

RULES

RULES OF PROCEDURE AND CONDUCT OF BUSINESS OF THE

U.P. LEGISLATIVE ASSEMBLY, 1958
(As corrected up to January, 2015)



SANSADIYA KARYA ANUBHAG - 1

UTTAR PRADESH SHASAN

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Uttar Pradesh Shasan
2015

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THE RULES PROCEDURE AND CONDUCT OF
BUSINESS OF THE UTTAR PRADESH LEGISLATIVE
ASSEMBLY, 1958

*[Authoritative English Text under Article 348 (3) of the
Constitution of India]*

CHAPTER I—SHORT TITLE AND DEFINITIONS

1. *Short title*—These Rules may be called the Rules of Procedure and Conduct of Business of the Uttar Pradesh Legislative Assembly, 1958.

*2. *Commencement*—These Rules shall come into force from the date on which they are adopted by the Uttar Pradesh Legislative Assembly.

*These Rules were adopted in Hindi by the Legislative Assembly on December 11, 1958 and amendment from time to time.

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

(A) "Meeting" means those consecutive sittings at the end of which the Assembly adjourns *sine die* or to the first day of any of the meetings mentioned in rule 14.

(a) "Speaker" means the Speaker of the Assembly ;

(b) "Article" means an Article of the Constitution ;

(c) "Private member" means a member other than a Minister ;

(d) "Sitting" means the sitting together of the members of the House on any day for the transaction of business from the commencement of such transaction till the House rises for the day ;

(e) "Deputy Speaker" means the Deputy Speaker of the Assembly ;

(f) "Gazette" means the *Uttar Pradesh Government Gazette* ;

(g) "Table" means the Table of the House ;

(h) "Council" means the Uttar Pradesh Legislative Council;

(i) "Select Committee" means a Committee of members to which a Bill is referred by the Assembly for consideration and report ;

(j) "Motion" means a proposal made by a member for the consideration of the Assembly, and includes an amendment to a resolution or a motion ;

(k) "Member in charge" in relation to a resolution or motion, means the member who has moved such a resolution or motion ;

The definitions rearranged in alphabetical order according to the Roman alphabet are as follows namely :

(b) Article, (ad) Assembly, (a) Committee, (u) Constitution, (h) Council, (c) Deputy Speaker, (p) Division, (n) Financial year, (f) Gazette, (r) Government, (m) Governor, (y) House, (aa) Houses, (t) Joint Select Committee, (o) Legislature, (ae) Lobby, (A) Meeting, (ab) Member, (k) Member-in-charge, (q) Member-in-charge of the Bill, (l) Minister, (j) Motion, (ac) Naming, a member (z) Precincts of the House, (c) Private member, (x) Prorogation, (s) Resolution. (v) Secretary, (i) Select Committee, (w) Session, (d) Sitting, (a) Speaker and (g) Table.

(l) "Minister" means a member of the Council of Ministers, and includes a Minister of State, a Deputy Minister and any member of the Assembly to whom such Minister may delegate any function assigned to him under these rules ;

(m) "Governor" means the Governor of Uttar Pradesh;

(n) "financial year" means a period of twelve months commencing on April 1, and ending on March 31, next following;

(o) "Legislature" means the Uttar Pradesh Legislature;

(p) "division" means the recording of votes by sending the members to lobbies or by adopting any other method;

(q) "member in charge of the Bill" means as respects a Government Bill, any Minister, and as respects other **Bills, the member who has introduced** the Bill or a member authorized in writing by such member to act in his behalf, or where the Bill has been transmitted from the Council ; the Minister or the member who has given notice of his intention to move that the Bill be taken into consideration;

(r) "Government" means the Government of Uttar Pradesh;

(s) "resolution" means a proposal for the purpose of discussing a matter of general public interest;

(t) "Joint Select Committee" means a Committee of members of the Council and the Assembly to which a Bill is referred under these rules after it has been introduced in either House;

(u) "Constitution" means the Constitution of India;

(v) "Principal Secretary" means the Principal Secretary to the Legislative Assembly and includes such other person as is empowered to perform the functions of the Principal Secretary;

(w) "Session" means the period of time commencing from the first sitting of the Assembly upon the summons of the Governor under clause (1) of Article 174 until its prorogation or dissolution under clause (2) thereof;

Art. 174

(x) "prorogation" means the termination of a session by an order of the Governor under sub-clause (a) of clause (2) of Article 174;

(y) "House" means the Assembly;

'Precincts of the House' means the Assembly Hall situate in the main Vidhan Bhawan, the galleries, both the lobbies, the Speaker's room, the Deputy Speaker's room and all the rooms under the control or occupation of the Legislative Assembly Secretariat, the Vidhan Pustakalaya, the room allotted to various political parties, Rajarshi Purushottam Das Tandon Hall, the attached cafeteria, all the verandahs and approaches leading thereto, and also such other places as the Speaker may from time to time specify.'

(aa) "Houses" means the Houses of Legislature;

(ab) "member" means a member of the Assembly, and also includes, for the purposes of Article 177, a Minister and the Advocate General of the State;

(ac) "naming a member" means drawing by the Speaker the attention of the House to the conduct of a member with a view to action being taken against him;

(ad) "Assembly" means the Uttar Pradesh Legislative Assembly;

(ae) "lobby" means the room adjoining the Assembly Hall and conterminus with it;

(af) "Committee" means any committee elected or constituted by the House or nominated by the Speaker for any specific or general purpose and which functions under the direction of the Speaker and presents its report to the House or to the Speaker.

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

**CHAPTER-II-SUMMONS TO MEMBERS AND SEATING
ARRANGEMENT**

4. *Summoning of the Assembly*— (1) the Assembly shall be summoned by the Governor from time to time to meet at such time and place as he may appoint. Art. 174. (1).

(2) The Summons to members shall ordinarily be issued by the Principal Secretary, fourteen days before the date so appointed under sub-rule (1) :

Provided that when a session is called at short notice or emergency, summons need not be issued to each member separately, but an announcement of the date, time and place shall be published in the *Gazette* and in the press and members informed telegraphically.

5. *Oath or Affirmation*—Every member of the House, in pursuance of Article 188, shall, before taking his seat make and subscribe before the Governor or some person appointed in that behalf by him an oath or affirmation according to the form set out for the purpose in the Third Schedule to the Constitution and sign it and in the register kept for the purpose. Art. 188.

6. *Seating of Members*—(a) The members shall ordinarily sit in such order as the Speaker may determine.

(b) No other person shall sit on the seats meant for the members in the Assembly Hall.

7. *Procedure or Mode of Penalty under the Provisions of Article 193*—Any person adjudged by the Speaker to be guilty under Article 193, shall be liable to the penalty provided therefor the decision of the Speaker in that behalf shall be final. Art. 193.

**CHAPTER-III-ELECTION OF SPEAKER AND DEPUTY
SPEAKER AND NOMINATION OF PANEL OF PRESIDING MEMBERS**

Act 178

8. *Election of Speaker*— (1) The election of Speaker shall be held on such date as the Governor may fix, and the Secretary shall send to every member a notice thereof:

Provided that the date so fixed shall, in the case of a vacancy occurring during the term of the Assembly, be within fifteen days from:

(a) the date of the occurrence of the vacancy, if the Assembly is at that time sitting, and

(b) the date on which the Assembly first meets there-after, if it is not so sitting.

(2) At any time before noon on the day preceding the date so fixed under sub-rule (1), any member may give notice of a motion nominating 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 the name of the member nominated and accompanied by a statement by the member whose name is proposed that he is willing to serve as Speaker, if elected.

(3) (a) On the date fixed for election, in the case of a new Assembly, the member appointed by the Governor and in any other case, the Deputy Speaker or the Member presiding, as the case may be, shall read out to the Assembly the names of the members who have been duly nominated together with those of their proposers and seconders. At any time before the election any candidate so nominated may withdraw his name from the election by informing Presiding Officer orally or in writing about it. If after the withdrawals, if any, only one member remains nominated, he shall be declared elected, and it shall not be necessary to make a formal motion in that behalf.

(b) If more than one member remains nominated, the presiding member shall call the members in whose names the motions stand, one, by one, to move the motions, and the mover shall confine themselves to a mere statement to that effect.

(4) For the purpose of sub-rule (3) a member shall not be deemed to have been duly nominated if either he or his proposer or seconder has not, before the names are read out under that sub-rule, made the oath or affirmation as a member of the Assembly.

(5) The voting on each motion shall be by ballot. Where more than two candidates have been nominated and at the first ballot 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 fresh ballot shall take place, the candidate obtaining the smallest number of votes at each ballot being excluded, until one candidate obtains more votes than the remaining candidate or than the aggregate votes of the remaining candidates, as the case may be.

(6) Where at any ballot two or more candidates obtain an equal number of votes, the candidate to be excluded from the election under sub-rule (5) shall be determined by drawing lots.

9. *Election of Deputy Speaker*—(1) The election of Deputy Speaker shall be held on such date as the Speaker may fix and the Principal Secretary shall send to every member notice of that date:

Art. 178.

Provided that the date so fixed shall in the case of vacancy occurring during the term of an Assembly be within thirty days from—

(a) the date of occurrence of the vacancy, if the Assembly is at that time sitting, and

(b) the date on which the Assembly first meets thereafter, if it is not so sitting.

(2) At any time before noon on the day preceding the date so fixed under sub-rule (1), any member may give notice of a motion nominating another member for election by delivering to the Principal Secretary a nomination paper signed by himself as proposer and by a third member as seconder and stating the name of the member nominated and accompanied by a statement by the member whose name is proposed that he is willing to serve as Deputy Speaker, if elected.

(3) For the purposes of sub-rule (2) a member shall not be deemed to have been duly nominated if either he or his proposer or seconder has not, before the names are read out under that sub-rule, made the oath or affirmation as member of the Assembly.

(4) On the date so fixed for election the Speaker shall read out to the Assembly the names of the members who have been duly nominated together with those of their proposers and seconders. At any time before the election any candidate so nominated may withdraw his name from the election by informing the Presiding Officer orally or in writing about it, nominated he shall be declared elected and it shall not be. If after the withdrawals, if any, only one member remains necessary to make a formal motion in that behalf. If more than one member remains nominated the Speaker shall call the members in whose names the motions stand, one by one to move the motions, and the movers shall confine themselves to a mere statement to that effect.

(5) In case of election, the procedure laid down in rule 8(5) and (6) for the election of Speaker shall be followed.

Art. 180(2)

10. *Panel of Presiding members*— (1) At the commencement of every financial year the Speaker shall nominate from amongst the member of the Assembly a panel of not more than ten members, and any one of whom may preside over the Assembly in the absence of the Speaker and the Deputy Speaker when so requested by the Speaker, or in his absence, by the Deputy Speaker, or in the absence of the Deputy Speaker also by the Presiding Member.

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

Art. 180(2)

11. *Election of Chairman in the absence of Speaker, Deputy Speaker and Panel of Presiding Members*—If the Speaker and the Deputy Speaker are both absent and there is no member of the panel of Presiding Members duly authorized to preside over the sitting of the Assembly, then, on quorum being present action shall be taken to elect a chairman for the sitting in the following manner:

"A member, addressing himself to the Principal Secretary, shall propose to the House some other member then present and move that the said member do take the chair of the Speaker till such time as a person competent to preside under the Constitution or the Rule arrives, and on such a motion being seconded by another member, the Principal Secretary shall put the motion or motions to the vote of the house. The members to elected shall occupy the Chair."

12. *Powers of the Deputy Speaker and presiding member*—The Deputy Speaker or any member competent to preside over a sitting of the Assembly under the Constitution or these Rules shall, when so presiding, have the same powers as the Speaker when so presiding, and all references to the Speaker in these Rules shall, in a case, be deemed to be references to the person so presiding.

Art. 180(2)

13. *...Delegation of powers by speaker*—The Speaker may at any time by order in writing delegate to the Deputy Speaker and in the absence of the Deputy Speaker to any member of the panel of Presiding Members all or any of his powers under these rules and may likewise revoke any such delegation.

CHAPTER-IV-SITTINGS OF THE ASSEMBLY

"14-Meeting of the Assembly-Subject to Article 174, in every year the Assembly shall ordinarily have three meetings namely, the Budget meeting, the Mansoon meeting and the Winter meeting and sitting of 90 days of which, as far as possible a session for at least ten working days shall be convened at the interval of two months."

14A. *Sitting of the Assembly*-(I) After the commencement of a session, the Assembly shall sit on such days as the Speaker may, from time to time, having regard to the state of business of the Assembly and in consultation with the Leader of the House, determine.

(2) A sitting of the House shall be duly constituted only when it is presided over by the Speaker or any other member competent to preside over a sitting of the House under the Constitution of these Rules.

15. *Hours of sitting*-(1) Subject to the directions of the Speaker, the sitting of the Assembly shall ordinarily commence from 11 a.m. and continue until the business fixed for the day is concluded:

Provided that if the Speaker considers proper or the circumstances make it necessary, to do so, the sitting may be adjourned before the conclusion of the business fixed.

(2) Unless the House otherwise determines, there shall be no sittings on Saturdays, Sundays and other public holidays.

Art. 189(3)

16. *Quorum*-The quorum to constitute a sitting of the Assembly shall be one-tenth of the total number of members of the House.

17. *Adjournment of sittings*- The Speaker may adjourn a sitting of the Assembly either of his own motion or on a motion of the House in that behalf:

Where, however, the House is adjourned *sine die* ten days notice shall ordinarily be given to members of the date on which the Assembly shall re-assemble:

Provided that the Speaker may call a sitting of the Assembly on an earlier or later date than the date to which it stands adjourned.

18. *the effect of prorogation*—When the Assembly is prorogued— Art. 196.

(a) all pending notices, statements and discussions shall lapse and fresh notices shall be given for the next session:

Provided that questions which have been entered in the list of business, but were postponed and remained pending for answer at the close of the preceding session shall not lapse.

(b) a Bill pending in the House at the time of prorogation shall not lapse by reason of the prorogation of the House.

(c) any business pending before a Committee shall not lapse.

(d) any motion, resolution or amendment which has been moved and is pending in the House shall not lapse.

**CHAPTER-V GOVERNOR'S ADDRESS AND MESSAGE TO
ASSEMBLY**

Art. 176 (1).

19. *Address by the Governor to the two Houses of legislature and its discussion in the Assembly*—(1) At the commencement of the first session after each general election to the Assembly and at the commencement of the first session of each year, the Governor shall address both the Houses of the Legislature assembled together and inform the Legislature of the causes of its summons:

Provided that the making of the prescribed oath or affirmation by a member and, the election of the Speaker, if necessary, may precede the Governor's address.

(2) At the first sittings of the Assembly held after the Governor's address the Speaker may read the address to the House.

(3) The Speaker shall in consultation with the Leader of the House allot time, which shall ordinarily be four days, for discussion of the matters referred to in the Governor's address:

Provided that notwithstanding the fact that a day has been allotted for the discussion on the Governor's address other business of a formal nature may be transacted on such a day before the House commences or continues the discussion on the address.

Explanation—A motion for the introduction of a Bill is a business of a formal nature.

(4) On the day or days so allotted, the House 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.

(5) Amendments may be moved to such motion of thanks in such form as may be considered appropriate by the Speaker.

(6) The rules relating to resolution shall *Mutatis mutandis* apply to the discussion of such motion:

Provided that no notice shall be necessary for the moving of such motion or amendments thereto:

Provided further that no amendments may be moved except by way of addition of words at the end of the original motion.

(7) Upon the motion being adopted, with or without amendments, the Speaker shall present it to the Governor.

(8) The Speaker shall read to the Assembly the reply of the Governor to the motion. Art. 175 (1).

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

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

CHAPTER VI—ARRANGEMENT OF BUSINESS

22. *Information about the business to be taken up in the House*—The Government shall inform the Vidhan Sabha Sachivalaya about the business to be taken up in the House in the first week of any meeting at least fifteen days before the commencement of such meeting and thereafter on each last working day of the week, the Leader of the House or any member of the Council of Ministers shall inform the House, after the question hour the business to be taken up in the next week.

22-A. *List of Business*—(1) A list of business for each day shall be prepared by the Secretary and a copy thereof shall be made available for the use of every member.

(2) Save as otherwise provided in these rules, business not included in the list of business for the day shall not be transacted at any sitting without the leave of the Speaker.

(3) Unless the Speaker otherwise directs, no business requiring notice shall be set down in the list of business for a day before the period of required notice has expired.

23. *Allotment of time for private member's business*—(1) Private members business shall be taken up on each Friday from 2 p.m. to 5 p.m. and unless the Speaker otherwise directs, it shall have precedence over official business.

(2) Where the Speaker has under sub-rule (1) directed otherwise as aforesaid, he may, in consultation with the Leader of the House, appoint any other day in any week for the transaction of private member's business.

24. *Arrangement of Government Business*—On days other than those allotted for the business of private members no business other than Government business shall be transacted without the consent of the Speaker. The Principal Secretary shall arrange the business in such order as the Speaker may, in consultation with the leader of the House, decide:

Provided that the Speaker may, in consultation with the Leader of the House, alter or amend the order of the business.

25. *Private Members' Business outstanding at the end of the day*—Private members' business set down for the day allotted therefor and not taken up on that day shall not be set down for any subsequent day unless fresh notice thereof is received and it has gained priority at the ballot held with reference to that day:

Provided that any business which is under discussion at the end of that day shall be set down for the next day allotted for non-official business, and shall have precedence over all other business set down for that day.

CHAPTER VII—QUESTIONS

26. *Subject-Matter of Questions*—A question must relate to a matter of administration for which the Government is responsible. Its purpose shall be the eliciting of information or the suggestion of action on a matter of public importance.

27. *Classification of Questions*—The question shall be classified as follows:

- (a) Short notice questions;
- (b) Starred questions; and
- (c) Unstarred questions.

Explanation I—Short notice question means a question relating to matter of urgent public importance. It shall be distinguished by placing two asterisks. Supplementary questions arising out of the answer given can be put thereon with the permission of the Speaker.

Explanation II—Starred question means a question on which supplementary questions arising out of the answer given can be put with the permission of the Speaker. It shall be distinguished by placing one asterisk.

Explanation III—Unstarred question means a question of which a written reply may be given to the member concerned and on which no supplementary question is permissible.

28. *Form and Contents of Questions*—No question may be asked which does not satisfy the following conditions, namely:

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

(2) If it contains a statement by the member, the member asking it shall himself be responsible for the accuracy of the statement.

(3) It shall not be excessively lengthy nor contain arguments, inferences, ironical or offensive expressions or defamatory statements.

(4) It shall not be asked for an expression of opinion or for the solution of a legal question, or a hypothetical proposition.

(5) It shall not refer to the character or conduct of any person except in his official or public capacity, nor relate to individual cases, unless a matter of principle is involved.

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

(7) It shall not ask for information which is available in accessible documents or in ordinary works of reference.

(8) 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.

(9) It shall not refer to the conduct of any Judge or a Court of law having jurisdiction in any part of India in relation to his or its judicial functions.

(10) It shall not make or imply a charge of a personal character.

(11) It shall not ask for information on matters of limited importance or on vague or meaningless matters, nor information of too many details.

(12) 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 relationship with the Government or relate to breaches of law on rules or to important matters of public interest.

(13) It shall not refer to debates in the current Session.

(14) It shall not criticize decisions of either House.

(15) It shall not seek information about matters, which in their nature are secret, such as, decision on proceedings of the Council of Ministers, advice given to the Governor by Law Officers and other similar subjects.

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

(17) It shall not relate to a statement made by a private individual or a non-official body.

(18) It shall not reflect on the Character or conduct of those persons whose conduct may only be Challenged on a substantive motion.

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

(20) It shall not enquire 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 matters, but may refer to matters concerned with procedure or scope or stage of inquiry, if it is not likely to prejudice the consideration of the matter by the Tribunal, statutory authority, Commission or Court of Enquiry.

"29-Short Notice questions-(1) Whenever a member desires to ask a short notice question he shall, after the session is summoned, give three clear days notice of such a question in writing to the Principal Secretary and the Principal Secretary will ordinarily obtain the orders of the Speaker regarding the admissibility of the question as a short notice question, as far as possible within 24 hours of its receipt."

(2) After the orders of the Speaker have been obtained a copy of the question shall be sent to the Minister concerned requesting him to inform the Secretary whether he is in a position to answer the question as short notice question.

(3) If the Minister agrees to answer it at short notice, it shall be placed immediately on the Agenda or so soon thereafter as the Speaker may direct:

Provided that not more than two short notice questions shall be placed in the Agenda for any one day.

(4) If the Minister concerned is not in a position to answer it at short notice and the Speaker is of the opinion that it is of sufficient public importance, he may direct that it may be given priority on the list of questions for the day on which, according to rules, it would be due for answer as a starred question and be placed in a separate annexure:

Provided that the number of such priority given questions on the Agenda for the day shall not exceed three and not more than one question of any one member shall be placed therein.

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

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 the members concerned may be bracked and shown against the question in the order of priority of their notices.

30. *Notice of starred and unstarred Question*—(1) Not less than 20 clear days' notice of starred and unstarred questions shall be given in writing by the member to the Principal Secretary.

(2) Such question shall ordinarily be forwarded to the Government by the Principal Secretary within five days :

Provided that unless the Speaker otherwise decides, no question shall be placed on the list of questions for answer until the expiration of 15 days from the date of the notice of such question to the Minister or the department concerned :

Provided further that if the Speaker is of opinion that a longer period is necessary to decide about the admissibility, or non admissibility of a question, the question shall be placed on the list of questions for answer at a day later than it should have been fixed under the rules.

(3) The provisions of sub-rule (5) of rule 29 shall also apply in the case of notices of starred and unstarred questions.

31. *Time for questions*—Unless the Speaker directs otherwise, the first one hour and twenty minutes of every sitting shall be available for asking and answering of questions during which—

(1) short notice questions shall be taken up first ;

(2) thereafter, questions given priority under rule 29 (4) shall be taken up ;

(3) then starred questions shall be taken up ; and

(4) unstarred questions shall be deemed to have been taken up in the last.

32. *Copies of written answers to be made available to the Member and disposal of Question-Answer in the House*—(1) A copy of written answers to questions shall be made available to the member concerned one day before the commencement of the sitting for the day fixed for answer of the questions.

(2) The answers to short notice questions and starred questions shall be read out by the Minister concerned and answers to all such unstarred questions included in the Agenda, which have not been postponed, shall be deemed to have been laid on the table of the House and such unstarred questions and their written answers shall be published as part of the proceedings for the day.

33. *Limitation on number of questions*—(1) A member may give notice of only five questions in a day including short notice questions, starred questions and unstarred questions. In case any member gives notice of more than five questions on any day his first five notices may be taken up and rest of the notices shall be deemed rejected.

(2) Not more than twenty questions distinguished by asterisks mark shall be placed on the list of questions for oral answer on any one day and not more than one starred question of any one member shall be placed on the list. Starred questions if the members in excess of one fixed for any one day, shall be placed on the list of unstarred questions :

Provided that the total number of unstarred questions fixed for any one shall not ordinarily exceed 200.

34. *Allotment of Days for Oral Answers to Questions*—The time available for answering questions shall be allotted on different days in rotation for the answering of questions relating to Minister or Ministers concerned in such manner, as the Speaker may, from time to time, provide. On each such day, unless the Speaker with the consent of the Minister concerned otherwise directs, only questions relating to the Minister or Ministers, for whom time on that day has been allotted, shall be placed on the list of questions for answer. This rule shall not apply to short notice questions.

35. *Postponement of Question due to Absence of Minister*— In the event of the absence of the Minister concerned on account of special or unexpected circumstances, the speaker, on a request being made in that behalf, may postpone the question to any future day.

36. *Mode of asking Questions*—During the question hour the speaker shall call successively each member in whose name a question is listed with due regard to priority of questions or in any other manner as the speaker may in his discretion decide and such member when so called shall stand in his seat to indicate his presence. If the member called is absent the Speaker shall pass on to the next question.

37. *Mode of giving notice of Questions*—The questions shall be addressed to the Minister of the department concerned and notice thereof shall be given to the Secretary in writing.

Explanation—Questions received on a day shall be treated as of the same date irrespective of the fact that the questioner may have put different dates on them.

38. *Manner of answering Questions*—(1) Answer to questions shall be relevant to the subject-matter of questions and may take the form of laying statements on the Table of the Assembly if so decided by the Speaker.

(2) A question shall be replied on the date on which it is listed. If the information required by the member is not available, the Minister shall state the position accordingly, and the Speaker may allow such further time as he may under the circumstances deem proper and fix a date for the answer.

(3) If the Minister is of opinion that the information required by a member cannot be given in public interest he will say so. The refusal of a Minister to supply the information on this ground cannot be raised as a matter of privilege nor can a motion for adjournment of the House be brought on this ground.

39. *Questions of Absent Members*—When all the questions for which an oral answer is desired have been called, the Speaker may, if time permits, call again any question which has not been asked by reasons of the absence of the member in whose name it stands, and may also permit a member to ask a question standing in the name of another member of so authorized by him or if any other member is interested in that question.

40. *Withdrawal or Postponement of Questions*—A Member may, with the consent of the Speaker, by notice, given at any time before the sitting for which his question has been placed on the list, withdraw his question, or make a request to postpone it to a later day to be specified in the notice, and the question fixed for such later day subject to the provisions of rule 34, shall be placed on the list after the questions tabled for that day.

41. *Written answers to questions not replied orally*—If a short notice or starred question fixed for reply on any date is not taken up in the House on the said date for any reason whatsoever, it shall be deemed to have been answered and the written answers to all such questions shall be published as part of the proceedings of the day.

42. *Supplementary Questions*—(1) No discussion shall be permitted during the time for questions under rule 31 in respect of any question or answer.

(2) A member may, with the permission of the Speaker, put a supplementary question for the purpose of further elucidating the facts relating to the matter under question :

Provided that the Speaker shall disallow any supplementary question if, in his opinion, it infringes the rules regarding questions.

43. *Questions to the Speaker*—Questions to the Speaker shall be by private notice. Such questions may either be answered by a written reply or in his chamber.

44. *Questions to Private Members*—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, so far as may be, be the same as is followed in the case of questions addressed to a Minister with such variations as the Speaker may consider necessary or convenient.

45. *Speaker to decide Admissibility of Questions*—The Speaker shall decide on the admissibility of a question and may disallow any question or a part thereof which, in his opinion, contravenes these rules or is an abuse of the right of asking questions. The Speaker shall inform the member concerned in brief the reasons for disallowing the question. He may amend a question to bring it into conformity with the rules or may return a question for improvement.

46. *Power of the Speaker to change Class of a Question*—The Speaker may convert a short notice question into a starred or unstarred question and a starred question into an unstarred question :

Provided that the Speaker may, if he thinks, fit, call upon the member who has given notice of a starred question to state in brief his reasons for so classifying his question and, after considering the same, may direct that the question be so classified.

47. (1) *List of Questions for the Day*—Out of the questions admitted by the Speaker, one starred question of each of the first 20 members in order of their receipt shall be entered in the list of questions for the allotted day and shall be called in the order in which they stand in the list. The remaining starred questions allotted for the said day shall be entered in the list of unstarred questions.

(2) The Principal Secretary shall prepare a provisional list of questions fixed for each working day and shall send ordinarily a week before that date, its copies to all members. In case the House is sitting on that day, he shall, instead of despatching copies to the members, place them on the desks of the members.

48. *Questions and Answers to be entered in Proceedings of the Assembly*—All questions asked and answers given shall be entered in the proceedings of the Assembly :

Provided that a question which has been disallowed may not be so entered.

49. *Discussion on Matters arising out of Questions and Answers*—(1) The Speaker may allot half an hour for discussion on a matter of sufficient public importance which has been the subject of a question and answer in the House recently.

(2) Unless the Speaker directs otherwise, the allotment shall ordinarily be made during the sitting of the House on a Tuesday or Thursday after the termination of its usual business.

(3) A member wishing to raise such a matter shall give notice in writing to the Principal Secretary three days in advance of the day on which the matter is desired to be raised and shall briefly specify the matter or matters that he wishes to raise :

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

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

(4) If necessary, two notices may be taken up at one sitting. If more than two notices have been received and admitted by the Speaker, the Speaker shall decide which two of them are to be taken up :

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 Speaker otherwise directs.

(5) There shall be no formal motion before the House nor voting. The member who has given notice will introduce the subject in a brief statement. The Minister concerned will reply briefly. The Speaker may then permit other members to put questions for the purpose of further elucidating any matter of fact. The member introducing the subject may be permitted to speak a second time to make a reply and the discussion will end with the final remarks of the Minister concerned.

50. *Prohibition of Publicity of Questions and Answers in Advance*—Questions of which notice has been given by members and answers to questions which Minister purposes to give in the House shall not be released for publication until the questions are taken up and answers are given on the floor of the House or laid on the Table.

**CHAPTER VIII—CALLING ATTENTION TO MATTERS OF
URGENT PUBLIC IMPORTANCE**

51. *Calling Attention to Matters of Urgent Public Importance*—(1) A member may give notice for calling the attention of a Minister to a matter of urgent public importance to the Secretary one hour before the commencement of the sitting. Such a notice shall be in duplicate. The Principal Secretary shall send one copy of the notice to the Minister concerned for information.

(2) On any such notice being admitted the Minister concerned may make his brief statement on the matter given notice of on the same day or may ask for time to make his statement on any future day. In the case of a written statement one copy thereof shall also be given to the member concerned.

(3) There shall be no debate on such a statement but the Speaker may, if he deems fit, permit questions for elucidating facts relating to the matter given notice of.

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

(5) In the event of more than one notice being given for the same day, that notice which, in the opinion of the Speaker, is most urgent and importance shall be admitted.

**CHAPTER IX—SHORT DISCUSSION ON MATTERS OF
URGENT PUBLIC IMPORTANCE**

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

Provided that the notice shall be accompanied by an explanatory note stating reasons for raising a discussion on the matter.

And the notice shall be supported by the signatures of at-least two other members.

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

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

54. *No Formal Motion*—There shall be no formal motion before the House not voting. The member who has given notice may make a short statement and the Minister shall reply briefly. Any other member may be permitted to take part in the discussion. The member introducing the subject may be permitted to speak a second time to take a reply and the discussion will end with the final remarks of the Minister concerned.

55. *Time-limit for Speeches*—The Speaker may, if he thinks fit prescribe a time-limit for speeches.

**CHAPTER X—MOTION FOR ADJOURNMENT ON A
MATTER OF URGENT PUBLIC IMPORTANCE**

56. *Method of giving Notice*—Notice of an adjournment motion shall be given to the Principal Secretary in duplicate at least one hour before the commencement of the sitting on the day on which the motion is proposed to be made. The Principal Secretary shall send one copy of the notice to the Minister concerned.

57. *Speakers Consent necessary to make Motion*—Subject to the provisions of these rules, a motion for an adjournment of the business of the House for the purpose of discussing a definite matter of urgent public importance may be made with the consent of the Speaker.

58. *Restrictions on Right to make Motion*—The adjournment motion shall be subject to the following restrictions, namely:—

(1) not more than one motion shall be made at the same sitting.

(2) not more than one matter shall be discussed on the same motion;

(3) the motion shall be restricted to a specific matter of recent occurrence;

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

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

(6) the motion shall not anticipate a matter which has been previously fixed for consideration, but the Speaker, in disallowing the motion on this ground, shall take into consideration that the discussion of the matter anticipated is likely to be taken up in the House within a reasonable time; and

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

59. *Motion for discussion on Matters before Tribunals, Commissions, etc.*—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 Inquiry appointed to inquire into or investigate a 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 scope, or stage of inquiry if the Speaker is satisfied that it is not likely to prejudice the consideration of such matter by the tribunal, statutory authority, Commission, or Court of Inquiry.

60. *Mode of asking for leave to Move Adjournment Motion*—(1) If the Speaker holds that the matter proposed is in order and gives his consent under rule 57, he shall call the member concerned who shall rise in his place and ask for leave to move for the adjournment of the House.

(2) If objection to leave being granted it 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 one-twelfth of the total number of members of the House for the time being rise accordingly, the Speaker shall intimate that leave is granted. If less than the required number of members rise, the Speaker shall inform the member that he has not leave of the House.

61. *Time for taking up Motion*—If leave to make such a motion is granted, the motion shall be taken up an hour before the time fixed for the usual termination of the business of the day, or if the Speaker so directs, at any earlier hour at which the business of the day may terminate.

62. *Limitation of Time of Discussion*—(1) The debate on a motion to discuss a definite matter of urgent public importance if not earlier concluded, shall automatically terminate on the expiration of two hours from the time when the discussion began and thereafter no question shall be put.

(2) The Speaker shall prescribe a time limit for speeches: Provided that no speech shall exceed 15 minutes in duration.

**CHAPTER XI—QUESTIONS INVOLVING BREACH OF
PRIVILEGE AND CONTEMPT**

63. *Raising a question of breach of privilege or contempt*—A question involving a breach of privilege or contempt either of a member or of the House or of a Committee thereof may, with the consent of the Speaker, be raised by—

- (i) a complaint from a member;
- (ii) a report from the Principal Secretary;
- (iii) a petition; or
- (iv) a report from a Committee:

Provided that if the breach of privilege or contempt is committed in the view of the House, the House may with the consent of the Speaker take action without any complaint.

64. *Complaint by members*—A member wishing to raise such a question shall give notice in writing to the Principal Secretary. If the complaint is founded upon a document, the original or a copy thereof shall accompany the notice.

If a complaint is against any member of the House, such a notice shall be in duplicate a copy which shall be sent to the member concerned.

65. *Conditions of Admissibility*—(1) Admissibility of such question shall be governed by the following conditions—

- (a) the question is restricted to a definite matter of recent occurrence;
- (b) the subject-matter of the notice shows *prima facie* a question of breach of privilege or contempt; and
- (c) the matter requires the intervention of the House:

Provided that if the complaint is against a member, the Speaker, before giving his consent and determining its admissibility, shall hear him after giving an opportunity to inspect the concerned documents, if any, and if need be, may also hear the complainant.

(2) Not more than one question shall be raised at any one sitting.

66. *Presentation of complaint*—If in the opinion of the Speaker, the notice of breach of privilege or contempt is fit for giving consent and is admissible under these rules, he may refer that matter to the Committee on Privileges for examination, investigation and report and acquaint the House about it. If in the opinion of the Speaker, the notice is inadmissible, he shall inform the House about its rejection:

Provided that if the Speaker deems it necessary, he may hear the member concerned and other members before giving his decision.

67. *Consideration of question of Breach of privilege or Contempt by the House*—If the Speaker is of opinion that the matter given notice of is such as can be disposed of by the House without being referred to the Committee on Privileges, it will be permissible to move that the question be taken up for consideration forthwith or at some future date:

Provided that if the notice is received by a report from the Secretary or a Committee or by a petition, copies of the report or petition shall, if the Speaker considers it necessary, be printed and distributed amongst the members before the consideration of the matter by the House.

68. *Disposal of a complaint before the House*— (1) If it is decided to bring a complaint against a member before the House for disposal, the said member shall be given notice and an opportunity to be heard in explanation and exculpation and to inspect and to produce relevant document or documents.

(2) The member complained against shall attend the House on the day to fixed and if he is unable to attend, he shall intimate to the Speaker his reasons for non-attendance, and the House, in view of the reasons given, may postpone the consideration of the matter. If, however, the House is of the opinion that there are no valid reasons for absence or the member has wilfully absented himself, it may proceed with the consideration of the matter in his absence. In case member is absent and has failed to intimate the reasons for his absence due to unavoidable circumstances, the House may reopen the question at his request.

(3) the member complained against after attending the House and giving his explanation shall withdraw from the House, and shall not enter the House as long as the matter is under consideration of the House. The House may, however, allow him to hear the proceedings or recall him for purposes of giving a further explanation or for tendering an apology.

(4) The procedure provided in this rule shall *mutatis mutandis* apply to those persons also who are not members.

69. *Motion after presentation of the report*— After presentation of its report the chairman of the Committee on Privilege or any member thereof or any member of the House may make a motion that the report of the Committee be taken into consideration forthwith or at some future time within which the report may be printed and copies supplied to members.

70. *Substantive motion*—When the House agrees to the motion—

(i) that the question of breach of privilege or contempt, committed in the view of the House, be considered ; or

(ii) that the matter be taken up for consideration forthwith under rule 67; or

(iii) that the report of the Committee on Privileges be considered under rule 69—

any member may move a substantive motion confirming the Commission of the breach of privilege or contempt, or the report, as the case may be, and also suggesting the action to be taken by the House thereon, and any other member may move an amendment to the said motion.

71. *Opportunity to Person charged*— Except where the breach of privilege or contempt has been committed in the view of the House, the House shall before passing any sentence give an opportunity to the person charged to be heard in explanation or exculpation of the offence against him :

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

72. *Summoning the Party Charged*—The Speaker may summon the person charged by notice or warrant of arrest to appear before the House at any stage of the proceedings.

73. *Punishment*—(1) The House, on its own or on the recommendation of the Committee on Privileges may inflict the following punishments—

- (1) admonition;
- (2) reprimand;
- (3) suspension of member;
- (4) fine;
- (5) expulsion of member ;
- (6) imprisonment, the term whereof is at the pleasure of the House but cannot extend beyond prorogation or dissolution; and
- (7) any other punishment which the House may deem proper and fit subject to the provisions of Article 194.

(2) The members suspended from the service of the House shall stand debarred from entering into the precincts of the House and from taking part in the proceedings of the House and the committees, but the Speaker may, on a request being made to that effect, allow a suspended member to enter into the precincts of the House for any particular purpose.

(3) The House may, on a motion being, made, order, that any punishment of suspension or the unfinished part thereof may be recinded.

(4) If any person is punished with fine under clause (4) of rule 73(1), the amount of fine shall be recovered as arrears of land revenue payable to the State Government and certificate of recovery may be issued to the concerned District Magistrate by the signature of Principal Secretary.

74. *Groundless Complaint*—In case the House finds a charges of breach of privilege or contempt groundless, it may order the payment by the complainant of an amount not exceeding Rs. 500 as costs to the party charged.

75. *Execution of orders of the House*—The Speaker or many other person authorised by him in this behalf shall have the power to execute all the orders passed and sentences inflicted by the House.

76. *Brevity of Debate*—The debate at all stages on questions involving breach of privilege or contempt shall be brief.

77. *Regulation of Procedure*—The Speaker may issue such directions as may be necessary for regulating the procedure in matters connected with the consideration of the question of privilege or contempt either in the Committee or in the House.

78. *Power of Speaker to refer Question of privilege or Contempt to Committee*—Notwithstanding anything contained in these rules the Speaker may refer any question of privilege or Contempt to the Committee on privilege for examination, investigation or report, and acquaint the House about it.

79. *Procedure on question of Breach of Privilege or Contempt of a House by a Member, Officer or Servant of any other House*—If a member, officer or servant of the other House or any other Legislature in India is involved in a case of contempt or an alleged breach of privilege of this House, the Speaker shall refer the matter to the Presiding Officer of that House, unless on bearing the member who raised the question or purusing any document, where the complaint is based on document, the Speaker is satisfied that no breach of privilege has been committed or the matter is too trivial to be taken notice of, in which case he may disallow the motion for breach of privilege. When a case of contempt or an alleged breach of privilege of the other House or any other Legislature in India, in which a member, officer or servant of this House is involved, is referred to the House by the Presiding Officer of the House of which contempt has been committed, the Speaker

shall deal with that matter in the same way as if it were a case of breach of privilege of this House and communicate to the Presiding Officer who made the reference, a report about the inquiry and the action taken on the reference received.

**INTIMATION TO SPEAKER OF ARREST,
DETENTION ETC. AND RELEASE OF A MEMBER**

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

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

82. *Treatment of communications received from Magistrate*—As soon as may be, the Speaker shall, after he has received a communication referred to in rule 80 or rule 81 which may also be sent by wireless message, teleprinter or telegram, read it out in the House if it is sitting, or if the House is not sitting, direct that the members be informed of the same:

Provided that if the intimating of the release of a member either on bail or otherwise is received before the House has been informed of the original imprisonment, the fact of his arrest or imprisonment and his subsequent release may, in the discretion of the Speaker, not be intimated to the House by him.

**PROCEDURE REGARDING SERVICE OF A LEGAL
PROCESS AND ARREST WITHIN THE PRECINCTS OF
THE HOUSE**

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

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

CHAPTER XII—RESOLUTIONS

85. *Notice of resolution by Private members*—A private member who wishes to move a resolution shall give not less than fifteen day's notice to the Secretary of his intention and shall together with the notice, submit a copy of the resolution which he wishes to move.

86. *Notice of Resolution by government*—If a Minister desires to move a resolution he shall give seven day's notice and shall along with it supply a copy of the resolution to the Secretary, who shall have its copies sent to members ordinarily within forty-eight hours of its receipt:

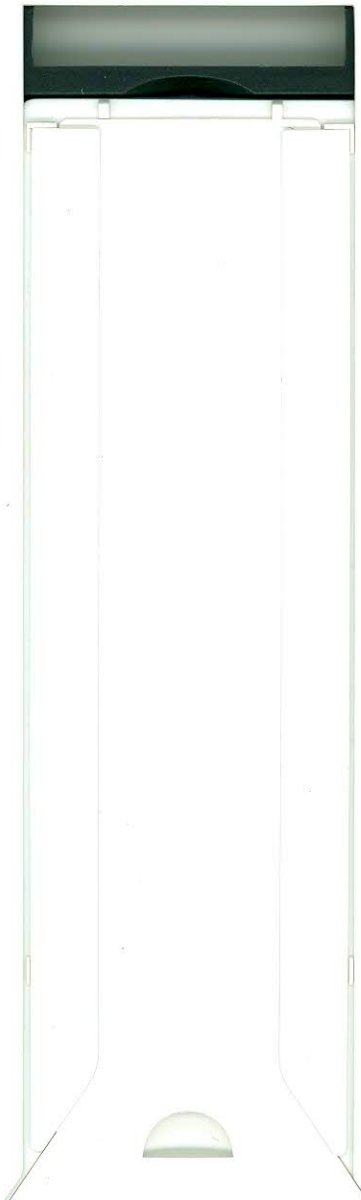
Provided that the Speaker may allow a shorter notice.

87. *Subject-Matter of resolution*—Subject to the provisions of these rule, any member or Minister may move a resolution relating to any matter of general public interest.

88. *Form of Resolution*—A resolution may be in the form of a declaration of opinion, or recommendation or may be in the form so as to record either approval or disapproval by the House of an act or policy of government, or convey a message or command, urge or request an action, or call attention to a matter or situation for consideration by Government, or in such other form as the Speaker may consider appropriate.

89. *Conditions of Admissibility of Resolutions*—In order that a resolution may be admissible, it shall satisfy the following conditions, namely—

- (1) it shall be clearly and precisely expressed;
- (2) it shall raise substantially only one definite issue;
- (3) it shall not contain arguments, inferences, ironical expressions, imputations or defamatory statements;
- (4) it shall not refer to the conduct or character of persons except in their official or public capacity, and
- (5) it shall not relate to any matter which is under adjudication by a court of Law having jurisdiction in any part of India.



90. *Raising Discussion on Matters before tribunals or other Statutory Authorities*—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 Inquiry appointed to inquire into or investigate any matter, shall be permitted to be moved:

Provided that the Speaker may in his discretion allow such matter to be raised in the House as is concerned with the procedure or subject or stage of inquiry, if the Speaker is satisfied that it is not likely to prejudice the consideration of such matter by the Tribunal or Commission or Court of Inquiry.

91. *Admissibility of Resolutions*—The Speaker shall decide on the admissibility of a resolution and may, in his discretion amend the form of a resolution so as to bring it into conformity with the rules. He may disallow any resolution or part thereof which does not comply with the rules or is an abuse of the right of moving a resolution or is otherwise calculated to obstruct or prejudicially affect the procedure of the House.

92. *Sending copy of private member's resolution to Government*—If a private member's resolution has obtained a place in the ballot and has been admitted by the Speaker a copy thereof shall be sent to Government ordinarily twelve days before the date fixed for its discussion.

93. *Moving and withdrawal of resolutions*—(1) A member in whose name a resolution appears on the list of business or any other member whom he may have authorized to act on his behalf may, when called upon, either move the resolution, in which case he shall commence his speech by a formal motion in the terms appearing on the list of business, or decline to move the resolution, in which case he shall confine himself to a mere statement to that effect:

Provided that the Speaker in his discretion may allow the member to make a brief statement as to why he does not propose to move the resolution.

(2) If the member when called upon is absent and no other member has been authorized to act on his behalf under sub-rule (1) the resolution standing in his name shall lapse.

94. *Amendments*—When a resolution is under discussion any member may, subject to the rules relating to resolutions move an amendment to such resolution.

95. *Notice of Amendments*—(1) If a copy of an amendment has not been delivered to the Secretary thirty-six hours 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 allows the amendment to be moved.

(2) The Secretary shall, if time permits, make available to members from time to time lists of amendments of which notices have been given.

96. *Duration of Speeches*—No speech shall, except with the permission of the Speaker, exceed fifteen minutes in duration:

Provided that the mover of a resolution when moving the same and the Minister-in-charge of the department concerned when speaking for the first time speak for twenty-five minutes for such longer time as the Speaker may permit.

97. *Withdrawal of resolution*—(1) A member who has moved a resolution or an amendment to a resolution, shall not withdraw the same except by leave of the House.

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

98. *Resolution not discussed*—If a resolution of which notice has been given and which has been entered on the list of business is not discussed during the sitting, it shall be deemed to have lapsed.

99. *Splitting of Resolution*—When any resolution involving several questions has been discussed, it shall be in the discretion of the Speaker to split the resolution and put each or any part thereof separately to the vote as he may think fit.

100. *Repetition of resolution*—Save as otherwise provided, where any resolution is pending or has been disposed of, no resolution or amendment raising substantially the same issue or question, as was involved in the earlier resolution, shall be moved during the pendency or as the case may be, within six months from the date of disposal of such a resolution.

101. *Copy of Resolution passed to be sent to Minister*—A copy of every resolution which has been passed by the House shall be forwarded to the Minister concerned.

102. *Precedence of Private Member's resolution*—(1) The relative precedence of notices of resolution given by private members shall be determined by ballot, to be held in accordance with the directions given by the Speaker, on such day as the Speaker may appoint.

(2) Unless the Speaker otherwise directs, not more than five resolutions in addition to any resolution which is outstanding under the proviso to rule 25, shall be set down in the list of business for any day allotted for the disposal of private member's resolutions.

CHAPTER XIII—MOTIONS

103. *Discussion on a matter of public Interest by Motion*—Save in so far as is otherwise provided by the Constitution or by these rules, no discussion of a matter of public interest shall take place except on a motion made with the consent of the Speaker.

104. *Notice of a Motion*—Save as provided by rule 110 notice of a motion shall be given in writing addressed to the Secretary.

105. *Condition of Admissibility of a Motion*—In order that a motion may be admissible it shall satisfy the following conditions, namely, that—

- (i) it shall raise substantially only one definite issue;
- (ii) it shall not contain arguments, inferences, ironical expressions, imputations or defamatory statement;
- (iii) it shall not refer to the conduct or character of persons except in their public capacity;
- (iv) it shall not raise discussion of matter which has been discussed in the same session or within the preceding six months, whichever is earlier;
- (v) it shall not anticipate a matter which is to be discussed in the same session; and
- (vi) it shall not relate to any matter which is under adjudication by a Court of Law having jurisdiction in any part of India.

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

107. *Motion for raising discussion on matter before tribunals, commissions, etc.*—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 Inquiry appointed to inquire into or investigate any matter shall be permitted to be moved:

Provided that the Speaker may in his direction, allow such matter to be raised in the House as is concerned with the procedure or scope or stage of inquiry, if the Speaker is satisfied that it is not likely to prejudice the consideration of such matter by the Tribunal statutory authority, Commission or Court of Inquiry.

108. *Allotment of time and discussion of motions*—The Speaker may after considering the state of business in the House, allot a day or days or part of a day for discussion of any such motion.

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

110. *Motions without Notice*—The following motions may be made, if the Speaker permits, without notice—

- (i) motion for condolence or congratulation,
- (ii) motion for adjournment of a sitting,
- (iii) motion for the withdrawal of strangers,
- (iv) motion for electing members to committees,
- (v) motion for the withdrawal of a Bill, a resolution or a motion or amendments thereto.
- (vi) motion for postponement of any business,
- (vii) motion for closure of debate,
- (viii) motion for suspension of a rule,
- (ix) motion to extend duration of a sitting,
- (x) motion of thanks on Governor's address.

111. *Repetition of motion*—Save as otherwise provided, where any motion is pending or has been disposed of no motion or amendment raising substantially the same issue or question as was involved in the earlier motion shall be moved during the pendency or, as the case may be, within six months from the date of disposal of such a motion:

Provided that nothing herein contained shall, unless the Speaker otherwise directs, be deemed to prevent the making of any of the following motions, namely—

- (a) a motion for the taking into consideration or the reference to a Select Committee or a Joint Select Committee of a Bill where an amendment has been carried to a previous motion of the same kind to the effect that the Bill be circulated or re-circulated for obtaining opinion thereon;

(b) a motion, made after return of a Bill by the Governor for reconsideration of the Assembly, for an amendment relevant to the matter or matters referred for reconsideration;

(c) a motion for the amendment of a Bill which is consequent on or designed merely to alter the drafting of another amendment which has been carried.

Act. 204

112. *Motion for postponement of Business*—(1) A motion that consideration of a Bill, other than an Appropriation Bill under Article 204, which has been introduced, or of a motion other than a motion for adjournment, or of a resolution, be postponed to any future day available for such business in the same session or to any future session *sine die*, may be made by any member at any time, and such motion shall take precedence on any other motion then before the Assembly. The Speaker after permitting a brief explanatory statement from the mover and from the member opposing, if the motion is opposed, may without further debate, put the question thereon.

(2) If a motion for the postponement of private member's business to a specified day is carried the adjourned business shall have priority over the private member's business fixed for that day.

(3) The Speaker may disallow such motion for the postponement of business if, in his opinion, it has been made for the purpose of obstructing the business of the Assembly or for securing the adjournment of the sitting.

113. *Closure*—(1) 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 these rules or an infringement of the right of reasonable debate, the Speaker shall then put the motion—

"That the question be now put."

(2) When the motion under sub-rule (1) has been carried, the question or questions consequent thereon shall be put forthwith without further debate.

Provided that the Speaker shall allow any member a right of reply which he may have under these rule.

CHAPTER XIV-LEGISLATION**(A) Introduction and Publication of Bills**

114. *Speaker's power of Publication of Bills before introduction*-The Speaker may, on a request being made this behalf, order the publication of any Government Bill (Together with the Statement of Objects and Reasons and memoranda regarding delegation of legislative power and the financial implications, if any, accompanying it and the previous sanction of the President or the recommendation of the Governor, if necessary) in the Gazette, although no motion has been made for leave to introduce the Bill. In that case it shall not be necessary to move for leave to introduce the Bill and, if the bill is afterwards introduced, it shall not be necessary to publish it again.

Provided that ordinarily no Bill may be so published in the *Gazette* when the House is in session.

115. *Notice of Motion for leave to introduce a Bill by a Private Member*- (1) A private Member desiring to move for leave to introduce a Bill shall give notice of his intention and shall together with the notice submit a copy of the Bill and a Statement of objects and Reasons which shall not contain any arguments:

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

(2) If notice is given for introducing such a bill as in the opinion of the Speaker, cannot be introduced save with the previous sanction of the President or the recommendation of the Governor, the Speaker shall, as soon as may be after the receipt of the notice, refer the Bill to the President or the Governor, as the case may be.

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

116. *Introduction of a Bill dependent on another Bill pending before the House*-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 upon which it is dependent:

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

117. *Notice of an identical Bill*-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.

118. *Financial Memorandum to Bill and Money Clauses in Bills-(1)*. A Bill involving expenditure shall be accompanied by a financial memorandum which shall invite particular attention to 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 fund shall be printed in bolder type or in *italics*:

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

119. *Explanatory memorandum/to Bills delegating legislative power*-A Bill involving proposals for the delegation of legislative power shall further be accompanied by a memorandum explaining the scope of such proposals.

120. *Statement in connection with Ordinances-(1)* Whenever an Ordinance is promulgated, a Statement explaining the circumstances which necessitated immediate legislation by Ordinance shall be laid on the table together with a copy of the Ordinance at the commencement of the Session or the sitting, as the case may be, following the promulgation of the Ordinance.

(2) Thereupon any member may, after giving three days' notice, move a resolution disapproving the Ordinance, and if it is passed it shall be transmitted to the Council for its concurrence.

(3) Whenever a Bill seeking to replace an Ordinance with modification is introduced in the House, there shall be placed before the House along with the Bill also a Statement explaining the circumstances which necessitated such modification.

121. *Precedence of Private Members' Bill*-(1) the relative precedence of notices of bill given by private members shall be determined by ballot to be held in accordance with the directions given by the Speaker on such day being not less than fifteen days before the day in respect of which the ballot is held, as the Speaker may appoint.

(2) the relative precedence of the Private Member Bills Pending in the House shall be determined in the following order :-

Article 200
and 201

(a) Bills returned by the Governor with messages under Article 200 and 201;

(b) Bills in respect of which motions for their passing have been made;

(c) Bills passed by the Assembly and returned by the Council with amendments;

(d) Bills passed by the Council and transmitted to the Assembly;

(e) Bills in respect of which motions have been carried that they be taken into, consideration;

(f) Bills in respect of which reports of Select Committees have been presented;

(g) Bills which have been circulated for the purpose of eliciting opinions;

(h) *Bill introduced and in respect of which no further motion has been made or carried;*

(i) other Bills.

(3) The relative precedence of Bills falling under the same Clause of sub-rule (2) shall be determined by ballot to be held at such time and in such manner as the Speaker may direct.

(4) The Speaker may by a special order to be announced in the Assembly, make such alteration in the relative precedence of the Bills set out in sub-rule (2) as he may consider necessary and convenient.

122. *Copy of private member's bill to Minister-* Whenever a private member of the Assembly gives notice of his intention to move for leave to introduce a Bill and if it obtains a place in the ballot the Secretary shall as soon as possible, send a copy thereof together with the Statement of Objects and Reasons to the Minister Concerned.

123. *Motion for leave to introduce-*(1) Subject to rule 114, leave of the House shall be obtained, before introducing any Bill, by a motion in that behalf, provided that, unless the Speaker other wise directs, no, such motion shall be made until copies of the Bill have been made available to the members on the date preceding the day on which the motion is made.

(2) If such a motion is opposed, the Speaker after permitting, if he thinks fit, a brief explanatory statement from the member who moved the motion and the member who, opposes the motion, may, without further debate, put the question:

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

124. *Introduction of a Bill-*After the completion of the procedure set out in rule 114 or rule 123, as the case may be, the Bill shall be introduced by the "member incharge" of the Bill.

125. *Power to ask for papers connected with a Bill-*After a Bill has been introduced, any member may demand that copies of papers, if any, on which the Bill is based and which are not confidential, be placed on the table of the House.

126. *Publication of Bills -*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.

127. *Copy of Bill to the Governor and the President-*A copy of every Bill introduced in the Assembly shall, immediately after its introduction, be forwarded by the Secretary to the Governor and the President for their information.

(B) Motions after Introduction

128. *Motion after introduction*-After a Bill is introduced, or on some subsequent occasion, the member in charge of the Bill may make one of the following motions, namely:-

(a) that it be taken into consideration either at once or at some future day to be then specified; or

(b) that it be referred to a select Committee of the House with such instructions as may be considered necessary; or

(c) that it be referred to a joint Select Committee with such instructions as may be considered necessary; or

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

Provided that no motion for reference under sub-rule (c) shall be made in respect of a Bill making provision for any of the matters specified in sub-clauses (a) to (f) of clause (1) of Article 199:

Article 199

Provided further that no such motion shall be made unless copies of the Bill have been made available to the members three days before that day on which the motion is made and any objection by a member shall prevail unless the Speaker allows the motion to be made.

129. *Discussion on principles of Bills*-(1) On the day on which any motion referred to in rule 128 is made, or on any subsequent day to which the discussion is postponed, the principles 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 principles.

(2) At this stage no amendment's 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 a Joint Select Committee with such instructions as may be considered necessary or be circulated for the purpose of eliciting opinion thereon by a date to be mentioned in the motion, or

(b) be referred to a Select Committee or a Joint Select Committee, any member may move as an amendment that the Bill be referred to a Joint Select Committee or a Select Committee, as the case may be, with such instructions as may be considered necessary or that the Bill be circulated for the purpose of eliciting opinion by a date to be specified in the motion.

(3) (a) Where opinions upon circulation of a Bill for eliciting opinion under the foregoing rules have been received, a statement containing a gist of opinions shall be laid on the table by the Secretary as soon as possible after the last date of the receipt of such opinion.

(b) Thereupon the member in charge of the Bill, if he wishes to proceed further with his Bill, shall move that the Bill be referred to a Select Committee or a Joint Select Committee unless the Speaker allows a motion to be made that the Bill be taken into consideration forthwith or at some future date:

Art. 199

Provided that no amendment or a motion for appointment of a Joint Select Committee under this rule shall be moved with reference to a Bill making provisions for any of the matters specified in sub-clauses (a) to (f) of clause (I) of Article 199.

130. *Motion to constitute a Select Committee*-When the Assembly decides to refer a Bill to Select Committee, a motion to constitute the Select Committee according to the rule shall be made.

131. *Person by whom motions in respect of Bills may be made*- No motion that a Bill be taken into consideration or be passed shall be made by any member other than the member in charge of the Bill, and no motion that a Bill be referred to a Select Committee or a Joint Select Committee or be circulated or re-circulated for the purpose of eliciting opinion thereon, shall be made by any member other than the member in charge of the bill, except by way of amendment to a motion made by the member in charge of the Bill:

Provided that if the member in charge of a Bill is unable for reasons which the Speaker considers adequate to move the next motion in regard to his bill at any subsequent stage after introduction, he may with the approval of the Speaker authorize another member to move that particular motion.

Explanation-Notwithstanding the provisions contained in the proviso the member who introduced the Bill shall continue to be the member in charge of the Bill.

(C) Procedure after Presentation of Report of Select Committee.

132. *Motion that may be moved after presentation of Report of Select/Joint Select Committee*-(1) After the presentation of the final report of the Select Committee of the House or a Joint Select Committee of the Houses, as the case may be, on the Bill, the member in charge may move-

(a) that the Bill as reported by the Select Committee of the House or the Joint Select Committee of the Houses, as the case may be, be taken into consideration:

Provided that any member may object to the report being so taken into consideration if a copy of the report has not been made available for the use of members three days before the day on which the motion is made and such objection shall prevail, unless the Speaker allows the report to be taken into consideration; or

(b) that the Bill as reported by the Select Committee of the House or the Joint Select Committee of the Houses, as the case may be, re-committed to the same Select Committee or to a new Select Committee, or to the same Joint Select Committee or to a new Joint Select Committee, either-

(i) without limitation; or

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

(iii) With instructions to the Committee to make some particular or additional provision in the Bill; or

(c) that the Bill as reported by the Select Committee of the House or the Joint Select Committee of the Houses, as the case may be, circulated or re-circulated, as the case may be, for the purpose of eliciting opinion or further opinion thereon.

(2) If the member in-charge moves that the Bill as reported by the Select Committee of the House or the Joint Select Committee of the Houses, as the case may be, be taken into consideration, any member may move as an amendment that the Bill be re-committed to the Committee or be circulated or re-circulated for the purpose of eliciting opinion or further opinion thereon.

133. *Scope of Debate*-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 Select Committee and the matters referred to in that report or any alternative suggestions consistent with the principal of the Bill.

(D) Joint Select Committee

134. *Motion for Joint Select Committee*-If a motion for the reference to a bill to a Joint Select Committee of both Houses is carried, the Secretary shall send a message to the Council asking for their concurrence to- the said motion, and in the event of their concurrence, for the appointment of the requisite number of members to serve on the Joint Select Committee.

(2) If a message to the effect that the Council does not concur is received by the Assembly, there shall be no reference to a Joint Select Committee.

135. *Motion by the Council for reference to joint Select Committee*-(1) If a motion for referring a Bill to a Joint Select Committee is passed by the Council and a message thereof is received by the Secretary, the Secretary shall inform the House about such message.

(2) At any time, after the receipt of such message from the Council, a Minister in the case of a Government Bill and any member in the case of a private members Bill may move that the motion passed by the Council be agreed to.

(3) If the Assembly agrees, a motion shall be made for electing the requisite number of representatives of the Assembly for the Joint Select Committee in accordance with the provisions of rule 261. A message, shall then be sent to the Council intimating the concurrence of the Assembly to the motion passed by the Council and the names of the members elected by the Assembly for the Joint Select Committee.

(4) If the Assembly does not agree to the motion passed by the Council, a message intimating its disagreement shall be sent to the Council.

(E) Amendments to Clauses, etc. and Consideration of Bills.

136. *Submission of Bills Clause by clause*-(1) When a Motion that the bill be taken into consideration is passed, the motion "that this clause do stand part of the Bill" shall be deemed to have been made in respect of each clause of the Bill. Notwithstanding anything in these rules it shall be in the discretion of the Speaker, to submit the Bill or any part of the Bill to the Assembly clause by clause. The Speaker shall call each clause separately, and when the amendments relating to it have been disposed of in accordance with the provisions of succeeding rules, shall put the question "that this clause or as the case may be, that this clause as amended, do stand part of the Bill."

(2) The speaker may, if he thinks fit, put as one question a group of clauses to which no amendments have been moved:

Provided that if a member requests that any clause be put separately, the Speaker shall do so.

137. *Postponement, of clause*-the Speaker may, if he thinks fit, postpone the consideration of a clause:

138. *Consideration of Schedule*-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, as the case may be, that this schedule as amended, do stand part of the Bill":

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

139. Notice of amendment-(1) If notice of an amendment to any clause or schedule of a Bill has not been given thirty six hours 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 allows the amendment to be moved:

Provided that, in the case of a Government bill an amendment of which notice has been received from the member-in charge of a Bill, shall not lapse by reason of the fact that the member-in-charge of the Bill has ceased to be a Minister or a member and such amendment shall be printed in the name of the new member-in-charge of the Bill:

Provided further that previous notice shall not be necessary in the case of amendments of a purely verbal character or of amendments consequential upon or moved in respect of amendments which have been carried.

(2) The Secretary shall, if time permits, make available to members from time to time, lists of amendments of which notice have been received.

*140. Conditions of Admissibility of Amendments-*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.

(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 fully intelligible.

(v) the Speaker shall determine the order in which an amendment shall be moved.

(vi) the Speaker may refuse to allow an amendment which, in his opinion, is frivolous or meaningless.

(vii) an amendment may be mixed to an amendment which has already been allowed by the Speaker.

141. *Sanction of the President or recommendation of the Governor to be annexed to notice of Amendment-(1)* If Government desire to move an amendment which under the Constitution cannot be made without the previous sanction of the President or recommendation of the Governor, they shall annex to the required notice a copy of such sanction or recommendation and the notice shall not be valid until this requirement is complied with.

Arts.304 and
207.

(2) If a private member gives notice of an amendment which in the opinion of the Speaker cannot be moved without the previous sanction of the President or recommendation of the Governor, the

Speaker shall as soon may be after the receipt of the notice refer the amendment to the President or the Governor, as the case may be.

142. *Order of Amendments-(1)* Amendments shall ordinarily be considered in the order of the clauses of the Bill to which they respectively relate:

Provided that the Speaker shall have the power to select amendments given notice of.

(2) The Speaker may if he thinks fit, put as one question similar amendments to a clause:

Provided that, if as member requests that an amendment

be put separately, the Speaker shall put that amendment separately:

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

143. *Withdrawal of Amendments*-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 of.

144. *Clause one, Preamble and Title of the Bill*-Clause one, the preamble, if any and the title of a Bill shall stand postponed until the other clauses and schedules (including new clauses and new Schedules) have been disposed of and the Speaker shall then put the question: "That clause one, or the Preamble or the Title (or as the case may be, that clause one, Preamble or Title, as amended) do stand part of the Bill".

(F) Passing and Authentication of Bills

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

(2) If an amendment is made in the Bill, any member may object to a motion being made on the same day that the Bill be passed, and such objection shall prevail unless the Speaker allows the motion to be made.

(3) No amendment shall be moved to such a motion.

146. *Scope of Debate*- The discussion on a motion that the Bill be passed shall be confined to the submission of arguments either in support of the Bill or for the rejection of the Bill.

147. *Formal amendment to Bills*-When Bill is passed by the Assembly, the Secretary shall re-number the clauses revise and complete the marginal notes thereof, make such purely formal, verbal or consequential amendments therein as may be required and correct such errors as may appear to him to be due to inadvertence.

148. *Transmission of Bills to the Council-(l)* The Secretary shall submit four copies of the Bill to the Speaker and the Speaker, and in his absence and in case of urgency the Secretary, acting for the Speaker, shall authenticate them in the following form.

Arts. 197, 198
and 199 (4)

"This Bill has been passed by the Uttar Pradesh Vidhan Sabha on 20

DatedSpeaker".

Provided that if it is a Money Bill within the meaning of Article 199 the Speakers certificate at the end of the Bill shall be endorsed in the following Form:

"I hereby certify that this Bill is a money Bill within the meaning of Article 199 of the Constitution of India.

DatedSpeaker"

(2) Three of the aforesaid copies shall be transmitted to the Council for its consideration.

(G) Procedure on Return of Bills other than Money Bills from the Council.

149. *Message from Council in respect of Bills, passed without amendment*-If a Bill other than a Money Bill passed by the Assembly and transmitted to the Council is passed-by the Council without any amendment, the message received from the Council that effect shall be reported by Secretary to the House forthwith if sitting, or otherwise at its next sitting.

150. *Return of Bills from the Council*-(1) When a Bill other than Money- Bill which had originated in the Assembly has been rejected by the Council or when more than three months elapse from the date on which the Bill is laid before the Council without the Bill being passed by the Council the Secretary shall inform the House of the aforesaid facts and

Art. 197.

there upon the Assembly may proceed to pass the Bill again according to the procedure laid down in the foregoing rules for the third reading of a Bill.

(2) If the Bill is passed by the Council with amendments, the Bill with amendments shall be laid on the table as soon as possible and after the copies of the Bill with amendments have been distributed to the members, any Minister in the case of a Government Bill or any member in any other case may, after two days notice or, with the consent of the Speaker without notice, move that the amendments made by the Council be taken into consideration.

Art. 197

151. *Procedure for consideration of Amendments-*(1) If a motion that the amendments made by the Council be taken into consideration is carried, the Speaker shall put the amendments to the House for consideration in such manner as he deems convenient.

(2) At this stage only such amendments may be moved as are relevant to the subject matter of amendments made by the Council or are consequential or alternative to them.

(3) The House if it agrees to the amendments made by the Council shall send a message to the Council to that effect but if it disagrees or agrees to further amendment in the Bill, the House shall pass again the Bill or the Bill as further amended as the case may be, and return the same to the Council with a message to that effect.

Art. 197

152. *Procedure on consideration of Amendments-*(1) if the Bill is returned again by the Council to the Assembly with a message that the Council insists on an amendment or amendments to which the House has already disagreed, the Bill shall be deemed to have been passed by both the Houses in the form in which it was passed by the Assembly for the second time.

(2) if a motion under rule 150 (1), that the Bills as originally passed be passed again is carried, the Bill shall again be transmitted to the Council and if-

(a) the Bill is rejected by the Council, or
 (b) more that one month elapse from the date on which the Bill is laid before the Council without the Bill being passed by it, or

(c) the Bill is passed by the Council with amendments; then in the case of sub-rules (a) and (b) the Bill shall be deemed to have been passed by the Houses In the form in which it was passed by the Assembly for the second time. In case of sub-rule (2) (c) the agreement or disagreement of the Assembly shall be obtained according to the procedure laid down in rule 151.

(H) Money Bills

153. *Recommendation of Council on Money Bills*-If a Money Bill passed by the Assembly and transmitted to the Council is returned to the Assembly without recommendations or a period of fourteen days elapse from the date it was received in the Council a message to that effect shall be given by the Secretary to the House forthwith if sitting, or otherwise to the members by a letter. Art. 197

154. *Consideration of recommendation made by the Council*- Art. 198

(1) If a Money Bill passed by the Assembly and transmitted to the Council is returned to the House with amendments recommended by the Council it shall on receipt be laid on the Table.

(2) If the Bill is returned by the Council with recommendations, the Bill with recommendations shall be laid on the Table as soon as possible and after copies of the Bill with recommendations have been distributed to the members, any Minister in case of a Government Bill, or any member in any other case, may after giving two days, notice or with the consent of the Speaker without notice, move that the recommendations of the Council be taken into consideration.

155. *Procedure for consideration of amendments recommended by the Council*-(1) If a motion that the recommendations of the Council be taken into consideration is carried, the Speaker shall put such recommendations of the Council to the House in such manner as he deems proper. Art. 198

(2) If the House accepts the recommendations made by the Council, the Bill shall be deemed to have been passed by both the Houses with such recommendations as made by the Council and accepted by the House.

Art. 198

156. *Disagreement between the Houses*-If the House does not accept any of the recommendations of the Council, the Bill shall be deemed to have been passed by both the House in the form in which it was passed by the Assembly without any of the recommendations of the Council.

157. *Communication of Assembly Decisions to Council*-A message intimating the result of the consideration by the Assembly of the recommendations of the Council shall be sent to the Council.

(I) General

158. *Power of Speaker to bring the year of the Bill in conformity with the year of Assent*-In cases of Bills introduced in the preceding year but passed in subsequent year or if passed in the same year but the assent is likely to be given in the subsequent year, the Speaker may change the year of the Bill bringing it in conformity to the year of its passing or likely assent by the President or the Governor, as the case may be.

Art. 199 (4)
and 200

159. *Assent to Bill*-When a Bill introduced in the Assembly has been passed by both the Houses in accordance with the provisions of the Constitution, the Secretary shall make verbal and consequential amendments, if any, it, and after the Speaker has signed it and, if its is a Money Bill, endorsed also the necessary certificate under Article 199 (4), it shall be submitted to the Governor for his assent in triplicate.

160. *Note of verbal amendments*-Along with the signed copy under rule 159 a statement showing the verbal and consequential amendments or rectification of errors made in the Bill under rules 147 and 159, shall also be submitted to the governor. A copy of these alterations shall be placed on the Table by the Secretary prior to the. announcement of Governor's assent.

(J) Procedure Regarding Bills introduced in the Council

161. *Bills which have been passed by the Council*—When a Bill has been introduced in and passed by the Council and is received in the Assembly, the Bill shall be laid on the Table by the Secretary as soon as possible.

162. *Notice to move for consideration of Bill*—After the Bill has been laid on the Table under rule 161 and copies thereof have been distributed to members, 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 Bill be taken into consideration.

163. *Motion for consideration*—Unless the Speaker otherwise directs, the motion under rule 162 may be set down in the list of business and moved in the House on any day after two days from the date of the receipt of the notice.

164. *Discussion*—On the day on which such motion is made or any subsequent day to which the discussion is postponed, the principles of the Bill and its general provisions may be discussed but the details of the Bill shall not be discussed further than is necessary to explain its principles.

165. *Reference to Select Committee*—Any member may (if the Bill has not already been referred to a Joint Select Committee), move as an amendment that the Bill be referred to a Select Committee, and, if such motion is carried, the Bills shall be referred accordingly and the rules regarding select Committees on Bills originating in the Assembly shall then apply.

166. *Consideration and passing of Bills*—If the motion that the Bill be taken into consideration is carried, the Bill shall be taken into consideration and the provisions of the rules regarding consideration of amendments to Bills and the subsequent procedure in regard to the passing of Bills shall apply.

167. *Bills passed without Amendments*—If the Bill is passed without amendment, the Bill with a message to the effect that the Assembly has agreed to the Bill without any amendment shall be sent to the Council.

168. *Bills passed with Amendments*—(1) If the Bill is passed with amendments, the Bill shall be returned with a message asking for the agreement of the Council to the amendments :

(a) If the Council disagrees with the amendments made by the Assembly or any of them or agrees to any of the amendments made by the Assembly, with further amendments or proposes other amendments in place of amendments made by the Assembly, the message of disagreement or the amendments if any, as the case may be, with the Bill shall, on receipt, be placed on the Table by the Secretary.

(b) After the Bill has been so laid on the Table and copies thereof along with amendments in message of disagreement have been distributed to the members, any Minister in the case of a Government Bill or any member in any other case, may, after giving two days notice or with the consent of the Speaker without notice move that the Bill, with or without the amendments suggested or agreed to by the Council, be taken into consideration.

(c) Thereafter the procedure laid down in rule 151 for the consideration of amendments shall apply.

(d) The Bill after such consideration shall be returned with a message that the Assembly passes the Bill with or without such amendments, if any, as have been made, suggested or agreed to by the Council, or that it insists on the amendments originally proposed. The Council in such case may consider the Bill as passed by the Assembly, but in case the Council still disagrees with the Bill as passed by the Assembly, the Bill shall be deemed to have been passed by both the Houses.

(2) The Bill so returned to the Council, shall be certified by the Speaker in the following form :

“The Bill has been passed as amended by the Assembly on.....20.

Dated 20

Speaker”.

(K) Reconsideration of Bills returned under Articles 200 and 201 of the Constitution.

169. *Message of the Governor*—(1) When a Bill passed by the Assembly is returned to it by the Governor with a message to the effect that the Assembly should reconsider the Bill or any of its specified provisions or any amendment recommended in the message, the Speaker shall read the message of the Governor in the Assembly, if in session, of if the Assembly is not in session, he shall direct its information to be sent to the members by letters.

(2) Thereafter the Bill, as passed by the Assembly and returned by the Governor for reconsideration, shall be laid on the Table by the Principal Secretary.

169-A. *Notice to move for consideration of the amendments*— After the Bill has been so laid on the Table, any Minister, in the case of a Government Bill, or any member in any other case, may give notice of his intention to move that the Bill be taken for reconsideration in the light of the directions given in the message.

169-B. *Motion for Reconsideration*—On the day on which the motion for reconsideration 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, be two days earlier, the members giving notice may move that the Bill may be taken up for reconsideration in the light of the direction or amendments given in the message.

169-C. *Scope of Debate*—The debate on such motion shall be confined to consideration of matters referred to in the message of the Governor or to any suggestion relevant to the subject matter of the amendments recommended by the Governor.

169-D. *Consideration of the amendments*—(1) If the motion that the Bill be taken up for reconsideration in the light of the directions or amendments given in the message is carried, any member on being called by the Speaker may move an amendment to the Bill for which he has given prior notice.

(2) When specific amendments are recommended by the Governor, only such amendments as are relevant to the subject-matter of amendments so recommended by the Governor, may be moved but no other amendment in the Bill can be made unless it is incidental, consequential or in the alternative, to an amendment recommended by the Governor.

(3) If no specific amendment is recommended by the Governor, no amendment which does not come within the scope of the message recommending the reconsideration of the Bill, shall be moved.

(4) Question shall be put by the Speaker, on the amendments, recommended by the Governor, if any, and on such other amendments as are within the scope of the message of the Governor for reconsideration.

169-E. *Passing of Bill again*—When all amendments have been disposed of the member giving notice of the motion under rule 169-A may move that the Bill as originally passed by the Assembly, or as the case may be, as amended, be passed by the Assembly.

169-F. *Disagreement of the Assembly with the message*—If the motion that the Bill may be taken up for reconsideration in the light of the directions contained in the message of the Governor is not carried the member giving notice of the motion under rule 169-A may at once move that the Bill as originally passed by the Assembly be passed again without any amendment.

169-G. *Reconsideration of Bills returned with message under the proviso to Article 201 of the Constitution*—When a Bill passed by the Assembly is returned to it, with a message to reconsider it in accordance with the provisions of the proviso to Article 201 of the Constitution the same procedure shall be followed as is followed in cases of Bills passed by the Assembly and returned for reconsideration under the proviso to Article 200 of the Constitution and the provisions of the said rules shall apply subject to such adaptations by way of modification, additions or omissions, as the Speaker may consider necessary or expedient.

(KK) Authentication of Bills passed again by the Assembly

169-H. *Authentication of Bills passed again by the Assembly*—When a Bill is passed again by the Assembly and is in the custody of the Assembly, it shall be submitted to the Governor signed by the Speaker in the following form :

“The Bill has been passed again by the Assembly in pursuance of the first proviso to Article 200 proviso to Article 201 without any amendment in its original form with the following amendments.”

(L) Postponement and withdrawal of Bills and Dropped Bills

170. *Adjournment of Debate on a Bill*—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.

171. *Withdrawal of Bill*—The member incharge of a Bill may at any stage of the Bill move for leave to withdraw the Bill on the ground that—

(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

(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, which shall automatically stand withdrawn:

Provided that where a Bill has originated in the Council and is pending before the House the member incharge of the Bill shall move a motion in the House that subject to concurrence of the Council leave be granted by the House to withdraw the Bill and if the House adopts motion and the Council concurs to it, the Principal Secretary shall inform the House of such concurrence and the Bill shall be deemed to have been withdrawn.

172. Explanatory Statement by Member who moves or opposes motion for withdrawal of Bill—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.

173. Removal of Bills from the Register of Bills—(1) Where any of the following motions made by a member incharge of a Bills is rejected by the House, no further motion shall be made with reference to the Bill and such Bill shall be removed from the Register of Bills pending in the House for the Session—

- (i) that leave be granted to introduce the Bill ;
- (ii) that the Bill be referred to a select Committee or a Joint Select Committee or be circulated for the purpose of eliciting opinion thereon ;
- (iii) that the Bill be taken into consideration ;
- (iv) that the Bill as reported by Select Committee or a Joint Select Committee be taken into consideration ; and
- (v) that the Bill (or as the case may be, that the Bill as amended) be passed.

(2) A Bill pending before the House shall be removed from the Register of Bills pending in the House in case a Bill substantially identical has been passed by the House or the Bill has been withdrawn under rule 171.

Explanation—A Bill pending before the House shall include—

(i) a bill introduced in the House which does not fall within the categories of Bills mentioned in this rule or rule 174 ;

(ii) a Bill transmitted to the Council and returned by the Council with amendment or recommendation, as the case may be, and laid on the Table under rule 154 ;

(iii) a Bill originating in the Council and transmitted to the House and laid on the Table under rule 161 or 168 (I) (a) ; and

(iv) a Bill returned by the Governor or the President with a message under Article 200 or 201, as the case may be. Arts. 200 and 201.

174. *Special provisions for Removal of a Private Member's Bill from the Register of Bills*—A private member's Bill pending before that House shall also be removed from the Register of Bills pending in the House in case—

(a) the member incharge of the Bill ceases to be a member of the house ;

(b) the member incharge of the Bill is appointed a Minister.

175. *Dropped Bills*—Any Bill in respect of which no motion has been made in the Assembly for two years shall be deemed to have been dropped and removed from the Register of Bill by the order of the Speaker.

(M) Statutory Regulation, Rules etc., laid before the House

176. *Laying of regulation, rule, etc., on the Table of the House*—(1) Where a regulation, rule, sub-rule, bye-law etc. framed in pursuance of the legislative functions delegated by the Constitution, Parliament or the Legislature to an authority is laid before the House, the period, specified in the corresponding law for which it is required to be laid shall be completed before the Assembly is prorogues, unless otherwise provided in the corresponding law.

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

177. *Allotment of time for discussion of amendments*—

(1) Amendments relating to a regulation, rule, sub-rule, bye-law etc. laid on the Table may be presented by the members within the period prescribed in the Act for its being laid on the Table and the rules prescribed for consideration of amendments to clauses of a Bill shall, with suitable modifications apply to consideration of and decision on those amendments.

(2) The Speaker shall, in consultation with the Leader of the House, fix the date for consideration and discussion on these amendments.

178. *Transmission of amendment to Council*—After an amendment is passed by the Assembly, it shall be transmitted to the council for its concurrence and on receipt of a message from the Council agreeing to the amendment it shall be forwarded to the Government by the Secretary, but if the concurrence of the Council is not required under the relevant Act, the Secretary shall forward forthwith to the Government the amendments passed by the Assembly.

179. *Amendment returned by Council*—If the Council disagrees with the amendment passed by the House or agrees subject to a further amendment thereof or proposes an amendment in substitution thereof the house may either drop

the amendment or agree with the Council in the proposed amendment or insist on the original amendment passed by the House. A message in either case shall be sent to the Council. In case the House agrees to the amendment as further amended by the Council or to the other amendment as proposed in substitution thereof by the Council, the amendment so agreed shall be forwarded to the Government by the Secretary.

180. *Disagreement between Houses*—If the Council agrees to the original amendment passed by the House, it shall be sent to Government by the Secretary, but if the Council disagrees or insists on an amendment to which the House has not agreed, the Houses shall be deemed to have finally disagreed, and all further proceedings thereon shall be dropped.

181—*Information to the House*—In either case the message of agreement or disagreement of the Council to the amendment shall be given by the Secretary to the House.

**(N) Procedure for ratification of Amendments to the
Constitution**

182. *Ratification of amendment to the Constitution*—(1) On receipt of a communication or message for ratification of an amendment to the Constitution, the same along with a copy of the Bill and the debates thereon shall be laid on the Table of the House by the Secretary.

(2) The Speaker shall, in consultation with the Leader of the House, fix the day for discussion on the resolution for ratification of the amendment to the Constitution.

(3) Rules and orders relating to the resolution shall apply *mutatis mutandis* to the said discussion.

(4) A copy of the resolution when passed by the Assembly shall be sent by the Secretary to the Government and to Parliament. In case the resolution is not passed, an intimation to that effect shall be sent.

CHAPTER XV—PROCEDURE IN FINANCIAL MATTERS

(A) Budget

183. *Budget and its presentation*—The annual financial statement or the statement of the estimated receipts and expenditure of the state in respect of every financial year (herein after referred to as the Budget) shall be presented to the Assembly on such day as the Governor may appoint.

184. *Discussion for Budget*—No discussion on the Budget shall take place on the day on which it is presented to the Assembly.

185. *Demands for Grants*—(1) No demand for grant shall be made except on the recommendation of the Governor.

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

Provided that the Finance Minister may include in one demand grants proposed for two or more departments, or make only one demand in respect of expenditure, which cannot readily be classified under any particular departments.

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

(4) Subject to these rules, the Budget shall be presented in such form as the Finance Minister may, after considering the suggestions, if any, of the Estimates committee consider best.

186. *Stages of Budget Debate*—The Budget shall be dealt with by the Assembly in two stages, namely:—

(i) a general discussion; and

(ii) the voting on demands for grants.

187. *General Discussion on Budget*—(1) On days to be appointed by the Speaker, which shall be after at least two days subsequent to the presentation of the Budget, there shall be general discussion on the Budget or any question of principles involved therein ordinarily for five days, but no motion shall be moved at this stage, nor shall the Budget be submitted to the vote of the House.

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

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

188. *Voting on Demands*—(1) The Speaker shall, in consultation with the Leader of the House, allot not more than 24 days for consideration and voting on the demands for grants.

(2) Subject to sub-rule (1), demands for grants shall be presented in such order as the Leader of the House, in consultation with the Leader of the Opposition, may determine.

(3) On the days allotted under sub-rule (1), no other business except the questions shall be taken up without the consent of the Speaker.

(4) Motion may be moved at this stage to reduce any demand for grant or to omit any item thereof but not to increase or alter the destination of, a demand for grant.

(5) No amendment to motions to reduce any demand for grant shall be permissible.

(6) When several motions relating to the same demand are made they shall be discussed in the order in which the heads to which they relate appear in the Budget.

(7) About half an hour before the usual closing of the sitting on the last day of the days allocated under sub-rule (1) the Speaker shall forthwith put every question necessary to dispose of the outstanding matters in connection with the demands for grants; and this procedure 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.

189. *Cut motions*—A motion may be allowed to reduce the amount of a demand in any of the following ways:—

(a) “That the amount of the demand be reduce to Re.1”’: representing disapproval of the policy under lying the demand. Such a motion shall be known as “Disapproval of Policy Cut”. A member giving notice of such a motion shall indicate in precise terms the particulars of the policy which he proposes to discuss. The discussion shall be confined to the specific point or points mentioned in the notice and it shall be open to members to advocate an alternative policy:

(b) “That the amount of the demand be reduced by a specified amount”’: representing the economy that can be effected. Such specific 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 demands be reduced by Rs. 100”’: in order to ventilate a specific grievance, which is within the sphere of the responsibility of the Government such a motion shall be known as “Token Cut” and the discussion thereon shall be confined to the particular grievance specified in the motion.

190. *Conditions of admissibility of Cut motions*—(1) In order that a notice of motion for reduction of the amount of demand may be admissible it shall satisfy the following conditions, namely:—

(a) it shall relate to one demand only;

(b) it shall be clearly expressed and shall not contain arguments, inferences, ironical expressions, imputations, epithets or defamatory statements.

(c) it shall be confined to one specific matter which shall be stated in precise terms;

(d) it shall not reflect on the character or conduct of any person whose conduct can only be challenged on a substantive motion;

(e) it shall not make suggestions or the amendment or repeal of existing laws;

(f) it shall not refer to a matter which is not primarily the concern of the Government;

(g) it shall not relate to expenditure charged on the Consolidated Fund of the State of Uttar Pradesh;

(h) it shall not relate to a matter which is under adjudication by a Court of law having jurisdiction in any part of India;

(i) it shall not raise a question of privilege;

(j) it shall not raise a matter which has been discussed in the same session and on which a decision has been taken;

(k) it shall not anticipate a matter which has been previously appointed for consideration in the same session;

(l) it shall not raise a matter pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions or any Commission or Court of Inquiry appointed to inquire 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 scope or stage of inquiry if the Speaker is satisfied that it is not likely to prejudice the consideration of such matter by the tribunal, statutory authority, Commission or Court of Inquiry; and

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

(2) The Speaker may disallow such cut motion as, in his opinion is an abuse of the right of moving such a motion, or is in contravention of these rules.

191. *Notice of a Cut Motion*—Notice of a cut motion shall be given at least two days before the day appointed for the discussion of the grant unless otherwise directed by the Speaker.

Art. 206.

192. *Votes on Credit and Exceptional Grants*—(1) Notwithstanding anything contained in the preceding rules, motions may be made for grants in advance in respect of the estimated expenditure for unexpected and exceptional grants under Article 206.

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

Art. 206.

193. *Vote on Account*—(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 a schedule appended to the motion.

(2) Amendment 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 nature shall be allowed on the motion or the amendments moved thereto and the details of the grant shall not be discussed but may instead be referred only to the extent necessary for general discussion.

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

Art. 205.

194. *Supplementary or Additional Grants or Grants for Excess Expenditure*—(1) The Governor may appoint the day for presentation of a statement of demands for grants in respect of supplementary or additional or excess expenditure under Article 205.

(2) The Speaker shall in consultation with the Leader of the House allot one or more days for the discussion and voting of such demands. In such cases the same procedure will be followed as is laid down in rules 185, 186, 187, 188, 189, 190 and 191 with such modifications as the Speaker may deem necessary.

195. *Scope of Discussion on Supplementary Grants*—The debate on the supplementary grants shall be confined to the items and no discussion shall be raised on the original grants or on the policy underlying them save in so far as it may be necessary to explain or illustrate the particular items under discussion.

196. *Taken Grant*—When funds to meet proposed expenditure on a new service can be made available by reappropriation, a demand for the grant of a token sum may be submitted to the vote of the House, and if the House assents to the demands funds may be so made available.

(B) Appropriation Bill

197. *Appropriation Bill*—(1) Subject to the provisions of the Constitution, the procedure in regard to an Appropriation Bill shall with such modifications as the Speaker may consider necessary, be the same as for Bills generally:

Provided that no amendment shall be proposed to an appropriation Bill which will have the effect of varying the amount or altering the destination of any grant made under Article 203.

(2) The Speaker may Suspend the operation of any rule with a view to the timely passing of such Bills.

198. *Time limit for disposal of Financial Business*—In addition to the powers exercisable by the Speaker under these rules he may exercise all rights or powers necessary for the purpose of the timely completion of all financial business and may, in particular, allot time for the disposal of various kinds

of such business and when the time is so allotted, he shall, at the appointed hour, put every question necessary to dispose of all the outstanding matters in connection with the stage or stage for which the time has been allotted.

Explanation—Financial business includes such business as the Speaker holds as coming within this category under the Constitution.

199. *Publication of Appropriation and Finance Accounts and Audit Reports*—As soon as may be practicable after the Appropriation and Finance Accounts and Audit Reports thereon have been laid on the Tables of the Legislature, the Secretary shall issue a notification declaring them to be published for general information.

CHAPTER XVI-PROCEDURE FOR COMMITTEES

(A) General

200. *Appointment of Committees of the House*—(1) At the commencement of the first session after each general election and thereafter before the commencement of each financial year or from time to time when the occasion otherwise arises, different Committees for specific or general purposes shall either be elected or constituted by the House or nominated by the Speaker:

Provided that no member shall be appointed to a Committee unless he is willing to serve on the Committee.

(2) Casual vacancies in the Committees shall be filled by election or appointment by the House or nomination by the Speaker as the case may be and any member elected appointed 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 elected, appointed or nominated would have held office:

Provided that the proceedings of the Committee shall neither be invalid nor be held up on the ground that casual vacancies have not been filled.

200-A. *Objection to Membership of a Committee*—Where an objection is taken to the inclusion of a member in a Committee on the ground that the member has personal pecuniary or direct interest of such an intimate character that it may prejudicially affect the consideration of any matters 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 taken objection and the member against whose appointment on the Committee objection has been taken to produce documentary or other evidence in support of their 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 holds that the member against whose appointment objection has been taken has a personal pecuniary or 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 any way be affected by the decision of the Speaker.

*Explanation-*For the purposes of this rule the interest of the member should be 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 any matter of State policy.

201. *Chairman of the Committee-*(1) The Chairman of each Committee shall be appointed by the Speaker from amongst members of the Committee:

Provided that if the Deputy Speaker is a member of the Committee, he shall be the *ex-officio* Chairman of the Committee.

(2) If the Chairman is for any reason unable to act or if the office of Chairman is vacant the Speaker may appoint another Chairman in his place.

(3) If the Chairman of the Committee is absent from any of its sitting, the Committee shall elect another member of the Committee as Chairman for that sitting.

“(4) While the office of the Deputy Speaker of the Uttar Pradesh Legislative Assembly is vacant, the functions of the Chairman of such Committees where the Deputy Speaker is *ex-officio* Chairman, may be performed by the Speaker himself or by such Chairman of other Committees as may be appointed by the Speaker.”

202. *Quorum*-(1) The quorum to constitute a sitting of any Committee shall save as otherwise provided in these rules, be not less than one-third of the total number of members or the Committee.

"(2) If at any time fixed for any sitting of the committee or if at any time during such sitting, there is no quorum, the Chairman shall adjourn the sitting for half an hour and on re-assemble, the quorum for the sitting shall be not less than one-fifth of the total number of members of the committee. If at the re-assembled sitting the member of the members present is less than one-fifth of the total number of members of the Committee the sitting shall be adjourned to some future date."

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

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

(4) On such report being made, the house or the Speaker, as the case may be, shall decide the future course of action.

203. *Discharge of members absent from sittings of Committees and filling up of their vacancies*--(I) If a member is absent from three consecutive sittings of a committee without permission of the Chairman, the membership of such member from the Committee may, after giving him an opportunity to explain, be terminated with the approval of the Speaker and thereupon his office in the Committee may be declared vacant with effect from the date of such approval by the Speaker.

(2) Notwithstanding anything in sub-rule (2) of rule 200, the vacancy under sub-rule (1) may be filled up by nomination of any other member by the Speaker.

Explanation I-For the purposes of calculation of sittings under this rule, sittings arranged out of Lucknow shall not be included.

Explanation II- If a member who arrived at Lucknow to participate in the sitting of a committee, could not participate in the sitting, but makes available to the Secretary on the date of such sitting an intimation in writing of his arrival at Lucknow, then for the purposes of this rule, he shall not be deemed to be absent on that date.

204. *Resignation of a Member*-A member may resign his seat from the Committee by writing under his hand addressed to the Speaker.

205. *Term of a Committee*-The term of office of members of each of these Committees shall be a financial year:

Provided that the Committees elected or nominated under these rules, shall, unless otherwise specified, hold office until a new Committee is appointed.

206. *Voting in the Committee*-All questions at any sitting of the Committee shall be determined by a majority of votes of the members present and voting. In the case of an equality of votes on any matter, the Chairman shall have a second or casting vote.

207. *Power to Appoint Sub-Committees*- (1) Any of these Committees under these rules may appoint one or more Sub-Committees, each having the powers of the undivided committee, to examine any matters that may be referred to them, and the reports of such sub-committees shall be deemed to be the 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 matter or matters for investigation. The report of the Sub-Committee shall be considered by the whole Committee.

208. *Sitting Of the Committee*—The meetings of the Committee shall be held on such days and at such hour as the Chairman of the Committee may fix:

Provided that if the Chairman of the Committee is not readily available or if his office is vacant the Secretary may fix the date and time of a sitting.

209. *Committee may sit while the house is Sitting*—The Committee may sit whilst the House is sitting:

Provided that on a division being called in the House, the Chairman of the Committee shall suspend the proceedings in the Committee for such time as will, in his opinion, enable the members to vote in a division.

210. *Venue to Sitting*—The sitting of the Committee shall be held in the Vidhan Bhawan, Lucknow, and if it becomes necessary to shift the place of sitting to outside the Vidhan Bhawan, the matter shall be referred to the Speaker whose decision shall be final.

211. *Power to take evidence or call for papers, records or documents*—(1) A witness may be summoned by an order signed by the Secretary and shall produce such documents as are required for the use of committee.

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

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

(4) The Committee shall have power to take evidence on oath and to require the attendance of persons or the production of papers or records if considered necessary for the discharge of its duties :

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

(5) All evidence tendered before the Committee shall be treated as secret and confidential until the presentation of the report of the Committee to the House:

Provided that it shall be in the discretion of the Committee to treat any evidence as secret and confidential in which case it shall not form part of the report.

212. *Party or a Witness can appoint a counsel to appear before Committee*—A Committee may permit a party to be represented by a counsel appointed by him and approved by the Committee. Similarly a witness may appear before the Committee accompanied by a counsel appointed by him and approved by the Committee.

213. *Procedure for examining witnesses*-- The examination of witnesses before the Committee shall be conducted at follows:—

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

(2) The Chairman of the Committee may first put to the witness such question or questions as he may consider necessary with reference to the subject matter or any subject connected therewith according to the procedure mentioned in sub-rule (1) of this rule.

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

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

(5) When a witness is summoned to give evidence, a verbatim record of proceedings of the Committee, shall be kept.

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

214. *Signing of the report of the Committee*-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.

215. *Availability of report before presentation to Government*-The Committee may, if it thinks fit, make available to Government a copy of its report or any completed part thereof before presentation to the House. Such reports shall be treated as confidential until presented to the House.

216. *Presentation of report*-(1) The report of the Committee shall be presented by the Chairman of the Committee or the person who has signed the report or any Member of the Committee so authorised by the Chairman or in the absence of the Chairman, or when he is unable to present the report, by any member authorised by the committee and shall be placed on the Table of the House.

(2) In presenting the report the Chairman or in his absence, the member presenting the report shall, if he makes any observations, confine himself to a brief statement of fact, or draw the attention of the House to the recommendations made by the Committee.

(3) The Minister concerned or any Minister may give a short reply on that very day or on some future date to which the matter has been postponed, explaining the Government point of view and the action which the Government propose to take.

(4) On a demand being made after the report has been presented but within 15 days from the date of its presentation, the Speaker, if he thinks fit, may appoint time for consideration of the report. There shall be neither a formal motion before the House nor voting.

217. *Publication or circulation of report prior to its presentation to the house*-The Speaker may order on a request the publication or circulation of a report of a Committee although it has not been presented to the house. In that case the report shall be presented to the House during its next session at the first convenient opportunity .

218. *Power to make suggestions on procedure*-(1) A Committee shall have power to pass resolutions on matters of procedure relating to that Committee for the consideration of the Speaker who may make such variations in procedure as he may consider necessary.

(2) Any of these Committees may, with the approval of the Speaker, make detailed rules of procedure to implement the provisions contained in these rules.

219. *Power of Speaker to give direction on a point of procedure or otherwise*--(1) the Speaker may, from time to time, issue such directions to the Chairman of the 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.

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

221. *Secretary to be ex-officio Secretary of the Committee*- The Secretary shall the *ex-officio* Secretary of all the Committees appointed under these rules.

222. *Applicability of general rules to Committees*— Except as otherwise specifically provided in respect of any particular Committee, the provisions of the general rules in this Chapter shall apply to all committees.

(B) Business Advisory Committee

223. Constitution of the Committee—There shall be a Committee called the Business Advisory Committee nominated by the Speaker. It shall consist of not more than 15 members including the Speaker and the Deputy Speaker. The Speaker shall be the *ex-officio* Chairman of the Committee.

(2) If the Speaker for any reason is unable to preside over any sitting of the Committee, the Deputy Speaker, shall be the Chairman for that sitting. If both are unable to preside for any reason, the Speaker shall nominate a Chairman for that sitting from amongst the members of the Committee.

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

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

(3) Such other functions relating to the business of the House may be assigned to the Committee as the Speaker may from time to time decide.

225. *Report of the Committee*—The time table in regard to a Bill or group of Bills or other business as recommended by the Committee shall ordinarily be communicated to the members by a letter at least one day before it is reported by the Speaker to the House.

226. *Allocation of time*—(1) As soon may be after the report has been made to the House, a motion may be moved by a member of the Committee nominated by the Speaker :

“that this House agrees with the allocations of time proposed by the Committee.”

(2) When such a motion is accepted by the House, it shall take effect as if it were an order of the House:

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

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

227. *Disposal of outstanding matters at the appointed hour*— At the appointed hour in accordance with the resolution of the House for the completion of a particular stage of a Bill or other business the Speaker shall forthwith put every question necessary to dispose of all the outstanding matters in connection with that stage of Bill or business.

228. *Variation in the allocation of time*-No variation in the time table as decided upon by the House shall be made except on the request of the Leader of the house who shall in that case, 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) Committee on Public Accounts

229. *Constitution of the Committee*- (1) There shall be a Committee on Public Accounts for the examination of the appropriation accounts of the State, and the reports of the Comptroller and Auditor-General of India thereon, the annual financial accounts of the State or such other accounts or financial matters as are laid before it or referred to it or which the Committee deems necessary to scrutinize.

(2) The-Committee on Public Accounts shall consist of not more than 21 members who shall be elected by the House every year from amongst its members according to the principle of proportional representation by means of the single transferable vote:

Provided that no Minister shall be appointed a member of the Committee and if a member of the Committee is appointed a Minister he shall cease to be a member of the Committee from the date of such appointment.

(3) The Chairman shall be elected by the Committee from amongst its members.

230. *Functions of the Committee*—(1) In scrutinizing the appropriation accounts of the State and the report of the Comptroller and Auditor-General of India thereon, it shall be the duty of the Committee on Public Accounts to satisfy itself:

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

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

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

(2) It shall also be the duty of the Committee on Public Accounts:

(a) to examine the statement of accounts showing the income and expenditure of State trading and manufacturing schemes together with the balance-sheets, and statements of profit and loss accounts which the Governor may have required to be prepared or are prepared under the provisions of the statutory rules regulating the finances of a particular State trading 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; 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 stock.

(3) All functions which relate to the public Undertakings / Corporations of the State shall be outside the purview and jurisdiction of the Committee on public Accounts.

(D) Committee on Estimates

231. *Constitution of the Committee*-(1) There shall be a Committee on Estimates for the examination of such of the estimates as the Committee deems fit or are specifically referred to it by the House.

(2) The Committee shall consist of not more than twenty-five members who shall be elected by the House every year from amongst its members according to the principle of proportional representation, by means of the single transferable vote:

Provided that no Minister shall be appointed, a member of the Committee and if a member of the Committee is appointed a Minister he shall cease to be a member of the Committee from the date: of such appointment.

232. *Functions of the Committee*-(1) The functions of the Committee shall be :

(a) to report what economies improvements in organization, efficiency or administrative reform consistent with the policy underlying the estimates may be effected;

(b) to suggest alternative policies in order to bring about efficiency and economy in administration;

(c) to examine whether the money is well laid out within the limits of the policy underlying in the estimates; and

(e) to suggest the form in which the estimates shall be presented to Assembly.

(2) The Committee may continue its examination of the estimates from time to time throughout the financial year and report to the House as its examination proceeds. It shall not be incumbent on the Committee to examine the entire estimates of anyone year. The demands for grants may be finally voted notwithstanding the fact that the Committee has made no report.

(DD) Joint Committee on the Public undertakings and Corporations

232-A. *Function of the Committee*-There shall be a Joint Committee on Public Undertaking and Corporations of the Uttar Pradesh Legislature for the examination of the working of all public undertaking and corporations of the State. The functions of the Committee shall be—

(a) to examine the statement of accounts showing the income and expenditure of the abovementioned public undertakings and Corporations together with the balance sheets and statements of Profit and Loss accounts which the Governor may have required to be prepared or which have been prepared under the provisions of statutory rules regulating the finances of a particular public undertaking or corporation and to examine the reports, if any given by the Accountant-General, Uttar Pradesh in respect thereof;

(b) to examine keeping in view the autonomy of the said undertakings and corporations, their efficiency with a view to ascertain whether their affairs are being managed in accordance with sound business principles and commercial practices.

(c) to exercise such other functions vested in the Committee on Public Accounts and Committee on Estimates, in relation to the said public undertakings and corporations as may be allotted to the Committee by the Speaker of the Legislative Assembly from time to time:

Provided that the Committee shall not examine the following matters-

- (1) matters of major Government policy as distinct from the business functions of the public undertaking;
- (2) matters of day-to-day administration;
- (3) matters which are, required to be dealt with in accordance with the procedure specified in the Act under which the concerned Public Undertaking or Corporation was established.

232-B. *Constitution of the Committee-* The Committee shall consist of 35 members including the Chairman, out of which 25 members shall be elected from the Legislative Assembly and 10 members shall be elected from the Legislative Council in accordance with the principle of proportional representation by of the single transferable vote :

Provided that no Minister shall be a member of the Committee and if a member of the Committee is appointed a Minister, his membership of the Committee shall determine from the date of such appointment.

232-C. *Appointment of Chairman of the Committee-* Appointment of Chairman of the Committee shall be made by the Speaker of the Legislative Assembly. The Quorum to constitute a sitting of the Committee shall be one-third of the total number of members of the Committee.

232-D. *Report of the Committee-* The Committee shall submit its report from time to time, to both Houses of the State Legislative on all or any of the aforesaid matters.

232-E. *Determination of Jurisdiction of the Joint Committee on Public Undertakings and Corporations-* If a question arises as to whether or not the Joint Committee on Public Undertakings and Corporations has jurisdiction over a particular matter, the question shall be referred to the Speaker, Legislative Assembly whose decision shall be final.

(E) Committee on Government Assurances

233. *Constitution and Functions of the Committee-* There shall be a Committee on Government Assurances consisting of not more than 15 members nominated by the Speaker in order to scrutinize the assurances, promises, undertakings etc. given by Minister from time to time on the floor of the House and to report on-

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

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

Provided that no Minister shall be appointed a member of the Committee, and if a member of the Committee is appointed a Minister, he shall cease to be a member of the Committee from the date of such appointment.

(F) Committee on Petitions

234. *Constitution of the Committee-* There shall be a Committee on Petitions consisting of not more than 15 members nominated by the Speaker:

Provided that no Minister shall be appointed a member of the Committee, and if a member of the Committee is appointed a Minister, he shall cease to be a member of the Committee from the date of such appointment.

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

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

(i) a Bill which has been published under rule 114 or which has been introduced in the House;

(ii) any matter connected with the business pending before the House; and

(iii) any matter of general public interest, provided that it is not one-

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

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

237. *General form of a petition*--(1) Every petition shall be couched in respectful, decorous and temperate language.

(2) Every petition shall be in Hindi language and in Devanagri script and shall be signed by the petitioner.

238. *Authentication of signatories to a petition*- The full name and address of every signatory to a petition shall be set out therein and shall be duly authenticated.

239. *Document not to be attached to a petition*-Letters, affidavits or other documents shall not be attached to any petition.

240. *Countersignature*-(1) Every petition shall be presented and countersigned by a member.

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

241. *Notice of presentation*-A member shall give at least two day's advance intimation to the Secretary of his intention to present a petition.

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

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

243. *Procedure after presentation of a petition*-(1) Petition after its presentation under these rules shall be referred to the Committee for examination.

(2) After examination, the Committee may' if necessary direct circulation of the petition in extent or in an abridged form.

(3) After circulation and after evidence, If any, the Chairman of the Committee or any member of the committee shall report to the House the specific complaint contained in the petition and suggestions for remedial measures for the particular case or to prevent such cases in future.

(G) Committee on Delegated Legislation

244. *Constitution and functions of the Committee*-There shall be a Committee on Delegated Legislation consisting of not more than 15 members nominated by the Speaker in order to scrutinize and report to the House whether tile powers to make regulations, rules, sub-rules, bye-laws, etc., conferred by the Constitution or delegated by any other lawful authority are being properly exercised within such delegation:

Provided that no Minister shall be appointed a member of the Committee and if a member of the Committee is appointed a Minister, he shall cease to be a member of the Committee from the date of such appointment.

245. *Duties of the Committee*-The Committee shall in particular, consider:

(i) whether the delegated legislation is in accordance with the general objects of the Constitution or the Act pursuant to which it is made;

(ii) whether it contains matter which in the opinion of the Committee should more properly be dealt with in an Act of Legislature;

(iii) whether it contains imposition of any tax;

(iv) whether it directly or indirectly bars the jurisdiction of the Courts;

(v) whether it gives retrospective effect to any of the provisions in respect of which the Constitution or the Act does not expressly give any such power;

(vi) whether it involves expenditure from the Consolidated Fund of the State or the public revenues;

(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 the publication or laying it before the Legislature;

(ix) whether for any reason its form or purport calls for any elucidation.

246. *Report of the Committee*-If a Committee is of opinion that any such legislation should be annulled wholly or in Part or should be amended in any respect, shall report that opinion and the grounds thereof to the House. If the Committee is of opinion that any other matter relating to any delegated legislation should be brought to the notice of the House, it may report that opinion and matter to the House.

(H) Rules Committee

247. *Constitution of the Committee*—There shall be a Committee on Rules of Procedure and Conduct of Business of the Uttar Pradesh Legislative Assembly consisting of not more than 15 members including the Speaker and the Deputy Speaker. The rest of the members shall be nominated by the Speaker.

248. *Functions of the Committee*— The functions of the Committee shall be to consider matters of procedure and conduct of business of the House and to recommend any amendment or additions considered necessary to these rules.

249. *Notice of amendments in Rules*—Any member may give notice of amendment to any of the these Rules, but such a notice shall be accompanied with the Statement of Objects and Reasons for the amendment. On receipt of the such a notice, the Speaker shall refer the same, if it is not out of order, to the Committee for consideration.

250. *Chairman of the Committee*— The Speaker shall be the *ex-officio* Chairman of the Committee. If the Speaker for any reason is unable to act as Chairman of the Committee, the Deputy Speaker shall be the Chairman for the sitting. If both are unable to preside for any reason the Speaker shall nominate a Chairman for that sitting from amongst the members of the Committee.

251. *Procedure for the amendment of the Rules*—(a) The recommendations of the Committee shall be laid on the Table of the House and any member may within a period of fourteen days beginning with the day when it is so laid on the Table, give notice of an amendment including a motion to refer all or any of the recommendation of the Committee for the reconsideration of Committee, together with the objects and reasons for such amendment.

(b) If no notice, of any amendment to the recommendations of the Committee is given within the period mentioned in sub-rule (a), the recommendations of the Committee shall be deemed to have been approved by the House on the expiry of the said period and shall be incorporated in the Rules.

(c) If notice of any amendment is received within the period prescribed in sub-rule (a), the Speaker shall refer such amendments, which are admissible, to the Committee and the Committee may, after considering such amendments made such changes in its recommendations as it deems fit.

(d) The final report of the Committee, after considering the amendments mentioned in sub-rule (c) shall be laid on the Table of the House for ten days, and if notice of any amendment to the decision taken by the Committee after such reconsideration is received along with the statement of objects and reasons within this period, the Speaker shall place such amendments which are admissible, for the consideration of the House in any other case, the report of the Committee shall be deemed to have been accepted by the House and the recommendations made in the report shall be incorporated.

(I) Select Committee

252. *Constitution of Select Committee*-(1) When a motion that a Bill be referred to Select Committee is made and agreed to the members of the Select Committee on the Bill shall be appointed by the House.

(2) The Select Committee shall consist of 19 members as follows:

- (i) Minister in charge of the Bill
- (ii) Member in charge of the Bill, if any,
- (iii) The member on Whose motion the Bill is referred to the Select Committee.
- (iv) Sixteen, seventeen or eighteen members as the case may be, of the Assembly to be elected by the method of proportional representation by means of single transferable vote .

253. *Procedure of a Select Committee*-The "procedure in a Select Committee shall, as far as practicable" be the same as is followed in the House during the consideration stage of a Bill, with such adaptation, whether by way of modification addition or omission, as the Speaker may consider necessary or convenient.

254. *Notice of amendments by members other than members of Select Committee*-When a Bill has been referred to a Select Committee, and notice given by a member of any amendment to a clause in the Bill shall stand referred to the committee :

Provided that where notice of amendment is received from a member who is not a member of the Select Committee such amendment shall not be taken up by the Committee unless moved by a member' of the Committee.

255. *Power of Committee to take evidence*- A Select Committee may hear expert evidence and representatives of special interests affected by the measure before it.

256. *Printing and publication of evidence tendered before a Select Committee*-(1) The discussions of a Select Committee shall not be disclosed by any person present at its sitting nor shall any reference to such discussion be made in the House.

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

(3) The Committee may direct that the whole or a part of the evidence or a summary thereof may be laid on the Table.

(4) The evidence given before a Select Committee shall not be published by any member of the Select 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.

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

258. *Report by Select Committee*-(1) Soon after a Bill has been referred to it, the Select Committee shall meet from time to time in order to consider the Bill and shall make a report thereon within the time fixed by the House :

Provided that where the House has not fixed any time for the presentation of the report, the report shall be presented before the expiry of three months from the date on which the House adopted the motion for the reference of the Bill to the Select Committee :

Provided further that the House may at any time, 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) Reports may be either preliminary or final.

(3) The Select Committee shall in its 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.

(4) Where a Bill has been altered, the Select Committee may, if it thinks fit, include in its report a recommendation to the member in charge of the Bill that his next motion should be motion for circulation or, where the Bill has already been circulated for re-circulation.

259. *Minute of dissent recorded by a member-* (I) Any member of a Select Committee may record a minute of dissent on any matter or matters connected with the Bill or dealt with in the report.

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

(3) 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.

(4) The minute of dissent if any, shall form part of the report.

260. *Printing and publication of Report*-The Secretary shall cause every report of the Select Committee to be printed and a copy of the report shall be made available for the use of every member of the House. The report and if amended, the Bill, as reported by the Select Committee, shall be published in the *Gazette* and a copy of the amended Bill shall be supplied to every member.

(J) Joint Select Committee

261. *Constitution of Joint Select Committee*-Unless decided otherwise by the two Houses by mutual agreement a Joint Select Committee shall consist of 25 members as follows:

- (a) Minister in charge of the Bill,
- (b) Member in charge of the Bill, if any,
- (c) The member on whose motion the bill is referred to the Joint Select Committee,
- (d) Eight members of the Council,
- (e) Fourteen, fifteen or sixteen members, as the case may be, of the Assembly to be elected by the method of proportional representation by means of a single transferable vote.

262. *Procedure before Joint Select Committee*- The same procedure, as laid down for Select Committee, shall be followed in a Joint Select Committee, and all rules relating to Select Committee with regard to.. the selection of members and the appointment of Chairman of the Committee and presentation and consideration of its report shall *mutatis mutandis* apply to a Joint Select Committee.

(K) Committee on Privileges

263. *Constitution of the Committee*-- The Committee on Privileges consisting of 10 members including the Deputy Speaker shall be nominated by the Speaker. The Deputy Speaker shall be the Chairman of this Committee.

264. *Quorum*-The quorum to constitute a sitting of the Committee shall be five:

Provided that no quorum shall be necessary to constitute a sitting for the purpose of taking evidence.

265. *Examination of the question by the Committee on Privileges and its procedure*-(1) On a reference being made to the Committee on Privileges, a copy of the complaint shall be sent by the Secretary to the person complained against with the request that he should, if he so desires, submit to the Secretary by a specified date his written statement about the complaint. After the expiry of the date fixed for submission of written statement, the Committee may, if it considers necessary summon for purpose of inquiry the person complaining and the person complained to appear before it on a specified date, time and place.

(2) Such a person, if he so desires may also present his case before the Committee by a counsel.

(3) If the party summoned to be present is unable to attend on the specified date, he shall inform the Committee of the reasons thereof. The Committee may on consideration of given reasons, postpone the consideration of the matter to enable the party to appear. If however, the Committee considers that there are no good reasons for the absence or that the party has wilfully absented, the Committee may after considering the matter against that party, in his absence, submit its report, and bring to the notice of the House his disobedience of the order for proper action against him.

266. *Examination of the Question by the Committee*-The complaining member or the member complained against, if he be the light of the evidence and circumstances of the case and determine whether any breach of privileges or contempt, has been committed and look into the nature of the breach and the circumstances leading to it, and make such recommendation as it may deem proper.

267. *Disabilities of Members of the Committee*- The Complaining member or the member complained against, if he be a member of the Committee shall not sit on the Committee so long as the matter complained by or against him as the case may be, is under consideration before the Committee.

268. *Sittings of Committee on Privileges*- The Committee on Privileges shall meet as soon as may be, after a question of privilege or Contempt has been referred to, it and from time to time thereafter till a report is made during the time fixed by the Speaker or the House, as the case may be :

Provided that where no time has been fixed for the presentation of the report, the report shall be presented within one month of the date of reference:

Provided further that the Speaker or the House, as the case may be, may from time to time extend the date for the presentation of the report by the Committee.

269. *Report of the Committee*-The report of the Committee shall indicate if a breach of privilege or contempt has been committed and what punishment in its opinion should be inflicted. It may also recommend the acceptance of an apology, if apology has been tendered.

(L) Question and Reference Committee

269-A. *Constitution of the Committee*- (1) There shall be a "Question and Reference Committee" consisting of not more than 15 members to be nominated by the Speaker and the Deputy shall be the *ex-officio* Chairman of the Committee.

(2) No Minister shall be a member of the Committee mentioned in sub-rule (1) and if a member of the Committee is appointed, he shall cease to be a member of the Committee from the date of such appointment.

(3) The quorum to constitute a sitting of the Committee shall be three.

269-B. *Functions of the Committee*- The following shall be the functions of the Committee:

(a) If reply to a question is not received from the Government within time or the reply received is not satisfactory and the Speaker considers it expedient so to do, he may refer the matter to the Questions and Reference Committee.

(b) Besides Questions, any other matter concerning the House not included within the jurisdiction of any other Committee under these rules, may be referred by the Speaker to the said Committee for consideration.

(M) Joint Committee on Scheduled Castes Scheduled Tribes and Denotified Tribes

269. C. *Constitution of the Committee* - There shall be a Joint Committee of the both Houses of State Legislature which shall be called Joint Committee on Scheduled Castes, Scheduled Tribes and Denotified Tribes and it shall consist of 25 members of which 21 members shall be from Legislative Assembly and 4 members from Legislative Council. Those members shall be elected from amongst the members of Legislative Assembly and Legislative Council respectively according to the principle of proportional representation by means of single transferable vote:

Provided that no: Minister shall be appointed a member of the Committee and if any member of Committee is appointed as the Minister, he shall cease to be the member of the Committee from the date of such appointment.

269. D-*Function of the Committee*-- The functions of the said committee shall be—

(1) to examine the progress of implementation of reservation and other facilities given for the said castes in services by the Constitution, Laws, Rules and various Government orders;

(2) to give suggestions and propose measures to be taken for improving the conditions of these classes within a minimum period and fulfillment of the objectives of the policies decided by the Government :

Provided that no Minister shall be appointed a member of the Committee and if any member of Committee is appointed as the Minister, he shall cease to be the member of the Committee from the date of such appointment.

269-E-Report of the Committee- The Committee shall submit its report, from time to time, to both Houses of the State Legislature on all or any of the aforesaid matter.

(N) Committee Relating to Examination of Audit Reports of the Local Bodies of the State

269-F-Constitution of the Committee-(1) There shall be a Committee for the examination of the Audit Reports of the Local Bodies of the State to examine the audit reports of the Local Bodies of the State. The annual financial statements of these institutions or such other accounts or financial matters as are laid before it or referred to it or which the Committee thinks necessary to be examined.

(2) The Committee relating to the Examination of the Audit Reports of the Local Bodies of the State shall consists of not more than eleven members who shall be elected by the House every year from amongst its members according to the principle of proportional representation by means of single transferable vote:

Provided that no Minister shall be appointed a member of the Committee and if any member of the Committee is appointed as Minister he shall cease to be the member of the Committee from the date of such appointment.

*269-G-Functions of the Committee-*The Functions of the Committee shall be-

(1) to check. whether the Annual Audit Report of the Auditor, Local Funds Account, Uttar Pradesh are being laid regularly before the Lecture or not and examine the report relating thereto.

(2) To examine whether the Government grants and loans which are sanctioned by Government Departments to local bodies and audited by the Auditor, Local Funds Accounts, Uttar Pradesh have been properly utilized by concerned institutions on the same schemes for which they were sanctioned and no financial irregularities have occurred in their utilization.

269-H. *Determination of Jurisdiction of the Committee-*

If a question arises as to whether or not the Committee has Jurisdiction – over a particular matter, the question shall be referred to the Speaker, Legislative Assembly, whose decision shall be final.

(O) Ethics Committee

269-I. *Constitution of the Committee-* There shall be a Parliamentary Ethics Committee nominated by the Speaker to examine the conduct of the members of the Uttar Pradesh Legislative Assembly inside and outside the House as Legislators comprising members not exceeding eleven including the Speaker and the Deputy Speaker. The Speaker shall be the *ex-officio* Chairman of the Committee.

269-J. *Functions of the Committee-*The functions of the Committee shall be as follows :-

(1) The Committee shall keep close watch on moral and virtuous behavior of the members and shall examine the matters relating to the conduct and other misbehavior of the members referred to it.

(2) The Committee shall consider for amendment as are deemed necessary in the Rules of Procedure of the House in the prospective of the misconduct of the members.

(3) The Committee shall consider and examine the complaints received by it about the actions of the members of the Legislative Assembly inside and outside the House on the basis of merit.

(4) The Committee may, in all that cases in which a member is found guilty of violation of the Code of Conduct consider and recommend the punishment of admonition, reprimand, censure or expulsion from the House in case of offences of less gravity and suspension from the services of the House for a specific period in the case of grave misconduct.

269-K. *Report of the Committee-*The Committee may submit its report to the House on all or any of the aforesaid matters.

(P) Joint Committee relating to women and child welfare

269-L-Constitution of the Committee-There shall be constituted a Joint Committee of both the Houses of the State Legislature, which will be known as "Joint Committee' relating to the development of Women and Child Welfare". The Committee' shall consist of nineteen members including the Chairman of which fifteen members shall be from Legislative Assembly and four members from Legislative Council. Fifteen members of Legislative Assembly shall be nominated by the Speaker, Legislative Assembly and four members of the Legislative Council, by the Chairman, Legislative Council :

Provided that no Minister shall be appointed a member of the Committee and if any member of the Committee is appointed as Minister he shall cease to be the member of the Committee from the Date of such appointment.

269-M-Functions of the Committee

(1) to examine the Acts, Rules, Regulations, Circulars' and orders framed by the State Government for the implementation of the policies and schemes of Women and Child Welfare;

(2) to make recommendations in its report for the educational and economic development of women and children;

(3) to review the legal assistance for women and children;
 (4) Committee can inspect the activities and records of the institutions established in the State which receive grants in any form from the State Government for the Women and Child Development;

(5) Committee may also examine such other matter related to Women and Child Development that are referred to it by the Speaker from time-to-time;

(6) If such a question arises as to whether or not any subject comes within the jurisdiction of this Committee such matter shall be referred to the Speaker, Legislative Assembly and his decision shall be final.

269-N. *Report of the Committee.*- The Committee shall submit its report to both the House of the State Legislature on the aforesaid matters or matters referred to it by the Speaker from time to time.

**(Q) Parliamentary Research, Reference and Studies
Committee**

269-O. *Constitution of the Committee*-There shall be a Committee to study on different issues which may arise before the House consisting of not more than 15 members including the Speaker and the Deputy Speaker and rest of the members shall be nominated by the Speaker.

269. P-*Chairman of the Committee* - The Speaker shall be the ex-officio Chairman of the Committee. If the Speaker for any reason is unable to preside over the sitting of the Committee, the Deputy Speaker shall be the Chairman for that sitting. If both are unable to preside for any reason the Speaker shall, from amongst the members of the Committee, nominate a Chairman for that sitting.

269. Q *Functions of the Committee* - The Committee that study various parliamentary issues which may arise in the House from time to time and after consideration, shall submit its report to the House.

(R) Panchayati Raj Committee

269-R. *Constitution of the Committee*- (1) There shall be a Panchayati Raj Committee to examine into the Annual Technical Report of the Comptroller and Auditor General of India and Annual Report of the Chief Account Audit Officer, Co-operative Societies and Panchayats of Uttar Pradesh in regard to the Village Panchayats, Kshetra Panchayats and District Panchayats which are caused to be laid before the State Legislature by the State Government, or referred to it, or which the Committee thinks necessary to examine.

(2) The Committee shall consist of not more than eight members who shall be elected by the House every year from amongst its members according to the principle of proportional representation by means of the single transferable vote and there shall be two coopt members of the Legislative Council :

Provided that no Minister shall be appointed as member of the Committee and if a member of the Committee is appointed as Minister he shall cease to be member of the Committee from the date of such appointment.

269-S-Functions of the Committee—

The functions of the Committee shall be :-

(1) to check whether the Annual Technical Report of the Comptroller and Auditor General of India and Annual Report of the Chief Account Audit Officer, Co-operative Societies and Panchayats of Uttar Pradesh in regard to the Village Panchayats, Kshetra Panchayats and District Panchayats are being laid regularly before the Legislature or not and to examine the report relating thereto.

(2) to examine whether the Government grants and loans which are sanctioned by Government Departments to Village Panchayats, Kshetra Panchayats and District Panchayats and in relation thereto the Annual Technical Report of the Comptroller and Auditor General of India and Annual Report of the Chief Account Audit Officer, Co-operative Societies and Panchayats of Uttar Pradesh are laid before the legislature have been properly utilized by concerned Institutions on the same scheme for which they were sanctioned and no financial irregularity have occurred in their utilization.

269-T-Determination of Jurisdiction of the Committee—

If a question arises as to whether or not the Committee has jurisdiction over a particular matter, the question shall be referred to the Speaker, Legislative Assembly, whose decision shall be final.

**CHAPTER XVII—RESOLUTIONS FOR REMOVAL OF SPEAKER
AND DEPUTY SPEAKER AND NO-CONFIDENCE MOTIONS
AGAINST MINISTERS.**

270. *Resolution for removal of Speaker or Deputy Speaker*—A member wishing to give a notice of intention to move a resolution under Article 179 (c) for the removal of the Speaker or the Deputy Speaker from his office shall do so in writing:

Art. 179.

Provided that no resolution for the aforesaid purpose shall be moved unless such notice has been given to the Secretary at least fourteen days before.

271. *Leave of House to take up Resolution*—(1) The member in whose name the resolution stands may withdraw the resolution, but if he does not do so he shall ask for the leave of the House to move the resolution. No speech shall be permitted at this stage, but the mover may briefly state the reason for bringing the resolution.

(2) The Speaker or the presiding member shall ask those members who are in favour of leave being granted to rise in their places. If less than one-fifth of the total number of the then members of the House rise in their places the Speaker or the Presiding Officer shall inform the mover that he has not the leave of the House to move the resolution.

272. *Resolution included in the list of Business on the Appointed day*—(a) In case the mover obtains the leave of the House to move the resolution according to the provisions of the last preceding rule, the resolution shall be taken up for consideration on the same day or any appointed day.

(b) Such a resolution shall be taken up after the question hour and before any other business is entered upon.

273. *The presiding Person at the time of consideration of the Resolution*—Subject to the provisions of Article 181 (1), the Speaker or the Deputy Speaker or such other person, as is referred to in Article 180 (2), shall preside when a resolution for removal under the foregoing rules is taken up for consideration.

Arts. 180
and 181.

274. *Time-limit for speeches*—No speech on the resolution shall exceed 15 minutes in duration:

Provided that the mover of the resolution may speak for such longer time as the member presiding may permit.

275. *Motion of non-confidence in Ministers*—(1) Motion expressing want of confidence in the Council of Ministers may be made with the consent of the Speaker subject to the following restrictions, namely:—

(a) leave to make the motion shall be asked for after questions and before the list of business for the day is entered upon;

(b) the member asking for leave must, before the commencement of the sitting for the day, deliver to the secretary a written notice of the motion which he proposes to move.

(2) If the Speaker is of opinion that the motion is in order he shall read the motion to the House and shall request those members who are in favour of leave being granted to rise in their places, and, if not less than one-fifth of the total number of the 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 from the date on which the leave is granted, as he may appoint. If less than the requisite number of members rise, the Speaker shall inform the member that he has not the leave of the House.

(3) If leave is granted under sub-rule (2) the Speaker may, after considering the state of business in the House, allot a day or days or part of a day for the discussion of the motion.

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

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

276. *Statement by a Minister who has resigned*—(1) A member who has resigned the office of Minister shall have the right with the consent of the Speaker to make a personal statement in explanation of his resignation. 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 Speaker and the Leader of the House one day in advance of the day on which it is made.

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

(3) There shall be no debate on such statement, but any Minister may make a statement pertinent thereto.

CHAPTER XVIII

**COMMUNICATIONS BETWEEN THE GOVERNOR AND THE
ASSEMBLY**

277. *Communications from the Governor to the Assembly*—Communications from the Governor to the Assembly may be made:—

- (1) by a written message delivered to the Speaker and read to the House by him; or
- (2) through a Minister.

278. *Communications from the Assembly to the Governor*—Communications from the Assembly to the Governor shall be made:—

- (1) by formal address, after a motion made and carried in the House; and
- (2) through the Speaker.

CHAPTER XIX

RESIGNATION AND VACATION OF SEATS IN THE HOUSE. AND ABSENTEE MEMBERS

279. *Resignation of seats in the House*—(1) A member who desires to resign his seat in the House shall intimate in the following form—

To,

THE SPEAKER,
LEGISLATIVE ASSEMBLY,
UTTAR PRADESH.

Sir,

I hereby tender my resignation of my seat in the House with effect from.....(date) forenoon/afternoon.

Yours Faithfully,

.....

(Signature of member of the House)

Place—

Date—

NOTE—The date and time of resignation given in the letter shall not be earlier than the one on which the letter is written.

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

(3) If the Speaker receives the letter of resignation by post or through some other person the Speaker may make such enquiry as he thinks fit to satisfy himself about the voluntary nature and genuineness of the resignation. If the Speaker is satisfied, after making a summary enquiry either himself or through Legislative Assembly Secretariat or such other agency as may deem fit, that the resignation is not voluntary or genuine he shall not accept it.

(4) A member may withdraw his resignation before it is accepted by the Speaker.

(5) Soon after the acceptance of the resignation of a member, the Speaker shall inform the House that such and such members have resigned their seats in the House and that he has accepted the resignation.

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

(6) The Secretary shall, as soon as may be, after the Speaker has accepted the resignation of a member, cause the information to be published in the bulletin and the *Gazette* and forward a copy of the notification to the Election Commission for taking steps to fill the vacancy thus caused. But if the resignation is to take effect from future date, the information shall not be published in the bulletin and *Gazette* before the date from which it is to take effect.

(7) The resignation shall take effect from the date and time specified in the letter of resignation.

(8) If any dispute arises as regards the genuineness or voluntary nature of the resignation, the same shall be determined by the Speaker before any action is taken under sub-rule (5) or sub-rule (6).

(9) If any letter of resignation is not in the form prescribed, it shall be returned to the member concerned for being submitted in the prescribed form.

280. *Permission to remain absent from sittings of the House*—(1) A member wishing to obtain permission of the House for remaining absent from sittings thereof under clause (4) of Article 190 shall make an application in writing to the Speaker, stating the period for which he may be permitted to be absent from the sittings of the House.

(2) Such application shall be set down for consideration by the House soon after receipt, as may be ordered by the Speaker, and shall on the day so fixed considered immediately after questions, and before any other business for the day is entered upon.

(3) The Speaker shall decide the manner in which the decision of the Assembly shall be taken on such applications.

(4) The Secretary shall inform the member, as soon as possible, of the decision of the Assembly on his application.

(5) If a member who has been granted leave of absence under sub-rule (2) attends the session of the House during the period of leave, the unexpired portion of the leave from the date of his resumed attendance shall lapse.

(6) If a member is absent without permission from all sittings of the Assembly for a period of 60 days or more, computed in the manner provided in the proviso to Article 190(4), the Leader of the House or any other member may move that such member seat be declared vacant.

(7) Three days notice of such a motion shall be necessary and a complete statement, of the date on which the member was absent shall be appended to it.

(8) The Secretary shall, after the motion under sub-rule (6) is carried, cause the information to be published in the *Gazette* and forward a copy of the notification to the Election Commission for taking steps to fill the vacancy thus caused.

281. *Attendance Register*—A record of attendance of members in the sittings of the Assembly shall be kept by the Secretary and for this purpose an attendance register shall be maintained. It will be placed in the lobbies an hour before the commencement of a sitting and the members other than Speaker, the Deputy Speaker, Ministers, the Leader of the Opposition, Ministers of State, Deputy Ministers and Parliamentary Secretaries, shall sign it before the sitting is adjourned for the day. A member who has not signed the register shall be treated as absent:

Provided that the member who has been so treated as absent may within 15 days of such a sitting which he attended and during which he failed to sign the attendance register, satisfy the Speaker about his attendance and the speaker, if so satisfied, may order that he may be marked present.

CHAPTER XX**GENERAL RULES OF PROCEDURE****(A) Language of the Assembly**

282. *Language of the Assembly*—(1) Subject to the provisions of the Constitution the business of the Assembly shall be transacted in the Hindi language and in Devanagri script.

(B) Notice

283. *Giving of Notice*—(1) Every notice required by the rules shall be given in writing addressed to the Secretary and shall be left at the Table or in his office during working hours.

(2) Unless otherwise provided in these rules, a notice received in the office at hours after other than those specified in the preceding sub-rule shall be treated as given on the next opening day.

(3) While the House is sitting, copies of the notices, except of cut motions, received under sub-rule (1) by 4 p.m. shall be circulated by the Secretary to members by 10 a.m. next day.

(C) Amendments

284. *Amendments which may be admissible*—(1) Subject to these rules, an amendment must be relevant to the subject matter of the motion to which it is proposed.

(2) An amendment may not be moved which if carried, would have merely the effect of a negative vote.

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

(4) No amendment may be proposed which is inconsistent with a previous decision on the same subject.

(5) The Speaker shall have the power to select amendments given notice of and he may, at any stage, disallow an amendment or refuse to put to vote an amendment which in his opinion is frivolous or irregular.

285. *Amendment how put to vote*—(1) When one or more amendments are moved to a motion, the Speaker shall, before putting the question thereon, state or read to the House the original motion.

(2) It shall be in the discretion of the Speaker either to put the original motion to vote first or any of the amendments thereto.

(D) Rules to be observed by members

286. *Rules to be observed by members while present in the House*—Whilst the House is sitting, a member:—

(i) shall not read any book, newspaper or letters, nor shall he do anything which is unconnected with the business of the House;

(ii) shall not interrupt any member while speaking by disorderly expression or noises or in any other disorderly manner;

(iii) shall bow to Chair while entering or leaving the House, and also when taking or leaving his seat;

(iv) shall not pass between the Chair and any member who is speaking;

(v) shall not leave or cross the floor of the House when the Speaker is addressing the House;

(vi) shall always address the chair;

(vii) shall keep to his usual seat while addressing the House;

(viii) shall maintain silence when not speaking in the House;

(ix) shall not obstruct proceedings, shout or interrupt and shall avoid making running commentaries when speeches are being made in the House;

(x) shall not, while speaking, point to any stranger in the gallery.

287. *Member to speak when called by the Speaker*—When a member rises to speak, the Speaker shall call his name. If more members than one rise at the same time, the member whose name is called shall be entitled to speak.

288. *Mode of addressing the House*—A member desiring to make any observations on any matter before the House shall rise when he speaks and shall address the Speaker:

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

289. *Rules to be observed while speaking and answering questions*—(1) The matter of every speech must be strictly relevant to the matter under discussion.

(2) A member while speaking or answering a question shall not—

(a) give any evasive reply to any question;

(b) express any opinion or make any comment on any matter of fact under consideration of a Court of Justice;

(c) make a personal charge or accusation against a member;

(d) use offensive expressions about the conduct or business of Parliament or the Legislature of any State;

(e) reflect on any decision of the House except when a motion for rescinding it is under consideration;

(f) reflect upon the conduct of the President or any Governor or any Court of Justice;

(g) utter treasonable or defamatory words, but he may, with the permission of the Speaker, quote them for the purposes of his argument;

(h) say anything which is derogatory to the Chair or to the House.

289-A. *Procedure for making allegation against any person*—No member shall make any allegation of defamatory or offensive nature against any person unless the member has given prior notice to the Speaker and the minister concerned so that the Minister may examine the matter for the purpose of reply:

Provided that the Speaker may prohibit any member at any time from making such allegation, if he is of the opinion that such allegation is against the dignity of the House or making of such allegation, does not serve public interest.

290. *Questions to be asked through the Speaker*—When for the purposes of explanation during discussion or for any other sufficient reason, any member has to ask a question from another member on any matter under the consideration of the Assembly, he shall ask the question through the Speaker.

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

291.A. *Personal explanation*—A member may give personal explanation with the permission of the Speaker though there may be no question before the House, provided that in such case no controversial question would be raised and there would be no debate.

(E) Order of Speeches and Right of Reply

292. *Order of speeches and right of reply*—(1) After the member who makes a motion has spoken, other members may speak on the motion in such order as the Speaker may determine. If any member when called upon by the Speaker does not speak he shall not be entitled except by the permission of the Speaker, to speak on the motion at any later stage of the debate.

(2) Except as otherwise provided, no member shall speak more than once on any motion.

(3) A member who was moved the original motion or an amendment thereto or has made a motion for reduction or omission of an item under the Budget demands, may speak again by way of reply, and if the motion or the amendment is moved by a private member the Minister to whose department the matter under discussion relates shall have the right of speaking after the mover whether he has previously spoken in the debate or not.

293. *Address by Speaker*—The Speaker may *suo motu* or on point being raised or a request made by a member address the

House at any time on a matter under consideration in the House with a view to aiding members in their deliberations and such expression of views shall not be taken to be in the nature of a decision.

(F) Procedure when Speaker rises

294. *Speaker to be heard in silence*—(1) Whenever the Speaker speaks (addresses) he shall be heard in silence and any member who is then speaking or offering to speak shall immediately sit down.

(2) No member shall leave his seat while the Speaker is addressing the House.

(G) Decision

295. *Procedure for obtaining decision of the House*—A matter requiring the decision of the House shall be decided by means of a question put by the Speaker.

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

297. *No Speech after voices collected*—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.

298. *Decision*—(1) Votes may be taken by voices or by division and shall be taken by decision, if any member so desires:

Provided that the Speaker may, if he is satisfied that division is unnecessarily claimed, avoid a division and take votes by show of hands.

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

(H) Speaker's Power to Order Withdrawal of a Member or to Adjourn the House or Suspend a Sitting.

299. *Peace and order in the House*—(1) the Speaker shall preserve order and may direct any member whose conduct in his opinion is disorderly or is defiant to the Speaker to withdraw immediately from the House and the member so ordered to withdraw shall withdraw from the Assembly hall forthwith and shall absent himself during the remainder of the day's sitting.

(2) The Speaker may name a member in the following cases:

(a) If a member on being ordered by the Speaker under sub-rule (1) to withdraw does not obey the order, or

(b) If the Speaker considers the power conferred under sub-rule (1) to be inadequate, or

(c) If a member wilfully and persistently obstructs the proceedings of the House in a disorderly manner, or

(d) If action under this rule becomes necessary against him on successive occasions in the same session.

(3) (a) As soon as a member is named, the Leader of the House or the Minister for Parliamentary Affairs or in his absence any other member shall forthwith make a motion to the effect that the member so named be suspended from the service of the House and the question on such motion shall be put before the House without any amendment, debate or adjournment proceeding.

(b) On a member being so suspended, the period of suspension shall be for the first occasion for 3 sittings, for the second occasion for 7 sittings and on subsequent occasions unless otherwise decided by the House, for the remainder of the session:

Provided that any period of suspension shall in no case be longer than the remainder of the session.

(c) The member suspended by the House shall forthwith withdraw from the precincts of the House. But on his not doing so and on the attention of the House being drawn by the Speaker to the fact that recourse to force has become necessary the suspended member shall stand suspended for the remainder of the session without any further motion.

(d) The member suspended from the service of the House shall stand debarred from entering the precincts of the House and from taking part in the proceedings of the House and the Committees;

Provided that the Speaker may allow a suspended member to enter the precincts of the House for any particular purpose on a request being made to that effect.

(4) the House may at any time, on a motion being made, order that any punishment of suspension under sub-rule (3), aforesaid or the unfinished part thereof may be rescinded.

(5) the Speaker shall have full authority to carry out his order or the decisions of the House and may employ, or authorised the employment of, necessary force, at any stage of the proceedings.

(6) the Speaker may, in the case of grave disorder arising in the House, suspend a sitting for a time to be determined by him.

299-A. *If during any sitting of the House any member after entering into empty space in the chamber of the House snatches or tries to snatch the papers kept on the table of the servants of the House or tears or tries to tear them or throws or tries to throw any paper file etc, towards the Speaker's chair or climbs or tries to climb the Speaker's Chair, such member shall, on being named by the Speaker or the Presiding member, be deemed to have been suspended from the services of the House for the said sitting.*

(I) Points of Orders

300. *Points of Order and Decisions thereon*—A point of order shall relate to the interpretation or enforcement of these rules or such Articles of the Constitution as regulate the business of the House and shall raise a question which is within the cognizance of the Speaker.

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

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

(3) Subject to the conditions referred to in sub-rule (1) and (2) a member may raise 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, or

(c) while a question or any motion is being put to the House, or

(d) which is hypothetical, or

(e) that division bells did not ring or were not heard.

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

(J) Record and Report of Proceedings

302. *Record of Proceedings of the Assembly*—(1) The Principal Secretary shall keep a journal in which a short record of the decisions of the Assembly for each day shall be entered.

(2) the Journal after each sitting of the House, shall be signed by the Speaker; and when so signed it shall form an authentic record of the decisions of the House.

(3) the Journal shall be printed and copies of it supplied to members within four days.

303. *Report of Proceedings of the Assembly*—(1) the Principal Secretary shall also cause to be prepared a full and accurate record of the proceedings of the Assembly at each of its sittings and shall publish it in such form and manner as the Speaker may from time to time direct.

(2) A copy of such report shall be sent by the Principal Secretary to each member of the Assembly and to the Governor within three months.

304. *Expunging of words from proceeding of the House*—(1) if the Speaker is of opinion that a word or words has or have been used in the House which is or, are defamatory or indecent, or unparliamentary or undignified, he may, in his discretion, order that such word or words be expunged from the proceedings of the House.

(2) the portions of the proceedings of the House so expunged shall not be printed; in their place asterisks shall be marked and an explanatory footnote shall be inserted in the proceedings as follows:

“Expunged as ordered by the Chair, on such and such date.”

(K) Admission of Strangers

305. *Speaker to regulate admission of strangers*—Admission of strangers to those portions of the precincts of the House, which are not reserved for the exclusive use of members, shall be regulated by orders or rules made by the Speaker.

306. *Powers to order withdrawal of strangers*—The Speaker may, at any time, order the withdrawal of strangers from any precincts of the House.

307. *Steps for expulsion of strangers*—The Speaker may take such steps or action as may, in his discretion, be necessary in the circumstances of the case for the expulsion of any stranger from any portion of the precincts of the House.

(L) Power of Speaker to make Regulations for election by Single Transferable vote and for Ballot

308. *Speaker to make regulation for election by single transferable vote and for Ballot*—The Speaker shall make regulations governing the method of election by single transferable vote or the holding of ballot for any other purposes for which no provision has been made in these rules.

(M) Election by the Assembly

309. *Elections by the Assembly*—When in pursuance of an Act or otherwise, the members of the Assembly or a section thereof have to elect their representatives on a public body, the Secretary shall, when requested in this behalf, arrange to hold an election in accordance with the provisions of the Act or the directions of and regulation, if any, made by the Speaker.

(N) Laying of a paper or Document on the table of the House

310. *Laying of any paper or document on the table of the House*—No paper or document shall be laid on the table of the House without the order or authority of the Speaker.

(O) Miscellaneous

311. *Suspension of rule*—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. The Speaker shall decide the procedure to be followed in such a case.

312. *Interpretation and removal of difficulties*—if any doubt arises as to the interpretation of any of the provisions of these rules, the decision of the Speaker shall be final.

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

314. *Speaker's decision not to be questioned*—No decision of the Speaker in respect of allowing of any resolution or question or in respect of any other matter shall be questioned.

314-A. *Objection to vote of a member*—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 the Challenge, to state precisely grounds of his objection and the member whose vote has been challenged to state his case and shall decide whether the vote of that member should be disallowed or not and his decision, shall be final:

Provided that the vote of any member or members is challenged immediately after the division is over and before the result is announced by the Speaker.

Explanation—for the purposes of this rule, the interest of a member should be direct, personal or pecuniary and separately belong to the member 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.

(P) Relative Precedence

315. *Relative Precedence of different of classes of business before the House*—Notwithstanding anything contained in these rules, and subject to the directions of the Speaker otherwise, the relative precedence of various classes of business before the House specified below shall be in the following order, namely:

- (i) Oath or affirmation.
- (ii) Questions (including short notice questions).
- (iii) Obituary references.
- (iv) Papers to be laid on the Table.
- (v) Communication of messages from the Governor.
- (vi) Communication of messages from the Council.

(vii) Intimation regarding President's/Governor's assent to Bills.

(viii) Communications from Magistrates or other authorities regarding arrest or detention or release of members of the House.

(ix) Presentation of Reports of Committees.

(x) Laying of evidence before Select/Joint Select Committee in respect of Bills.

(xi) Presentation of petitions.

(xii) Questions involving breach of privilege.

(xiii) Announcement by the Speaker regarding leave of absence of members from the sitting of the House.

(xiv) Announcement by the Speaker regarding various matter, e. g. resignation of members of House, nominations to panel of presiding members, Committees, etc.

(xv) Rulings or announcements by the Speaker.

(xvi) Miscellaneous statements by Ministers.

(xvii) Personal statement by *ex*-Minister in explanation of his resignation.

(xviii) Motion for election to Committee.

(xix) Motion for extension of time for presentation of report of Select/Joint Select Committee on a Bill.

(xx) Bill to be withdrawn.

(xxi) Bill to be introduced.

(xxii) Laying of explanatory statements giving reasons for immediate legislation by Ordinances.

(xxiii) Motion for adoption of report of Business Advisory Committee.

(xxiv) Motion for leave to move Resolution for removal of Speaker/Deputy Speaker.

(xxv) Motion for leave to make a motion of no-confidence in the Council of Ministers.

(xxvi) Consideration of report of Committee of Privileges.

(xxvii) Leave to move motion for adjournment of the House.

(xxviii) Other general business of the day.

(xxix) Calling attention motion.

SCHEDULE
(RULES 80 AND 81)

Form of communication regarding arrest, detention, conviction or release as the case may be of a member.

Place.....

Date.....

To,

THE SPEAKER,
VIDHAN SABHA, U.P.,
LUCKNOW.

A

Dear Sri Speaker,

I have the honour to inform you that I have found it my duty, in the exercise of my power under section.....of the.....(Act), to direct that Sri.....Member of the Vidhan Sabha, be arrested/detained for(reasons for the arrest or detention as the case may be).

Sri.....M.L.A., was accordingly arrested/taken into custody at(time) on.....(date) and is at present lodged in theJail.....(Place).

B

I have the honour to inform you that Sri.....member of the Vidhan Sabha, 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 ofand sentenced him to imprisonment for(period).

His application for leave to appeal to*.....is pending consideration.

C

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

Yours faithfully,

(Judge, Magistrate or Executive Authority)

*Name of the Court.

पी०एस०यू०पी० ए०पी० ६ सा० विधान सभा-६-१-२०१५-(१६९६)-२५० प्रतियां-कम्प्यूटर/आफसेट।

RULES OF PROCEDURE AND CONDUCT OF BUSINESS UTTAR PRADESH LEGISLATIVE ASSEMBLY, 1958