

RULES COMMITTEE

FIFTH LOK SABHA

SEVENTH REPORT

(Laid on the Table on the 2nd May, 1975)



**LOK SABHA SECRETARIAT
NEW DELHI**

*May, 1975/Vaisakha, 1897 (Saka)
Price : 20 Paise*

328.375A
LS

CONTENTS

	PAGE
1. PERSONNEL OF THE RULES COMMITTEE	(iii)
2. REPORT	1
3. APPENDIX—Amendments to the Rules of Procedure and Conduct of Business in Lok Sabha (Fifth Edition) as recommended by the Rules Committee	2

PARLIAMENT LIBRARY
 (Library Reference Service)
 Central Govt. Publications
 Acc. No. R. 43.391(4)
 Date 3.9.75

328.375R
 LS

PERSONNEL OF THE RULES COMMITTEE

Dr. G. S. Dhillon—*Chairman*

2. Shri S. M. Banerjee
3. Shri H. R. Gokhale
4. Shri Jagannathrao Joshi
5. Shri Sat Pal Kapur
6. Shri Amrit Nahata
7. Shri Kartik Oraon
8. Shri S. B. Patil
9. Shri K. Raghu Ramaiah
10. Shri K. Narayana Rao
11. Dr. Saradish Roy
12. Shri Era Sezhiyan
13. Shri S. M. Siddayya
14. Shri Ramshekhar Prasad Singh
15. Shri C. M. Stephen

SECRETARIAT

Shri S. L. Shakhder—*Secretary-General*

Shri P. K. Patnalk—*Additional Secretary*

Shri Y. Sahai—*Chief Legislative Committee Officer*

Shri J. R. Kapur—*Senior Legislative Committee Officer*

SEVENTH REPORT OF THE RULES COMMITTEE

(FIFTH LOK SABHA)

The Rules Committee, at their sitting held on the 25th April, 1975, considered amendments to rule 240 of the Rules of Procedure and Conduct of Business in Lok Sabha (Fifth Edition).

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

3. Rule 240 (See Appendix):—The Committee note that Article 101(3)(b) of the Constitution as amended by the Constitution (Thirty-third Amendment) Act, 1974, reads as follows:

“If a member of either House of Parliament—

(a) * * * *

(b) resigns his seat by writing under his hand addressed to the Chairman or the Speaker, as the case may be, and his resignation is accepted by the Chairman or the Speaker, as the case may be;

his seat shall thereupon become vacant:

Provided that in the case of any resignation referred to in sub-clause (b), if from information received or otherwise and after making such inquiry as he thinks fit, the Chairman or the Speaker, as the case may be, is satisfied that such resignation is not voluntary or genuine, he shall not accept such resignation.”

The Committee consider that rule 240 of the Rules of Procedure and Conduct of Business in Lok Sabha relating to resignation of seats in the House should be amended to conform to the aforesaid amended provisions of Article 101(3)(b) of the Constitution.

4. The Committee, therefore, recommend that the draft amendments to rule 240 of the Rules of Procedure and Conduct of Business in Lok Sabha (Fifth Edition) shown in Appendix may be made.

G. S. DHILLON

Chairman,

Rules Committee.

NEW DELHI;

The 29th April, 1975.

APPENDIX

(See para 4 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 240

1. After sub-rule (1), the following shall be inserted, namely:—

“(1A) If a member hands over the letter of resignation to the Speaker personally and informs him that the resignation is voluntary and genuine and the Speaker has no information or knowledge to the contrary, the Speaker may accept the resignation immediately.

(1B) If the Speaker receives the letter of resignation either by post or through someone else, the Speaker may make such inquiry as he thinks fit to satisfy himself that the resignation is voluntary and genuine. If the Speaker, after making a summary enquiry either himself or through the agency of Lok Sabha Secretariat or through such other agency, as he may deem fit, is satisfied that the resignation is not voluntary or genuine, he shall not accept the resignation.

(1C) A member may withdraw his letter of resignation at any time before it is accepted by the Speaker.”

2. For sub-rules (2) and (3), the following shall be substituted, namely:—

“(2) The Speaker shall, as soon as may be, after he has accepted the resignation of a member, inform the House that the member has resigned his seat in the House and he has accepted the resignation:

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

(3) The Secretary-General shall, as soon as may be, after the Speaker has accepted the resignation of a member, cause

the information to be published in the Bulletin and the Gazette and forward a copy of the notification to the Election Commission for taking steps to fill the vacancy thus caused:

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

(C) 1975 BY LOK SABHA SECRETARIAT.

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.
