

RULES COMMITTEE

FIFTH LOK SABHA

FIFTH REPORT

(Laid on the Table on the 24th March, 1975)



**LOK SABHA SECRETARIAT
NEW DELHI**

May, 1975/Vaisakha, 1897 (Saka)

Price : 20 Paise

328-375 R
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PERSONNEL OF THE RULES COMMITTEE

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 13. Shri S. M. Siddayya
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- Shri Y. Sahai—*Chief Legislative Committee Officer.*
- Shri H. L. Malhotra—*Senior Legislative Committee Officer.*

FIFTH REPORT OF THE RULES COMMITTEE

(FIFTH LOK SABHA)

The Rules Committee, at their sitting held on the 17th March, 1975, considered certain amendments to the Rules of Procedure and Conduct of Business in Lok Sabha (Fifth Edition).

2. The recommendations of the Committee are contained in this their Fifth Report which the Committee authorise to be laid on the Table of the House.

3. *Rule 60 (See Appendix, item 1):*—The Committee note that in regard to the notice of an adjournment motion, according to the existing practice, where it is a border-line case or the Speaker is not in possession of full facts of the matter to decide the admissibility of a notice of an adjournment motion, he may mention the receipt of the notice in the House and, after hearing a brief Statement from the Minister and/or the member concerned, give his final decision on merits. The Committee also note that this practice is in conformity with the procedure decided upon at a meeting of the Speaker with the Deputy Speaker and Leaders or representatives of Parties and Groups in Lok Sabha held on the 19th September, 1958 and later announced by the Speaker in the House on the 19th August, 1959 and notified in paragraph 2916 of Bulletin Part II dated the 31st August, 1959. The Committee, therefore, recommend that this well-established practice may be incorporated in the Rules of Procedure and Conduct of Business in Lok Sabha and a further proviso to that effect may be added to Rule 60(1).

4. *Rules 60(1), 193(1) (a), 199(3), 202 and 225(1) (See Appendix, items 2—6):*—In rules 60(1), 193(1) (a), 199(3), 202 and 225(1) of the Rules of Procedure and Conduct of Business in Lok Sabha, the words "after the questions and before the list of business is entered upon" or words to that effect occur to indicate the stage at which those items shall be taken up in the House. The Committee note that items of business before the House are included in the list of business in accordance with their relative precedence as specified in Direction 2 of the Directions by the Speaker or as may be directed by the Speaker from time to time. The Committee, therefore, are of the view that

the words "after the questions and before the list of business is entered upon" or words to that effect occurring in those rules are redundant and should be deleted in order to avoid confusion and points of order in the House. The Committee recommend that those words in the said rules may be omitted.

Rules 60(1), 198(1) (a), 199(3), 202 and 225(1) are proposed to be amended accordingly.

5. *New Rules 305A, 305B and 305C (See Appendix item 7):*—Shri Era Sezhiyan, M.P., has suggested that a separate Committee on Papers laid on the Table be constituted to examine all papers laid on the Table of the House, other than those which fall within the purview of the Committee on Subordinate Legislation or any other Parliamentary Committee with a view to see (i) whether there is satisfactory explanation given for the delay, and (ii) whether both the Hindi and English versions of that paper have been laid on the Table of the House. The Committee agree with the suggestion of Shri Era Sezhiyan and recommend that there may be a separate Committee on Papers laid on the Table consisting of not more than fifteen members nominated by the Speaker with the functions stated above. The Committee are of the view that the matter proposed to be examined by this Committee should not be raised in the House but may be referred to that Committee.

New rules 305A, 305B and 305C are proposed to be added accordingly.

6. The Committee recommend that the draft amendments to the Rules of Procedure and Conduct of Business in Lok Sabha (Fifth Edition) shown in the Appendix may be made.

NEW DELHI;
The 20th March, 1975.

G. S. DHILLON,
Chairman,
Rules Committee.

APPENDIX

(See para 6 of the Report)

Amendments to the Rules of Procedure and Conduct of Business in Lok Sabha (Fifth Edition) as recommended by the Rules Committee

Rule 60

1. After the proviso to sub-rule (1) of rule 60, the following further proviso shall be added, namely:—

“Provided further that where the Speaker is not in possession of full facts about the matter mentioned therein, he may before giving or refusing his consent read the notice of the motion and hear from the Minister and/or members concerned a brief statement on facts and then give his decision on the admissibility of the motion.”

Rule 60

2. In sub-rule (1) of rule 60, the following words shall be omitted, namely:—

“after the questions and before the list of business is entered upon,”

Rule 198(1)

3. In clause (a) of sub-rule (1), rule 198, for the words “after questions and before the list of business for the day is entered upon;” the following shall be substituted, namely:—

“by the member when called by the Speaker;”.

Rule 199

4. In rule 199,—

(i) sub-rule (3) shall be omitted.

(ii) sub-rule (4) shall be renumbered as sub-rule (3).

Rule 202

5. Rule 202 shall be omitted.

Rule 225 (1)

6. In rule 225, sub-rule (1), the following words shall be omitted, namely:—

“after the questions and before the list of business is entered upon,”.

New Rules 305A, 305B and 305C

7. After rule 305, the following new rules shall be inserted, namely:—

(dd) *Committee on Papers laid on the Table*

Com-
mittee on
Papers
laid on
the
Table.

305A. (1) There shall be a Committee on 'Papers laid on the Table' consisting of not more than 15 members.

(2) The Committee shall be nominated by the Speaker and shall hold office for a term not exceeding one year.

Func-
tions of
Com-
mittee.

305(B). (1) The functions of the Committee shall be to examine all papers laid on the Table of the House by Ministers and to report to the House on—

- (a) whether there has been compliance of the provisions of the Constitution, Act, rule or regulation under which the paper has been laid;
- (b) whether there has been any unreasonable delay in laying the paper;
- (c) if there has been such delay, whether a statement explaining the reasons for delay has been laid on the Table of the House and whether those reasons are satisfactory;
- (d) whether both the Hindi and English versions of the paper have been laid on the Table; and
- (e) whether a statement explaining the reasons for not laying the Hindi version has been given and whether such reasons are satisfactory.

(2) The Committee shall perform such other functions in respect of the papers laid on the Table as may be assigned to it by the Speaker from time to time.

Restric-
tion on
raising
matters
in the
House
about
Papers
laid.

305C. A member wishing to raise any of the matters referred to in sub-rule (1) of rule 305B shall refer it to the Committee and not raise it in the House.

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PUBLISHED UNDER RULE 382 OF THE RULES OF PROCEDURE AND CONDUCT
OF BUSINESS IN LOK SABHA (FIFTH EDITION) AND PRINTED BY THE
GENERAL MANAGER, GOVERNMENT OF INDIA PRESS, MINTO ROAD,
NEW DELHI.
