secretariat in the efficient discharge of its responsibilities.

260C. (a) The Committee shall consist of not more than ten members who shall be nominated by the Speaker. **Constitution of Committee**

(b) A Minister shall not be nominated a member of the Committee, and if a Member, after his nomination to the Committee, is appointed as Minister, he shall cease to be a member of the Committee from the date of such appointment.

(c) The Chairman of the Committee shall be appointed by the Speaker from amongst the members of the Committee.

(d) The term of office of members of the Committee shall be for a period of one year.

(o) Departmentally related Standing Committees

260D. (1) There shall be Departmentally related Standing Committees of the House (to be called the Standing Committee). **Constitution and jurisdiction of Standing Committee**

(2) The Department under the jurisdiction of each of the Standing Committee shall be covered as specified in the Fifth Schedule.

Provided that the Speaker may alter the said Schedule from time to time in consultation with the Rules Committee.

260E. (1) Each of the Standing Committee constituted under Rule 260D (@) shall consist of not more than 7 (seven) Members to be nominated by the Speaker from amongst the Members of the Assembly. **Constitution of Departmentally related Standing Committee**

(2) A Minister shall not be nominated as a member of the Committee and if a Member after his nomination to the Committee is appointed a Minister, he shall cease to be a member of the Committee from the date to such appointment;

Provided that the Minister shall be an *ex-officio* member of the Committee to which his Department belongs.

(3) The Chairman of the Committee shall be appointed by the Speaker from amongst the members of the Committee and he shall be given the status of Minister of State.

(4) The term of Office of the Members of the Committee shall not exceed one year.

Functions of Departmentally related Standing Committee

260F. The Functions of each of the Standing Committee shall be :-

- (a) To consider the Demands for Grants of the concerned Departments and make a report on the same to the House. The report shall not suggest anything of the nature of Cut Motion;
- (b) To consider annual report(s) of the Departments if any, and make reports thereon;
- (c) To consider basic long term policy documents of the State Government presented to the House when referred to the Committee by the Speaker and make report(s) thereon;
- (d) The Standing Committee shall not consider the matter of day-to-day administration of the concerned Departments.

Applicability of provisions relating to functions

260G. Each of the functions of these Committees as provided in Rule 3 shall be applicable to the Committee from the date as may be notified by the Speaker in respect of applicability of a particular function.

Procedure relating to Demands for Grants

260H. The following procedure shall be followed by each of the Standing Committees in their consideration of the Demands for Grants and make a report thereon to the House :-

- (a) After the general discussion on the Budget in the House is over, the House shall be adjourned for a fixed period as determined by the Speaker;
- (b) The Committee shall consider the Demands for Grants of the concerned Department during the aforesaid period;
- (c) The Committee shall submit their report within the specified period and shall not ask for more time;
- (d) The Demands for Grants shall be considered by the House in the light of the reports of the Committees; and

(e) There shall be separate report on the Demands for Grants of each Department.

260I. (1) The report of the Committees shall be based on broad consensus. **Report of the Committee**

(2) A member of the Standing Committee may give note of dissent on the report of the Committee.

(3) The note of dissent shall be presented to the House alongwith the report.

260J. Except for matters for which special provisions is made in the rules relating to the Standing Committee, the general rules applicable to other Legislature Committees in the Assembly shall apply to the Standing Committees as specified in the Fifth Schedule. **Applicability of General Rules**

260K. The Standing Committee shall not work in any other place except the precincts of the Assembly unless otherwise specifically permitted by the Speaker. **Venue of sittings**

260L. The Standing Committee may avail of the expert opinion or the public opinion to make the report(s). **Power to have expert opinion**

260M. The Standing Committees shall not generally consider the matters which are under consideration by other Legislature Committees. **Matters not to be considered**

260N. The report of the Standing Committees shall have persuasive value and shall be treated as considered advice given by the Committee. **Reports to have persuasive value**

269. At any time after a motion has been made a Member may move that the debate on the motion be adjourned.

**Adjournment of
debate on motion**

270. (1) If the Speaker is of the opinion that a motion for the adjournment of the debate is an abuse of the rules of the Assembly, he may either forthwith put the question thereon or decline to propose the question.

**Dilatory motion
in abuse of the
rules of the
House**

(2) If the Speaker is of the opinion that a motion for recirculation of a Bill to elicit further opinion thereon is in the nature of a dilatory motion in abuse of the rules of the House is as much as the original circulation was adequate or comprehensive or that no circumstances have arisen since the previous circulation to warrant the recirculation of the Bill, he may forthwith put the question thereon or decline to propose the question.

(3) If the Speaker is of the opinion that the motion for recommitment of a Bill to a Select Committee of the House or circulation or recirculation of the Bill after the Select Committee of the House has reported thereon, is in the nature of a dilatory motion in abuse of the rules of the Assembly in as much the Select Committee of the House has dealt with the Bill in a proper manner or that no unforeseen or new circumstances has arisen since the Bill emerged from such Committee, he may forthwith put the question thereon or decline to propose the question.

Amendments

271. (1) An amendment shall be relevant to and within the scope of the motion to which it is proposed.

**Rules as to
amendments**

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

(3) After a decision has been given on an amendment to any part of the motion an earlier part shall not be amended.

(4) An amendment on a motion must not be inconsistent with the previous decision on the same motion given the same stage of any Bill or motion.

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

(Q) Committee on Environment

Constitution

260. R. (a) There shall be a Committee on Environment consisting of not more than 10 (ten) Members, out of which 2 (two) Members shall be nominated by the Speaker from amongst persons having vast knowledge and expertise on environment issues.

(b) A Minister shall not be nominated a member of the Committee, and if a Member, after his nomination to the Committee, is appointed as Minister, he shall cease to be a member of the Committee from the date of such appointment.

(c) The Chairman of the Committee shall be appointed by the Speaker from amongst the members of the Committee.

(d) The term of the office of the members of the Committee shall be for the period of one year.

Functions

260. S. (a) To study the environmental problems within the State and to recommend remedial measures thereto;

(b) To examine the nature, degree and extent of the environmental imbalances caused by different kinds of pollution in the State like water pollution, air pollution, noise pollution and the like, the results of such pollution and to suggest remedial measures for the prevention and control thereof;

(c) To examine the working and activities of the Department(s)/ Board(s) or the industrial establishments situated in the State in relation to protection of environment and effects on climate change;

(d) To review the implementation of the plans and programmes including various provisions of statutory laws of both Central and State Governments relating to environment and climate change issues;

(e) To examine such other matters as may be deemed fit by the Committee or specially referred to it by the House or by the Speaker;

(f) To report to the Assembly on the action taken by the State Government on different measures suggested by the Committee.

CHAPTER XXVI

General Rules of Procedure

Notices

261. (1) Every notice required by these Rules shall be given in writing addressed to the Secretary, and signed by the Member giving notice, and shall be left at the Assembly Notice Office which shall be kept open for the purpose between the hours to be notified from time to time on every day except Sunday or a public holiday.

Notices by Members

(2) Notices left at the Assembly Notice Office after the hours notified under Sub-rule (1) shall be treated as given on the next open day.

262. (1) The Secretary shall circulate to each Member a copy of every notice or other paper which is required by these Rules to be made available for the use of Members.

Circulation of notices and papers to Members

(2) A notice or other paper shall be deemed to have been made available for the use of every Member if a copy thereof is deposited in such manner and in such place as the Speaker may, from time to time, direct.

263. On the prorogation of the Assembly, all pending notices, other than notices of intention to move for Leave to introduce a Bill, shall lapse and fresh notices shall be given for the next Session :

Lapse of pending notices on prorogation of Assembly

Provided that a fresh notice shall be necessary of intention to move for Leave to introduce any Bill in respect of which sanction or recommendation has been granted under the Constitution if the sanction or recommendation, as the case may be, has ceased to be operative.

Motion, resolution or amendment moved not to lapse

264. A motion, resolution or an amendment, which has been moved and is pending in the House, shall not lapse by reasons only of the prorogation of the Assembly and shall have priority over all other motions, resolutions and amendments.

Speaker to amend notices of question and motions etc.

265. If in the opinion of the Speaker, any notice contains words, phrases or expressions which are argumentative, unparliamentary, ironical, irrelevant, verbose, or otherwise inappropriate, he may in his discretion amend such notice before it is circulated.

Motions

Identical motions

266. (1) A motion shall not raise a question substantially identical with one on which the Assembly has given a decision in the same Session. The Speaker's decision on the point whether the question is substantially identical with the previous one shall be final.

Explanation :- The Assembly shall not be deemed to have given a decision in respect of a Bill unless it has either passed the Bill into law or has rejected the Bill.

(2) Where substantially identical motions stand in the names of two or more members, the Speaker, unless the Member have agreed, shall decide whose motion shall be moved and the other motions shall there upon be deemed to be withdrawn.

Withdrawal of motion

267. (1) A Member who has moved an original motion or an amendment may withdraw the same with the leave of the House.

(2) If at the time of putting the question on a motion to the vote of the House the Mover of the motion is absent it shall be considered to have been withdrawn by him, unless any Member of the House asks that the question on the motion be put.

Procedure where motion debated and not withdrawn

268. If debated and not withdrawn, the Speaker shall again read the motion when taking the sense of the Assembly upon it.

281. The Speaker, after having called the attention of the House to the conduct of a Member who persists in irrelevance or in tedious repetition either of his own arguments or of the arguments used by the other Members in debate, may direct him to discontinue his speech.

**Irrelevance
or repetition**

282. A member may, with the permission of the Speaker, make personal explanation although there is no question before the House, but in this case no debatable matter may be brought forward and no debate shall arise.

**Personal
explanation**

Order of speeches and right of reply

283. (1) After the Member who moves a motion has spoken, other Members may speak on the motion in such order as the Speaker may call upon them. If any Member who is so called upon does not speak, he shall not be entitled, except with the permission of the Speaker, to speak on the motion at any later stage of the debate.

**Order of
Speeches and
right of reply**

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

(3) A Member who has moved a motion may speak again by way of reply, and if the motion is moved by a private Member, the Minister concerned may, with the permission of the Speaker, speak whether he has previously spoken in the debate or not after the Mover has replied :

Provided that nothing in this Sub-rule shall be deemed to give any right of reply to the Mover of an amendment to a Bill or a resolution save with the permission of the Speaker.

284. Subject to the provisions of *Sub-rule (3) of Rule 283*, the reply of the Mover of the original motion shall in all *cases conclude the debate*.

**Mover's reply
concludes
debate**

Address by Speaker

285. The Speaker may himself or on point being raised or on a request made by a Member, address the House at any time on a matter under consideration in the House with a view to aid Members in their deliberation, and such an expression of views shall not be taken to be in the nature of decision.

**Address by
Speaker**

(6) No notice of an amendment to an amendment is required.

(7) The Speaker may refuse to put an amendment which is in his opinion frivolous.

**Selection of
amendments**

272. The Speaker shall have the power to select the amendment to be proposed in respect of any motion, and may, if he thinks fit, call upon any Member who has given notice of an amendment to give such explanation of the object of the amendment as may enable him to form a judgement upon it.

**Order of
amendments**

273. (1) When an amendment to any motion is moved, or when two or more such amendments are moved, the Speaker shall, before taking the sense of the Assembly thereon, state or read to the Assembly the terms of the original motion and of the amendment or amendments proposed.

(2) It shall be in the discretion of the Speaker to put first to the vote either the original motion or any of the amendments which may have been brought forward.

**Division of
motions**

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

Rules to be observed by Members

**Rules to be
observed by
Members**

275. While 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 improper expression or noises or in any improper manner ;
- (iii) shall bow to the Chair while taking or leaving his seat ;
- (iv) shall not pass between the chair and any Member who is speaking ;

- (v) shall not leave the House while the Speaker is addressing the House ;
- (vi) shall always address the Chair ;
- (vii) shall keep to his usual seat ;
- (viii) shall maintain silence when not speaking in the House ;
- (ix) shall not applaud when a stranger enters any of the Galleries, or the Special Box ;
- (x) shall not while speaking make any reference to the strangers in any of the Galleries ;
- (xi) shall not obstruct proceedings, or interrupt and shall avoid making running commentaries when speeches are being made in the House.

275A. The Minister concerned, when a matter relating to his portfolio is under discussion in the House, shall not leave the House without the previous permission of the Speaker.

Minister to remain in the House when his portfolio is discussed

276. When a Member rises to speak, his name shall be called by the Speaker, if more Members than one rise at the same time, the Members whose name is so called shall be entitled to speak.

Members to speak when called by Speaker

277. A Member desiring to make any observation on any matters before the House shall speak from his place, shall rise when he speaks and shall address the Speaker. At any time if the Speaker rises, any Member speaking shall immediately resume his seat.

Mode of addressing the House

[Rules 278 deleted]

279. (1) A Member while speaking shall not :-

Rules of debate

- (i) refer to any matter of fact on which a judicial decision is pending ;
- (ii) make a personal charge against a Member ;

- (iii) use offensive expressions about the conduct or proceedings of Parliament or any State Legislature ;
- (iv) reflect on any determination of the House except on 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 term ;

Explanation - The words “persons in high authority” means persons whose conduct can only be discussed on a substantive motion drawn in proper terms under the Constitution or such other persons whose conduct, in the opinion of the Speaker, should be discussed on a substantive motion drawn in terms to be approved by him.

- (vi) use the President’s or a 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.

(2) A private Member may not read his speech, but may refresh his memory by reference to notes.

Procedure regarding allegation against a person

279A. No allegation of a defamatory or incriminatory nature shall be made by a Member against any person unless the Member has given previous intimation to the Speaker and also to the Minister concerned so that the Minister may be able to make an investigation into the matter for the purpose of a reply :

Provided that the Speaker may at any time prohibit any member from making any such allegation if he is of opinion that such allegation is derogatory to the dignity of the House or that no public interest is served by making such allegation.

Questions to be asked through the Speaker

280. When for the purpose of explanation, during discussion or for any other sufficient reasons any Member has occasion to ask a question of another Member on any matter then under the consideration of the Assembly, he shall ask the question through the Speaker.

Procedure when a Minister discloses source of advice or opinion given to him

295. If, in the answer to a question or during debate, a Minister discloses the advice or opinion given to him by an officer of the Government or by any other person or authority, he shall ordinarily lay the relevant document or parts of document containing that opinion or advice, or a summary thereof on a Table.

Procedure when a Minister discloses source of advice or opinion given to him

Objection to vote of a Member on grounds of personal pecuniary or direct interest

296. If the vote of a Member in a division in the House is challenged on the ground of personal, pecuniary or direct interest in the matter to be decided, the Speaker may, if he considers necessary, call upon the Member making to challenge to state precisely the grounds of his objection and the Member whose vote has been challenged to state his case and shall decide whether the vote of the Member should be disallowed or not and his decision shall be final :

Objection to vote of a Member

Provided that the vote of a Member or Members is challenged immediately after the division is over and before the result is announced by the Speaker.

Explanation - For the purpose of this rule the interest of the Member should be direct, personal or pecuniary and separately belong to the person whose vote is questioned and not in common with the public in general or with any class or section thereof or on a matter of State policy.

Withdrawal, Naming and Suspension of Members

297. 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 day's meeting.

Withdrawal

298. (1) The Speaker may, if he deems 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.

Naming and Suspension of a Member

Procedure when Speaker rises

Procedure when Speaker rises

286. Whenever the Speaker rises he shall be heard in silence and any Member who is then speaking or offering to speak shall immediately sit down.

Closure

Closure

287. At any time after a motion has been made, any Member may move : "That the question be now put" and unless it appears to the Speaker that the motion is an abuse of the rules or an infringement of the right of reasonable debate, the Speaker shall then put the motion : "That the question be now put". If this motion is carried, the Speaker shall then put the question after allowing the Mover and the Minister to whose Department the matter relates to speak in the manner laid down in *Sub-rule (3) of Rule 283*.

Limitation to debate

288. (1) Whenever the debate on any motion in connection with a Bill or any other motion becomes unduly protracted, the Speaker may, after taking the sense of the House, fix a time limit for the conclusion of discussion on any stage or all stages of the Bill or the motion, as the case may be.

(2) At the appointed hour, in accordance with the limit fixed for the completion of a particular stage of a Bill or a motion, the Speaker, shall unless the debate is sooner concluded, forthwith put every question necessary to dispose off all the outstanding matters in connection with the stage of the Bill or the motion.

Question for decision

Procedure for obtaining decision of the House

289. (1) A matter requiring the decision of the Assembly shall be decided by means of a question put by the Speaker on motion proposed by a Member.

(2) The result of a division shall be announced by the Speaker and shall not be challenged.

290. When a motion has been made, the Speaker shall propose the question for consideration, and put it for the decision of the House. If a motion embodies two or more separate propositions, those propositions may be proposed by the Speaker as separate questions.

Proposal and putting of question

291. A Member shall not speak on a question after the Speaker has collected the voices both of the Ayes and of the Noes on that question.

No speech after voices collected

Division

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

Division

(2) The Speaker shall then say - "I think the Ayes (or the Noes, as the case may be) have it". If the opinion of the Speaker as to the decision of the question is not challenged he shall say twice: "The Ayes (or the Noes as the case may be) have it" and the question before the House shall be determined accordingly.

(3) (a) If the opinion of the Speaker as to the decision of a question is challenged, he shall order that the Lobby be cleared.

(b) After a lapse of three minutes he shall put the question a second time and declare whether in his opinion the "Ayes" or the "Noes", have it.

(4) (a) If the opinion so declared is again challenged, he shall direct the "Ayes" to go into the "Ayes" Lobby and the "Noes" into the "Noes" Lobby. In the "Ayes" or "Noes" Lobby, as the case may be, each Member shall call out his Division number and the Division Clerk, while marking off his number on the Division List, shall simultaneously call out the name of the Member.

Provided that if the opinion of the Speaker, the division is unnecessarily claimed, he may ask the Members who are for "Aye" and those for "No" respectively to rise in their places and on a count being taken, he may declare the determination of the House. In such cases, the names of the voters shall not be recorded.

(b) After voting in the Lobbies is completed, the Division Clerks shall hand over the Division Lists to the Secretary, who shall count the votes and present the totals of "Ayes" and "Noes" to the Speaker.

(c) The result of a decision shall be announced by the Speaker and shall not be challenged.

(d) A Member who is unable to go to the Division Lobby owing to sickness or infirmity may, with the permission of the Speaker, have his vote recorded either at his seat or in the Members' Lobby.

(e) If a Member finds that he has voted by mistake in the wrong Lobby, he may be allowed to correct his mistake provided he brings it to the notice of the Speaker before the result of the division is announced.

(f) When the Division Clerks have brought the Division Lists to the Secretary's table, a Member who has not put up to that time recorded his vote but who then wishes to have his vote recorded may do so with the permission of the Speaker.

Papers quoted to be laid on the Table

Papers quoted to be laid on the Table

293. If a Minister quotes in the House a dispatch or other State paper which has not been presented to the House, he shall lay the relevant paper on the Table :

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

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

Treatment of papers laid on the Table

294. (1) A paper or document to be laid on the Table shall be duly authenticated by the Member presenting it.

(2) All papers or documents laid on the Table shall be considered public.

Other duties of the Secretary

308. In addition to the other duties specially required of these rules it shall be the duty of the Secretary :-

Other duties of the Secretary

- (1) to take charge of all records of the Assembly ;
- (2) to keep the books of the Assembly ;
- (3) to keep a list of business for the time being before the Assembly ;
- (4) to superintend the printing of all papers ordered to be printed ;
- (5) to make out from time to time a list of all Select Committee's sittings :
- (6) to assist the Assembly and all Committees in such manner as they may order and
- (7) to write all letters ordered by the Assembly, or by any Committee thereof, to be written.

Chamber of the Assembly

309. The Chamber of the Assembly shall not be used for any purpose other than the sitting of the Assembly except in the case of Presiding Officers Conference.

Restriction on use of Chamber of Assembly

Admission of Strangers

310. Admission of persons, other than Members, to any part of the Assembly Chamber during the sitting of the Assembly shall be regulated in accordance with orders made by the Speaker.

Admission of strangers

311. The Speaker, whenever he thinks fit may order the Visitors' or Press Gallery to be cleared.

Power to order withdrawal of strangers

(2) If a Member is so named by the Speaker, he shall forthwith put the question that the Member (naming him) be suspended from the service of the House during the remainder of the Session :

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

(3) A Member suspended under this rule shall forthwith quit the precincts of the House.

The Member so directed to be absent shall not be deemed to be absent for the purpose of *Clause (4) of Article 190* of the Constitution.

Suspension of Sitting

Suspension of Sitting

299. In the case of grave disorder arising in the House, the Speaker may, if he thinks necessary to do so, adjourn the House or suspend any Sitting for a time to be fixed by him, but in no case the adjournment shall exceed one week.

Points of Order

Points of Order decisions thereon

300. (1) A point of order shall relate to the interpretation or enforcement of these rules or such articles of the Constitution as to regulate the business of the House and shall raise a question which is within the cognizance of the Speaker.

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

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

(3) Subject to conditions referred to in Sub-rule (1) and (2) a Member may formulate a point of order and the Speaker shall decide whether the point raised is a point of order and if so, give his decision thereon which shall be final.

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

(5) A point of order is not a point of privilege.

(6) A Member shall not raise a point of order :-

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

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

Raising a matter which is not a point of order

Maintenance of Order

302. The Speaker shall preserve order and shall have all powers necessary for the purpose of enforcing his decision.

Speaker to preserve order and enforce decision

Report of Proceedings

303. (1) The relevant copies of the proceedings of the Assembly shall be furnished to the Members concerned for the purpose of correction and return in accordance with *Rule 29A*. Correction of speeches should be confined to grammatical mistakes and can be no material alteration.

Proceedings of the Assembly

Thereafter, the Secretary shall cause a full report of the proceedings to be prepared as soon as possible after each meeting and shall as soon as practicable publish it in such form and manner as the Speaker may from time to time direct :

(2) A copy of the proceedings so published shall be sent to the Governor.

Expunction of words from debates

304. If the Speaker is of opinion that words have been used in debate which are defamatory or indecent or unparliamentary or undignified, he may, in his discretion, order that such words be expunged from the proceedings of the House.

Indication in printed debates of expunged proceedings

305. The portion of the proceedings of the House so expunged shall be marked by asterisks and an explanatory footnote shall be inserted in the proceedings as follows :

“Expunged as ordered by the Chair”.

Printing and Publication of Assembly Papers

Printing and Publication of Assembly papers

306. (1) The Speaker may authorise printing, publication, distribution or sale of any paper, document or report in connection with the business of the House or any paper, document or report laid on the Table or presented to the House or a Committee thereof.

(2) A paper, document or report printed, published, distributed or sold in pursuance of Sub-rule (1) shall be deemed to have been printed, published, distributed or sold under authority of the House within the meaning of *Clause (2) of Article 194* of the Constitution.

(3) If a question arise whether a paper, documents or report is in connection with the business of the House or not, the question shall be referred to the Speaker whose decision shall be final.

Custody of Papers

Custody of Papers

307. The Secretary shall have custody of all records, documents and papers belonging to the House or any of its Committees or Assembly Secretariat and he shall not permit any such records, documents or papers to be taken from the Assembly House without the permission of the Speaker.

SECOND SCHEDULE

Form of Report on petition by the Secretary

(See Rule 112)

Sir, under Rule.....of the Rules of Procedure and Conduct of Business in Meghalaya Legislative Assembly, I have to report that..... petitions as per Statement laid on the Table have been received relating to..... (in case of Bills) the Bill to provide for.....which was introduced in the Assembly on the....., by Shri.....

STATEMENT

Petitions relating to.....(in case of Bills), the Bills to provide for.....which was introduced in the Assembly on the.....

Number of Signatories	District or town	State

House Committee

House Committee

312. (1) There shall be appointed at the commencement of the first Session in each year a House Committee for one year to consider and advise upon all matters connected with the comfort and convenience of Members of the Assembly, which shall consists of five members to be nominated by the Speaker. The Secretary of the Assembly will be the *ex-officio* Secretary of the Committee.

(2) The function of the Committee shall be :-

- (i) to deal with all questions relating to residential accommodation for Members of the Assembly ;
- (ii) to exercise supervision over facilities for accommodation, foods, medical aid and other amenities, accorded to Members in Members' Hostels in Shillong ;
- (iii) to look to the comfort, convenience of the Members as well as maintain general discipline in the Hostels ;
- (iv) the functions of the Committee shall be advisory ; and
- (v) the Committee shall frame its own rules and the rules so framed shall be laid on the Table of the House.

Library Committee

Library Committee

313. There shall be a Library Committee appointed by the Speaker consisting of ten members and two members shall form a quorum for the purpose of constituting meeting of the Committee.

Leader of Opposition

Facilities to the Leader of the Opposition

Facilities to the Leader of the Opposition

313-A. The Leader of the Opposition as defined in *Clause (p) of Rule 2* shall be provided with all facilities as the Speaker may consider necessary for the due performance of his duties.

CHAPTER XXVII

Interpretation of Rules

314. If any doubt arises as to the Interpretation of any of the provisions of these rules, the decision of the Speaker shall be final.

Interpretation of Rules

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

Residuary power

316. Any Member may with the consent of the Speaker, move that any rule may be suspended in its application to a particular motion before the House and if the motion is carried the rule in question shall be suspended for the time being.

Suspension Rules

FIRST SCHEDULE

Form of Petition

(See Rule 106)

To

MEGHALAYA LEGISLATIVE ASSEMBLY

The humble petition of

[Here insert name and designation or description of petitioner(s) in concise form, e.g., “A. B. and others” or the inhabitant of..... “or the municipality of” etc.]

Sheweth -

(Here insert concise statement of case)

and accordingly your petitioner(s) pray that

[Here insert “that the Bill be or be not proceeded with” or “that special provision be made in the Bill to meet the case of your petitioner(s)” or any other appropriate prayer regarding the Bill or matter before the House or a matter of general public interest]

and your petitioner(s) as in duty bound will ever pray.

Name of petitioners	Address	Signature or thumb impression

Countersignature of Member presenting.

FIFTH SCHEDULE

[SEE RULE 260 D(2)]

Departments under the jurisdiction of the departmentally related Standing Committees called Standing Committee.

Sl. No.	Name of the Standing Committees	Departments
1.	Committee on Development Departments (A)	(i) Agriculture (ii) Industries (iii) Health and Family Welfare (iv) Food and Civil Supplies
2.	Committee on Development Departments (B)	(i) Forests and Environment (ii) Soil Conservation (iii) Animal Husbandry and Veterinary (iv) Education
3.	Committee on Works Departments	(i) Public Works (Roads & Buildings) (ii) Public Health Engineering (iii) Irrigation (iv) Municipal Administration

THIRD SCHEDULE

(See Rules 177 and 178)

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

Place
Date

To

The Speaker,
Meghalaya Legislative Assembly,
Shillong.

DEAR MR. SPEAKER,

‘A’

I have the honour to inform you that I have found it my duty, in the exercise of my powers under Section.....of the..... (Act) to direct that Shri.....Member of the Meghalaya Legislative Assembly, be arrested / detained for.....(reasons for the arrest or detention, as the case may be).

Shri.....MLA, was accordingly arrested / detained at.....(time) on.....(date) taken into custody and is at present lodged in the.....(jail)(place).

‘B’

I have the honour to inform you that Shri.....
Member of the Meghalaya Legislative Assembly, was tried at
the.....Court before me on a charge (or charges)
of.....(reasons for the conviction).

On.....(date) after a trial lasting
for.....days, I found him guilty of.....
.....and sentenced him to imprisonment for.....
(period).

(His application for leave to appeal to*.....
is pending consideration).

*Name of the Court.

‘C’

I have the honour to inform you that Shri.....,
Member of the Meghalaya Legislative Assembly, who was arrested/detained/
convicted on (date), for
..... (reasons for arrest/detention/conviction), was released
..... on(date) on
.....(grounds for release).

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

FOURTH SCHEDULE**List of State Undertakings and Governments Companies**

1. Mawmluh-Cherra Cements Ltd.
2. Meghalaya Industrial Development Corporation.
3. The Meghalaya Transport Corporation.
4. The Assam and Meghalaya Mineral Development Corporation Ltd.
5. The Meghalaya Tourism Development Corporation Ltd.
6. The Forest Developments Corporation of Meghalaya.
7. The Meghalaya State Electricity Board.
8. The Meghalaya Government Construction Corporation Ltd.

