

RULES COMMITTEE

FIFTH REPORT



सत्यमेव जयते

LOK SABHA SECRETARIAT
NEW DELHI
August, 1956

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PERSONNEL OF THE RULES COMMITTEE

1. Shri M. Ananthasayanam Ayyangar—*Chairman*.
2. Sardar Hukam Singh
3. Pandit Thakur Das Bhargava
4. Shri Satya Narayan Sinha
5. Shri N. Keshavaiengar
6. Shri Shivram Rango Rane
7. Shri Ghamandi Lal Bansal
8. Shri Khushi Ram Sharma
9. Shri Kotha Raghuramaiah
10. Shri Satis Chandra Samanta
11. Dr. N. M. Jaisoorya
12. Shri N. C. Chatterjee
13. Shri Bhawani Singh
14. Shri Kamal Kumar Basu
15. Shri K. S. Raghavachari

SECRETARIAT

Shri M. N. Kaul—*Secretary*.

Shri S. L. Shakhder—*Joint Secretary*.

REPORT

REPORT OF THE RULES COMMITTEE

The Rules Committee held their sitting on the 7th August, 1956 to consider certain amendments to the Rules of Procedure and Conduct of Business in the House of the People (Fourth 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. With regard to the changes proposed in the Rules which are shown in the Appendix to this Report, the Committee observe as follows:

4. *Rule 2 (Item 1).*—In order that the area covered by the term “Lobby” as used in rule 385 relating to ‘Division’ may be precisely known, it is being defined.

5. *Rules 115, 116, 147, 149 and 383 (Items 2, 3, 4, 5, 6, 9, 11 and 12).*—These rules, while referring to a Select Committee on a Bill, do not take cognisance of the fact that a Bill can be referred to a Joint Committee of the Houses as well. The amendments have been suggested with a view to remove this lacuna from these rules.

6. *Rule 132 (Item 7).*—This rule, while laying down the scope of debate on the motion ‘that the Bill be passed’, does not provide for the motion ‘that the Bill as amended be passed’ which will be the case if a Bill is amended at the Committee or clause by clause consideration stage. The proposed amendment removes this lacuna from the rule.

7. *Rule 147 (Items 8 and 10).*—(1) This rule provides for the withdrawal of a Bill only on the following grounds:

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

The Committee feel that there should be no objection to the withdrawal of a Bill also on the ground that the Bill is to be replaced subsequently by another Bill which includes all or any of its provisions, in addition to other provisions.

(2) Rule 147 lays down the procedure for withdrawal of a Bill originating in the Lok Sabha. There is no provision in the Rules under which a Bill passed by the Rajya Sabha and pending in the Lok Sabha can be withdrawn in the latter House.

The Committee consider that in such cases the proper procedure should be that if the member in charge wishes to withdraw the Bill, he should move a motion in the House recommending to the Rajya Sabha that that House do agree to leave being granted by the Lok Sabha to withdraw the Bill. After the motion is adopted by the Lok Sabha and concurred in by the Rajya Sabha, a motion for withdrawal of a Bill should be made in the House in the usual manner.

This procedure, which was adopted in the case of the withdrawal of the Manipur State Hill Peoples (Administration) Regulation (Amendment) Bill during the Twelfth Session, is sought to be given a basis in the Rules.

8. Rule 385 (Item 13).—The use of the words 'a "Division" to be held' in clause (a) of sub-rule (3) of rule 385 is inappropriate, as at that stage when the opinion of the Speaker as to the decision of a question is first challenged, only the bells are rung and the Lobby cleared of strangers. A 'Division' may be ordered by the Chair at a later stage when, after lapse of two minutes, the question is put again and the Chair's opinion as to the decision thereof is challenged for the second time.

The proposed amendment makes the intention of the rule clear.

9. The Committee recommend that the draft amendments to the Rules of Procedure and Conduct of Business in the House of the People (Fourth Edition), as shown in Appendix, may be made.

M. ANANTHASAYANAM AYYANGAR,
Chairman, Rules Committee.

NEW DELHI;
The 14th August, 1956.

APPENDIX

APPENDIX

LOK SABHA

Amendments to Rules of Procedure and Conduct of Business in the House of the People (Fourth Edition), as recommended by the Rules Committee

RULE 2

1. In rule 2, after the definition of "Houses", the following definition shall be inserted, namely:—

"'Lobby' means the covered corridor immediately adjoining the Chamber and coterminous with it;"

RULE 115

2. In the heading above rule 115, after the words "Select Committee" the words "or a Joint Committee" shall be added.

3. In rule 115—

(i) in sub-rule (1), after the words "Select Committee" occurring in line 2, the following shall be inserted, namely:—

"of the House or the Joint Committee of the Houses, as the case may be,";

(ii) in clause (a) of sub-rule (1), after the words "Select Committee" the following shall be inserted, namely:—

"of the House or the Joint Committee of the Houses, as the case may be,";

(iii) in clause (b) of sub-rule (1), for the words "that the Bill as reported by the Select Committee be re-committed to the same Committee or to a new Committee either—" the following shall be substituted, namely:—

"That the Bill as reported by the Select Committee of the House or the Joint Committee of the Houses, as the case may be, be re-committed to the same Select Committee or to a new Select Committee, or to the same Joint Committee or to a new Joint Committee with the concurrence of the Council, either—";

(iv) In clause (c) of sub-rule (1), after the words "Select Committee" the following shall be inserted, namely:—

"of the House or the Joint Committee of the Houses,";

(v) in sub-rule (2), after the words "Select Committee" the following shall be inserted, namely:—

"of the House or the Joint Committee of the Houses, as the case may be,".

4. In the marginal heading to rule 115, after the word "Select" the words "or a Joint" shall be inserted.

RULE 116

5. In rule 116—

(i) after the words "as reported by the Select Committee" the following shall be inserted, namely:—

"of the House or the Joint Committee of the Houses, as the case may be,";

(ii) the word "Select" occurring after the words "of the report of the" shall be omitted.

6. In the marginal heading to rule 116, after the word "Select" the words "or Joint" shall be inserted.

RULE 132

7. In rule 132, after the words "the Bill" occurring in line one, the words "or the Bill as amended, as the case may be," shall be inserted.

RULE 147

8. In rule 147—

(i) in clause (b), the word "or" shall be added at the end;

(ii) after clause (b), the following clause shall be inserted, namely:—

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

9. In the proviso to rule 147, after the words "Select Committee" the following shall be inserted, namely:—

"of the House or a Joint Committee of the Houses, as the case may be,"

10. To rule 147, the following further proviso shall be added, namely:—

"Provided further that where a Bill has originated in the Council and is pending before the House, the member in charge

shall move a motion in the House recommending to the Council that the Council do agree to leave being granted by the House to withdraw the Bill and after the motion is adopted by the House and concurred in by the Council, the member in charge shall move for leave to withdraw the Bill."

RULE 149

11. In clause (v) of sub-rule (1) of rule 149, after the words "Select Committee" the following shall be inserted, namely:—

"of the House or Joint Committee of the Houses, as the case may be,"

RULE 383

12. In sub-rule (1) of rule 383, after the words "Select Committee" the words "or the Joint Committee" shall be inserted.

RULE 385

13. In clause (a) of sub-rule (3) of rule 385, for the words 'a "Division" to be held', the words "that the Lobby be cleared" be substituted.